



## CITY OF EDGEWOOD

### PLANNING COMMISSION MEETING AGENDA

Monday, April 14, 2025 – 6:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

---

Virtual Meeting Via Zoom <https://zoom.us/j/97065969184>

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. Meeting Minutes of March 10, 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. ADU Code Updates
- b. Residential Parking Code Updates
- c. Middle Housing Code Updates
- d. Hazardous Vegetation/Tree Preservation

#### 5. DISCUSSION ITEMS

- a. Climate Planning (HB 1181)
- b. ADU Code Updates
- c. Residential Parking Code Updates
- d. Middle Housing Code Updates
- e. Hazardous Vegetation/Tree Preservation
- f. Land Use Table Updates
- g. Impact Fee Code Updates
- h. Introduction - Unit Lot Subdivisions

#### 6. STAFF COMMENTS

#### 7. COMMISSIONER UPDATES

#### 8. 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, March 10, 2025 – 6:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

---

#### 1 CALL TO ORDER

**a.** Pledge of Allegiance and Roll Call

Chair Overfeild called the meeting to order at 6pm and led attendees in the Pledge of Allegiance. **Present:** Carly Guillory, JoAnn Overfield, Sarah Wagner, Jan Furey, Carly Lenoir, Tom Greene **Excused:** Leyla Church,

#### 2 CONSENT AGENDA:

**a.** Agenda Approval or Modification

**b.** Meeting Minutes of February 10, 2025

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

#### 3 CITIZEN COMMENT PERIOD

There were no citizen comments.

#### 4 DISCUSSION ITEMS

**a.** Middle Housing

Staff reiterated that Edgewood is required to comply with the middle housing bill within 6 months of its Comprehensive Plan Periodic Update, which was effective January 1, 2025. As such, a middle housing ordinance needs to be adopted by June 30, 2025.

**b.** Accessory Dwelling Unit Code Updates

Staff brought this item forward requesting guidance on whether or not the Planning Commission wants ADU and detached single-family units to be subject to minor design review and, if yes, if there are any comments or guidance on what those design standards should be.

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

Staff prepared code amendments for the Planning Commission's review which incorporated the guidance received at the February 10, 2025, meeting.

**d.** Land Uses

Staff noted based on the commissions feedback they will initiate noticing after the meeting and set the public hearing for the next Planning Commission meeting.

**e.** Hazardous Vegetation / Tree Preservation

Following the conversation with the Planning Commission at last February's meeting and further review by staff in the months following, staff discussed updating the minimum requirement for a "Qualified Tree Professional" and revising or repealing EMC 18.80.080(G)(8) to clarify how standards may differ in the town center, commercial, and mixed use residential, and business park zoning districts.

**f.** Introduction – Impact Fees & SB 5258

In order to update Impact Fee provisions in Edgewood Municipal Code (EMC) to align

with recent changes in state law, staff provided a summary explanation of the relevant legislation SB 5258 and HB 1337.

**5 STAFF COMMENTS**

Staff provided various updates.

**6 COMMISSIONER UPDATES**

Commissioners spoke on topics of their choosing.

**7 ADJOURN**

Chair Overfield adjourned the meeting at 7:44pm.



# CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

---

Date: April 14, 2025

Title: Public Hearing – Accessory Dwelling Units Amendments

Attachments:

- A. Draft Accessory Dwelling Units Code Amendments
- B. HB 1337 Consistency Checklist
- C. Notice of Public Hearing (NOPH)
- D. State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS)

Submitted By: Josh Kubitza, Planning Manager

## Introduction:

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 updated comprehensive plan went into effect on January 1, 2025, making the required development regulation updates due by 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 the ADU regulations](#), including a [checklist](#). Staff's completed checklist is attached as Exhibit B.

## Background Information:

Planning staff presented legislation updates, local legislative decision options, and proposed code amendments to the Planning Commission for their consideration. The following are some of key items that have been revised:

- Accessory Dwelling Unit Definition.
- Identifying Accessory Dwelling Units as a middle housing type.
- Application Processing.
- Number of allowed Accessory Dwelling Units per lot.
- Maximum square footage of each Accessory Dwelling Unit.
- Accessory Dwelling Units design standards.
- Administrative Deviations.

The Planning Commission has held meetings regarding this item on the following dates:

- February 10, 2025

- March 10, 2025
- April 14, 2025

Materials, minutes, and recordings of these prior meetings can be found here: [Agendas and Minutes](#). After the commission's review and discussion of the draft amendments on March 10, 2025, a Notice of Public Hearing (Exhibit B) and SEPA DNS (Exhibit C) was issued informing the public of the proposed drafts amendments, this public hearing date/time, and to provide an opportunity to submit comments.

These notices were issued on March 21, 2025, with a public comment period held from March 21, 2025 through April 14, 2025. Public notice was submitted to SEPA agencies, tribes and public through the Tacoma News Tribune, the city's website, email, posting on the Statewide SEPA Register, and posting at the City Hall notice board. As of April 10, 2025, no public comments have been received. If any public comments are received by April 13, 2025, prior to the Planning Commission Public Hearing on April 14, 2025, staff will provide the commission with the comments prior to the meeting.

Current Discussion:

This is the Planning Commission Public Hearing for draft amendments to address HB 1137 Accessory Dwelling Unit Requirements. Staff will provide a brief presentation on the draft code amendments. After the presentation, the public may submit written or oral testimony to the Planning Commission.

Public Hearing:

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

## EXHIBIT A

### 18.20.040 A definitions

...

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

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

“Accessory dwelling unit (ADU)” means a self-contained dwelling unit on the same lot as a single-housing unit.

...

### 18.20.190 P definitions

...

“Principal Unit” means a dwelling unit that is a primary use on a lot and does not meet the definition as an accessory dwelling unit.

...

### 18.90.190 Accessory dwelling units.

A. Purpose. The purpose of these regulations is to ensure consistency with the City of Edgewood Comprehensive plan goals and polices for land use, housing, transportation, and the environment. This includes but is not limited to: ensuring that new housing development supports City and regional growth plans to allow for adequate housing supply; encouraging housing design that provides quality living and community spaces that enhance neighborhood livability; and promoting a mix of housing types and diversity of housing units to meet the needs of current and future residents.

B. Intent. Accessory dwelling units (ADUs) are intended to increase the supply of affordable and independent housing for a variety of households, increase home and personal security, provide additional income opportunities, and provide flexible options for property owners, renters, families, those aging in place, and changing lifestyles of all economic segments of the community~~owners and their families.~~ ADUs are intended to be in harmony with existing neighborhoods patterns while meeting personal property needs and ensuring that residential units are of sound quality. This should occur by utilizing the existing infrastructure and community resources throughout the city while protecting the existing character of ~~single family~~lower residential~~residential~~ neighborhoods.

C. Middle Housing. Pursuant to RCW 36.70A.635(5), ADUs are considered a middle housing type.

~~D.B.~~ Procedures. Any landowner seeking to establish an ADU shall apply for and obtain approval in accordance with the following procedures:

1. Application. The ~~landowner~~ applicant shall apply for a building permit for an ADU. ~~A complete application form must demonstrate that all size thresholds and design standards are met.~~

~~2. Septic System Approval. A site with or proposing an on-site sanitary sewer (OSS) for the proposed ADU shall have an approved sanitary sewer inspection or separate septic system review by Tacoma Pierce County Health Department (TPCHD) and must provide the TPCHD approved site plan at the time of ADU application.~~

~~23.~~ Application Review. ~~Accessory dwelling unit determination of completeness, department review and approval shall be subject to the procedures for~~ An ADU building permit is a Process I administrative approval as prescribed in EMC 18.40.080.

3. Preexisting ADUs. Preexisting accessory dwelling units, established without city approval prior to the enactment of this code section, may obtain legal status using the same standards and procedures for a new

ADU. After approval, the landowner must provide title notification establishing that the ADU was legally constructed.

4. Business License. If the ADU shall be made available for rental occupancy, the landowner shall obtain a business license for such rental pursuant to Chapter 5.05 EMC. ~~The state application for a business license or city of Edgewood business license shall be included in the landowner's ADU permit application.~~

~~35. Preexisting Accessory Dwelling Units. Preexisting accessory dwelling units, established without city approval prior to the enactment of this code section, may obtain legal status using the same standards and procedures for a new ADU. After approval, the landowner must provide title notification establishing that the ADU was legally constructed.~~

EC. General Requirements. The creation of an ADU shall be subject to the following general requirements:

1. Number. ~~One~~ Up to two (2) ADUs ~~shall be~~ are allowed per lot of record ~~that contains a single principal unit as an accessory use in conjunction with any detached single family structure. ADUs shall not be~~ are not counted in site net density calculations pursuant to EMC 18.90.040. ADUs shall count toward unit density.

2. Type of ~~U~~unit. ~~An~~ Where allowed, ADUs shall be permitted as ~~a second dwelling unit either attached to, or detached from, the or some combination thereof, to the principal unit~~ primary residence.

3. Size. ~~An ADU shall be no greater than 1,200 square feet (net square feet including only livable space) or 80 percent of primary residence's size, whichever is less. The total habitable floor area of an ADU shall be no greater than 1,000 square feet or 80% of the principal unit total habitable floor area, whichever is greater, up to a maximum of 1,600 square feet. Habitable floor area is considered rooms of the structure that are spent living, sleeping, eating, and/or cooking.~~

4. Location. ADUs shall comply with the zoning district minimum setback standards. The following are exempt from this standard:

a. ADU conversions of existing legal non-conforming accessory structures.

b. Detached ADUs may be placed on the property line abutting a public alley so long as it is situated outside the front yard setbacks.

5. Height. For detached ADUs, the building height of the ADU shall not be greater than the principal unit's building height or 24 feet, whichever is greater.

~~64.~~ Design. ADUs shall be subject to the design standards provided in EMC 18.95.060. The review of these standards is a Process 1 administrative approval that is completed concurrently with the ADU building permit.

7. Permanent foundation. An ADU shall have a permanent foundation.

8. Utilities. An ADU must be served by an approved potable water system, an approved sanitary sewer or on-site septic system, and other utilities as required.

~~Each ADU shall be architecturally consistent with the primary dwelling unit on site in the following ways:~~

a. ~~Exterior finish materials shall visually match in color, texture, type, size and placement, the exterior finish materials of the primary dwelling.~~

b. ~~The roof style shall match the predominant roof style of the primary dwelling.~~

c. ~~New construction of a detached ADU or conversion of an existing detached structure to an ADU shall not be permitted within the required front, side, or rear yard setback. An exception to the required rear and side yard setback shall be allowed if the rear yard abuts an alley.~~

~~d. For detached ADUs, the building height of the ADU shall not be greater than the principal dwelling's building height.~~

~~e. An ADU shall have a permanent foundation.~~

~~f. An attached ADU must utilize a private entrance; contain a bath, kitchen and sleeping quarters; and provide fire separation from the main unit.~~

~~5. Utilities. The landowner shall be responsible for obtaining all necessary utility service for an ADU, including without limitation, water, sewer, electric, and phone service, in accordance with applicable rules, regulations, and policies.~~

~~96. Parking. ADUs shall provide parking. One off-street parking space shall be required for the ADU in addition to off-street parking required for the principal dwelling pursuant to~~[per](#) ~~EMC 18.90.130, Parking.~~

10. Administrative Deviations. Deviations provided below are a Process I administrative approval that is completed concurrently with the ADU building permit.

a. When the development of an ADU or ADU conversion is for people with disabilities, the Director or Designee may allow reasonable deviation from stated requirements to install features that facilitate accessibility.

b. The Director or Designee may allow the conversion of a legal existing structure to an ADU to be exempt from compliance with development standards for setbacks, height, lot coverage, and impervious coverage.

c. The Director or Designee may allow an ADU to be equal square footage as the principal unit if the ADU is located completely on a single floor of an existing principal unit. This exemption does not apply to detached ADUs.

~~F~~D. Prohibition. ADUs that have not been approved pursuant to this section are prohibited.



House Bill 1337 Consistency Checklist  
File No. 25-003CODE

HB 1337 Description: AN ACT Relating to expanding housing options by easing barriers to the construction and use of accessory dwelling units; amending RCW 36.70A.696, 43.21C.495, and 36.70A.280; adding new sections to chapter 36.70A RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; creating a new section; and repealing RCW 35.63.210, 35A.63.230, 36.70A.400, 36.70.677, and 43.63A.215..

| Title 36 Revised Code of Washington (RCW)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Requirement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Existing Edgewood Code                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposed Changes and Notes                                                                                                                                                                                   |
| a. ADU means a dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome or other housing unit. RCW 36.70A.696(6)                                                                                                                                                                                                                                                                                                                                                                  | EMC 18.20.040<br>“Accessory dwelling unit (ADU), attached” means a small self-contained dwelling unit within a detached house, but with a separate entryway.<br><br>“ADU, detached (backyard cottage)” means a small self-contained dwelling unit located on the same lot as a detached house, but physically separated (detached).                                                                                                                                                                                                                | Proposed revision to comply with SB 6015:<br><br>EMC 18.20.040<br>“Accessory dwelling unit (ADU)” means a self-contained dwelling unit on the same lot as a single-housing unit.                             |
| b. Dwelling unit means a residential living unit that provides complete independent living facilities for one or more persons and that includes permanent provisions for living, sleeping, eating, cooking and sanitation. RCW 36.70A.696(1)                                                                                                                                                                                                                                                                              | EMC 18.20.070<br>“Dwelling unit” means one room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure or on the same property, and containing independent cooking, sleeping and sanitary facilities. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit. | No proposed changes as the current definition complies with the state definition and provides additional clarity.                                                                                            |
| c. [WITHIN UGAs] Allows at least two ADUs on all lots that meet the minimum lot size in zoning districts that allow for single-family homes. RCW 36.70A.681(1)(c)                                                                                                                                                                                                                                                                                                                                                         | EMC 18.90.190.C:<br>1. Number. One ADU shall be allowed per lot of record as an accessory use in conjunction with any detached single-family structure.                                                                                                                                                                                                                                                                                                                                                                                            | Proposed revision to comply with HB 1337:<br><br>EMC 18.90.190.E<br>1. Number. Up to two (2) ADUs are allowed per lot of record that contains a single principal unit. ADUs shall count toward unit density. |
| d. Allows ADUs in the following configurations and conditions: <ul style="list-style-type: none"><li>Two attached ADUs such as unit in a basement, attic, or garage; or</li><li>One attached ADU and one detached ADU; or</li><li>Two detached ADUs, which may be comprised of either one or two detached structures</li></ul> Exception: cities and counties may impose a limit of two accessory dwelling units, in addition to the principal unit, on a residential lot of 2,000 square feet or less. RCW 36.70A.681(3) | EMC 18.90.190.C:<br>2. Type of Unit. An ADU shall be permitted as a second dwelling unit either attached to or detached from the primary residence.                                                                                                                                                                                                                                                                                                                                                                                                | Proposed revision to comply with HB 1337:<br><br>EMC 18.90.190.E<br>2. Type of unit. Where allowed, ADUs shall be permitted as attached, detached, or some combination thereof, to the principal residence.  |
| e. Allows conversion of an existing structure, such as a detached garage. RCW 36.70A.681(1)(j)                                                                                                                                                                                                                                                                                                                                                                                                                            | No explicit allowance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Proposed revision to comply with HB 1337:<br><br>EMC 18.90.190.E<br>4. Location. ADUs shall comply with the zoning district minimum setback standards. The following are exempt from this standard:          |

| Title 36 Revised Code of Washington (RCW)                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>a. ADU conversions of existing legal non-conforming accessory structures.</p> <p>b. Detached ADUs may be placed on the property line abutting a public alley so long as it is situated outside the front yard setbacks.</p>                                                                                                                                                                                                                                                                                                               |
| f. Does not allow ADUs in locations where development is restricted under other laws, rules, or ordinances due to physical proximity to on-site sewage system infrastructure, critical areas or other unsuitable physical characteristics of a property. RCW 36.70A.680(4&5) and RCW 36.70A.681                                   | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | No proposed changes as EMC 18.90.190 does not supersede other laws, rules, or ordinances.                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| g. [WITHIN UGAs] Allows a gross floor area of at least 1,000 square feet. RCW 36.70A.681(1)(f)                                                                                                                                                                                                                                    | EMC 18.90.190.C<br>3. Size. An ADU shall be no greater than 1,200 square feet (net square feet including only livable space) or 80 percent of primary residence's size, whichever is less.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Proposed revision to comply with HB 1337:<br><br>EMC 18.90.190.E<br>3. Size. The total habitable floor area of an ADU shall be no greater than 1,000 square feet or 80% of the principal unit total habitable floor area, whichever is greater, up to a maximum of 1,600 square feet. Habitable floor area is considered rooms of the structure that are spent living, sleeping, eating, and/or cooking.                                                                                                                                     |
| h. Roof height limits on an ADU are greater than or equal to 24 feet.<br><br>Exception: when the height limitation on the principal unit is less than 24 feet. In this case, a city or county may not require the roof height limitation for an ADU to be less than the height limit for the principal unit. RCW 36.70A.681(1)(g) | EMC 18.90.190.C.4<br>d. For detached ADUs, the building height of the ADU shall not be greater than the principal dwelling's building height.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Proposed revision to comply with HB 1337:<br><br>EMC 18.90.190.E<br>5. Height. For detached ADUs, the building height of the ADU shall not be greater than the principal dwelling's building height or 24 feet, whichever is greater.                                                                                                                                                                                                                                                                                                        |
| i. Requirements for setbacks, yard coverage limits, tree retention mandates, restrictions on entry door locations, aesthetic requirements, or requirements for design review are not more restrictive for ADUs than those for principal units. RCW 36.70A.681(1)(h)                                                               | EMC 18.90.190.C<br>4. Design. Each ADU shall be architecturally consistent with the primary dwelling unit on site in the following ways:<br>a. Exterior finish materials shall visually match in color, texture, type, size and placement, the exterior finish materials of the primary dwelling.<br>b. The roof style shall match the predominant roof style of the primary dwelling.<br>c. New construction of a detached ADU or conversion of an existing detached structure to an ADU shall not be permitted within the required front, side, or rear yard setback. An exception to the required rear and side yard setback shall be allowed if the rear yard abuts an alley.<br>d. For detached ADUs, the building height of the ADU shall not be greater than the principal dwelling's building height.<br>e. An ADU shall have a permanent foundation.<br>f. An attached ADU must utilize a private entrance; contain a bath, kitchen and sleeping quarters; and provide fire separation from the main unit. | Proposed revision to comply with HB 1337:<br><br>EMC 18.90.190.E<br>6. Design. ADUs shall be subject to the design standards provided in EMC 18.95.060. The review of these standards is a Process 1 administrative approval that is completed concurrently with the ADU building permit.<br><br>Note: Middle housing types, ADU's, and Detached Single-Family units will all have the same design standards provided in EMC 18.95.060. Therefore, design requirements will not be more restrictive than those required for principal units. |
| j. Allows detached ADUs to be sited at a lot line if the lot line abuts a public alley.<br>Exception: if the city or county routinely plows snow on the public alley. RCW 36.70A.681(1)(i)                                                                                                                                        | Not Applicable to City of Edgewood.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Proposed revision to comply with HB 1337:<br><br>EMC 18.90.190.E.4                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

| Title 36 Revised Code of Washington (RCW)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                          |                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                          | 4. Location. ADUs shall comply with the zoning district minimum setback standards. The following are exempt from this standard:<br>a. ADU conversions of existing legal non-conforming accessory structures.<br>b. Detached ADUs may be placed on the property line abutting a public alley so long as it is situated outside the front yard setbacks. |
| k. [WITHIN UGAs] Does not require owner occupancy, unless used for short term rentals. RCW 36.70A.680(5)(a)<br>Note: RCW 36.70A.696(9) defines owner as any person who has at least 50% ownership in a property on which an ADU is located.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | No existing restriction.                                                                 | No proposed changes as the city does not have an owner occupancy requirement.                                                                                                                                                                                                                                                                          |
| m. Parking limits:<br>Does not require off street parking within one-half mile of a major transit stop. RCW 36.70A.681(2)(a)(i)<br>Exceptions: <ul style="list-style-type: none"><li>If an empirical parking study showing that meeting these requirements would be significantly less safe to pedestrians, drivers etc. is certified by Commerce. RCW 36.70A.681(2)(b)(i)</li><li>Areas within a one-mile radius of Seattle-Tacoma International Airport. RCW 36.70A.681(2)(b)(ii)</li></ul>                                                                                                                                                                                                                                                                                                    | EMC 18.90.130.G<br>One parking space per ADU no exemption regarding major transit stops. | Code Amendment 25-003 CODE: The following parking note will be added to all middle housing types, including ADUs, as part of the residential parking code updates:<br><br>EMC 18.90.130.G<br>Note:<br>1. No parking required if the property is within one half mile walking distance of a major transit stop.                                         |
| n. Parking based on lot size:<br>Does not require more than one off-street parking space per ADU on lots equal to or smaller than 6,000 square feet before any zero lot line subdivisions or lot splits. RCW 36.70A.681(2)(a)(ii)<br>o. Does not require more than two off-street parking spaces per ADU on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits. RCW 36.70A.681(2)(a)(iii)<br><br>Exceptions: <ul style="list-style-type: none"><li>If an empirical parking study showing that meeting these requirements would be significantly less safe to pedestrians, drivers etc. is certified by Commerce. RCW 36.70A.681(2)(b)(i)</li><li>Areas within a one-mile radius of Seattle-Tacoma International Airport. RCW 36.70A.681(2)(b)(ii)</li></ul> | EMC 18.90.130.G<br>One parking space per ADU regardless of lot size.                     | No proposed changes as the city does not require more than one off-street parking space per ADU.                                                                                                                                                                                                                                                       |
| p. Impact fees on the construction of accessory dwelling units are less than or equal to 50 percent of the impact fees that would be imposed on the principal unit. RCW 36.70A.681(1)(a)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | --                                                                                       | Impact fees are being reviewed and revised with the impact fee code amendments.                                                                                                                                                                                                                                                                        |



# Notice of Public Hearing

City of Edgewood

2224 104<sup>th</sup> Ave East

Edgewood, Washington 98372-1513

253-952-3299

**Notice Date:** March 21, 2025

**File(s):** This is a notice of public hearing for the following four (4) Edgewood Municipal Code (EMC) amendments.

- **#24-001-CODE, EMC Title 8 and 18 Hazardous Trees and Tree Preservation Amendments**

Description: Amendments to EMC 8.15 and EMC 18.90 associated with mitigation and removal of hazardous trees and other tree protection code clarification updates. The proposed amendments identify specific species of trees that are not considered significant, identifies a process for emergency tree removal, provides for off-site tree replacement, and various other code cleanup.

- **#24-002-CODE, EMC Title 18 Middle Housing Amendments**

Description: Amendments to EMC 18.20 Definitions, EMC 18.70 Land Use Types and Zones, EMC 18.80 land Use Zones, and EMC 18.95 Design Chapter to provide for Middle Housing standards compliant with House Bill 1110.

- **#25-002-CODE, EMC Title 18 Accessory Dwelling Unit Amendments**

Description: Amendments to EMC 18.90.190 Accessory dwelling units to comply with House Bill 1137.

- **#25-003-CODE, EMC Title 18 Residential Parking Amendments**

Description: Amendments to EMC 18.90.130 Parking to comply with Second Senate Bill 6015, House Bill 1137, House Bill 1110, code reorganization, and code cleanup.

**Hearing Date/Time:** April 14, 2025 at 6:00 PM

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

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

**Documents:** Draft code amendments are provided electrically at [noa.cityofedgewood.org](https://noa.cityofedgewood.org) under the associated file number.

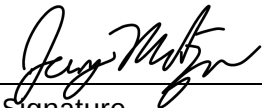
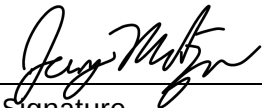
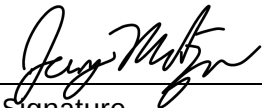
Please call (253) 952-3299 if you have any questions.

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



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

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

|                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------|-----------|------|
| Issued:                                                                             | March 21, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                     |           |           |      |
| File:                                                                               | #25-002-CODE EMC Title 18 Amendments to comply with HB 1137 (Accessory Dwelling Units)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                     |           |           |      |
| Lead Agency:                                                                        | City of Edgewood                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |           |           |      |
| Staff Contact:                                                                      | Josh Kubitza, AICP, Planning Manager<br>253-952-3299   <a href="mailto:comdev@cityofedgewood.org">comdev@cityofedgewood.org</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
| Proponent:                                                                          | City of Edgewood                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |           |           |      |
| Location:                                                                           | City of Edgewood located in northern Pierce County, Washington. The proposal is for all areas within the City of Edgewood municipal boundaries.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
| Proposal:                                                                           | Amendments to City of Edgewood Municipal Code (EMC) EMC 18.90.190 Accessory dwelling units to comply with House Bill 1137.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                     |           |           |      |
| Existing Documents:                                                                 | All existing environmental documents and studies associated with this proposal are available on the City of Edgewood Permit Portal via <a href="https://portal.cityofedgewood.org">portal.cityofedgewood.org</a> by searching the File No. 25-002-CODE. <ul style="list-style-type: none"><li>• SEPA Environmental Checklist;</li><li>• DRAFT Title 18 Code Amendments;</li></ul>                                                                                                                                                                                                                                                                                                                                                              |                                                                                     |           |           |      |
| SEPA:                                                                               | <p>The City of Edgewood has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of an Environmental Checklist and other information on file with the City. This DNS is issued under WAC 197-11-340(2). A final decision will not be made on this proposal until after April 29, 2025.</p> <p>SEPA Responsible Official:</p> <table><tr><td></td><td>3/21/2025</td></tr><tr><td>Signature</td><td>Date</td></tr></table> <p>Jeremy Metzler, PE, Community Development Director</p> |  | 3/21/2025 | Signature | Date |
|  | 3/21/2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     |           |           |      |
| Signature                                                                           | Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                     |           |           |      |
| Comment Period:                                                                     | Written comments may be submitted until April 14, 2025 by 5:00 PM via email, mail, or in-person via <a href="mailto:comdev@cityofedgewood.org">comdev@cityofedgewood.org</a> or City of Edgewood, 2224 104th Avenue East, Edgewood, WA 98372. Verbal comments may be submitted during the Planning Commission public hearing.                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |           |           |      |
| Public Hearing:                                                                     | The City of Edgewood Planning Commission will convene a hybrid public hearing on the matter at 6:00pm on Monday, April 14, 2025. Members of the public can attend and participate in person at Edgewood City Hall, Council Chambers, 2224 104th Ave East, Edgewood, WA 98372 or virtually via Zoom by visiting <a href="https://zoom.us/join">zoom.us/join</a> using Meeting ID: 970 6596 9184. Meeting information is available at <a href="https://cityofedgewood.org/calendar">cityofedgewood.org/calendar</a> .                                                                                                                                                                                                                            |                                                                                     |           |           |      |
| Appeals:                                                                            | Appeals for this threshold determination must be made to the City of Edgewood pursuant to EMC 20.05.250(J). Per EMC 20.05.250(E) appeals will be accepted until 5:00 PM on April 29, 2025. Appeals must be submitted in writing along with the appeal fee via the City’s permit portal: <a href="https://portal.cityofedgewood.org">portal.cityofedgewood.org</a> .                                                                                                                                                                                                                                                                                                                                                                            |                                                                                     |           |           |      |



# CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

---

Date: April 14, 2025

Title: Public Hearing – Parking Code Amendments

Attachments:

- A. Draft Parking Code Amendments
- B. SB 6015 Consistency Checklist
- C. Notice of Public Hearing (NOPH)
- D. State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS)

Submitted By: Josh Kubitza, Planning Manager

## Introduction:

The 2024 Washington State Legislature adopted [Substitute Senate Bill 6015](#) (SB 6015) (Residential Parking Bill), 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, making the required development regulation updates due by June 30, 2025. As such, the city needs to move forward with development code updates to ensure compliance with RCW 36.70A.622.

## Additional Parking Legislation Updates:

- HB 1110 – Middle Housing parking regulations
- HB 1137 – Accessory Dwelling Units parking regulations
- RCW 36.70A.620
- RCW 36.70A.600

## Background Information:

Planning staff presented the legislation updates, local legislative decision options, and proposed code amendments to the Planning Commission for their consideration. The following are some of key items that have been revised:

- Minimum residential parking dimensions be no greater than eight (8) feet by twenty (20) feet.
- Allow for 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.
- Clarity on code applicability.
- Clarity on parking plans applicability.
- Affordable housing parking reduction.
- Reorganization of the parking table for Middle Housing and ADUs.
- Create notes for reduced parking near major transit stops.

The Planning Commission has held meetings regarding this item on the following dates:

- February 10, 2025
- March 10, 2025
- April 14, 2025

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

After the commission's review and discussion of the draft amendments on March 10, 2025, a Notice of Public Hearing (Exhibit B) and SEPA DNS (Exhibit C) was issued informing the public of the proposed drafts amendments, this public hearing date/time, and to provide an opportunity to submit comments.

These notices were issued on March 21, 2025, with a public comment period held from March 21, 2025 – April 14, 2025. Public notice was submitted to SEPA agencies, tribes and public through the Tacoma News Tribune, the city's website, email, posting on the Statewide SEPA Register, and posting at the City Hall notice board. As of April 10, 2025, no public comments have been received. If any public comments are received by April 13, 2025, prior to the Planning Commission Public Hearing on April 14, 2025, staff will provide the commission with the comments prior to the meeting.

#### Current Discussion:

This is the Planning Commission Public Hearing for draft amendments to address SB 6015, HB 1137, and HB 1110 parking requirements and other organization and clarification edits. Staff will provide a brief presentation on the draft code amendments. After the presentation, the public may submit written or oral testimony to the Planning Commission.

#### Public Hearing:

The Planning Commission is scheduled and duly noticed to hold a public hearing this evening to accept public comment regarding proposed draft amendments to EMC Title 18 related to SB 6015, HB 1137, and HB 1110 parking requirements and other organization and clarification edits.

**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 ~~vehicle 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, undergoes a major exterior remodel, or undergoes a change in use, vehicle parking spaces shall be provided for said change in accordance with 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, grass block pavers, etc.) shall be used to the maximum extent feasible (per Minimum Requirement No. 5 of the PCM). Single-family homes, ADU's, and Middle Housing uses may be exempt from this requirement, provided the facility is surfaced with no less than three inches of crushed gravel and is maintained in a dust free condition. Refer to the PCM and associated guidance documents for additional information, restrictions, and standards for alternative paving materials.

b. For residential uses only, existing legally nonconforming gravel surfaces designated for vehicle parking may be used to meet these parking standards, up to a maximum of six parking spaces.

**24. 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 entry point of the building that such parking is required to serve, located either on private property or within public right-of-way, subject to approval of an agreement by the Director which assures that any private property where the required parking is located 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 must run in perpetuity and may be executed through covenants, conditions and restrictions (CC&Rs), or be an easement agreements. The Director shall not approve such an agreement unless he finds that the proposed parking area 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 Use 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 Use Standards: A standard parking space shall have a minimum width of nine (9) feet and a minimum length of eighteen (18) feet. Compact stalls shall have a minimum width of eight (8) feet and a minimum length of fifteen (15) feet. Up to 50 percent of the required parking for a non-residential development may consist of compact stalls.

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

d. These minimum standards are exclusive of any state- and/or federally--required accessible parking stalls.

### ~~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.~~

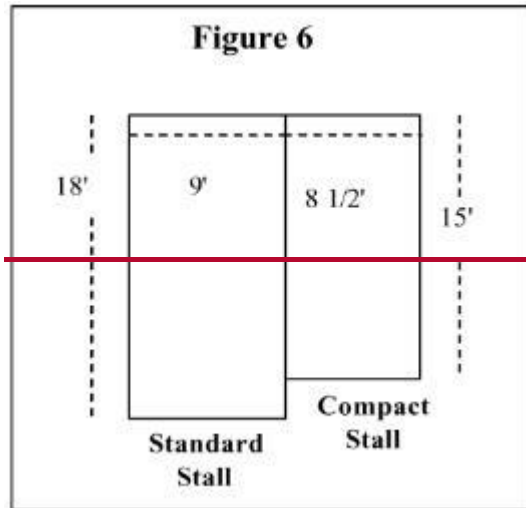
### 4. Minimum Parking Drive Aisle Dimension Standards.

a. 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>60</u>                 | <u>17'</u>                         |

| <u>Parking Angle</u> | <u>Minimum One-Way Aisle Width</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**

| <b>Parking Angle</b> | <b>Minimum One-Way Aisle Width</b> |
|----------------------|------------------------------------|
| 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. For residential uses only, parking spaces in tandem must count towards meeting minimum vehicle 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, with one or more in front of or behind the others with a single means of ingress and egress.

6g. Wheel stops. ~~A~~, a minimum of two feet from any obstruction or the end of the parking stall, wheel stops 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~~ Director or Designee.
- ~~h. Multiple level parking structures developed either as a single use structure or as parking incorporated into a structure shall be designed and laid out in accordance with the dimension and numeric requirements of this section.~~

#### ~~6. Unit of Measurement.~~

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

#### 7. Landscaping. Parking areas shall meet the applicable landscaping requirements of EMC 18.90 and EMC 18.95.

D. Parking plans. Except for applications subject to EMC Title 16, site plans indicating how the parking and loading area requirements described in this section must be provided upon request by the ~~Director or designee~~ Director or Designee with the accompanying land use or development application. ~~Where off-street vehicle parking areas of more than 24 parking stalls are~~ is required, a plan site 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.. The plan shall show all those elements necessary to indicate that these requirements will be fulfilled, including but not limited to:

- 1a. Location and dimensions of LID systems (if applicable);
- 2b. Delineation and dimensions of individual parking spaces, both regular and compact spaces, and loading and unloading areas;
- 3e. Dimensions of circulation and maneuvering areas necessary to serve spaces;
- 4d. Access to streets, alleys, and properties served;
- 5e. Curb cuts and curb placement;
- 6f. Dimensions, continuity and substance of landscaping and screening;
- 7g. Grading, drainage, surfacing and subgrading details; and

8h. 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.~~

E8. Parking Study Requirements. When required or otherwise provided by the applicant, 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:

1a. Existing parking conditions.

2b. Parking supply.

3e. Parking utilization data.

4d. Parking demand.

5e. Parking capacity.

6f. Average parking duration.

7g. Other jurisdictions' parking policies.

8h. 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.~~

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

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

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

3. Application Materials:

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

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

ii. Trees that are required for retention.

iii. The location of minimum required parking spaces, maneuvering areas, and driveways.

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

b. A narrative demonstrating site conditions and applicable parking and tree retention standards that impact feasibility.

c. A site-specific parking study.

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

4. Decision Criteria. The Director may grant the waiver request if the applicant demonstrates that the residential project is unable to comply with the minimum parking requirements and tree retention requirements while complying within maximum building height, minimum setbacks, and maximum density and/or maximum floor area ratio (FAR).

#### ~~G.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 or distribution of bulk materials and merchandise shall provide loading spaces as follows:~~

~~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~~ Director or Designee.

2. Each loading space shall measure not less than ~~30-25~~ feet long by ~~12-10~~ feet wide, 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-vehicle~~ 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-vehicle~~ 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.

#### ~~H.E.~~ Use- and Site-Specific Standards.

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

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

2. Transit Support Facilities.

- a. For developments that generate a parking demand of greater than 24 parking spaces, the developer shall fund the purchase and installation of one or more transit shelters and/or other related transit support facilities as determined by Pierce Transit operational criteria, based on the size and nature of the use.
- b. When a transit shelter is not required to be installed, transit stops shall include design features or changes in materials that demarcate the stop. A bench is to be provided at a bus stop where at least five transit riders are expected to board buses on an average weekday, and a shelter is to be provided at a bus stop where at least 10 transit riders are expected to board buses on an average weekday.
- c. Any ~~single family development with 100 to 250 units, or multifamily~~ residential use with 50 to 100 units ~~that will be located~~ proposed 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 use 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.~~

3. Loading and unloading children. One-way driveways with a continuous forward flow design shall be provided for this purpose on school and daycare sites which have an occupant capacity of greater than 50 children.

4. Affordable Housing Parking Reduction: A project may request for reduced parking from EMC 18.90.130.J requirements provided the affordable housing project complies with the following:

- a. Housing units must be affordable for very low-income or extremely low-income individuals, as defined in RCW 36.70A ~~in Pierce County~~.
- b. The housing unit is located within one-quarter (1/4) mile of a transit stop that receives transit service at least two (2) times per hour for twelve (12) or more hours per day.
- c. A covenant must be registered on title consistent with city standards that will maintain units as affordable for a minimum of twenty (20) years.

~~IF~~ Shared Parking Facilities. 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~~ 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.

~~IF~~ 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.

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

2. The parking requirement for any 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. 0.75 space per unit shall be required for all affordable housing for very and extremely low income units established with a covenant that complies with RCW 36.70A.620.~~

~~45~~ 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-vehicle 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.~~

566. 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.

67. Maximum Parking Allowed. The director shall have the authority to limit the maximum parking allowed based on a site-specific parking study.

**Table 1: Minimum Parking Requirements**

| <b>Residential</b>                                 |                       |
|----------------------------------------------------|-----------------------|
| <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>Middle Housing</i>                              |                       |
| Accessory Dwelling Unit (ADU) <sup>1 &amp; 2</sup> | One per dwelling unit |
| Duplex <sup>2</sup>                                | One per dwelling unit |
| Stacked Flat <sup>2</sup>                          | One per dwelling unit |
| Cottage Housing <sup>2</sup>                       | One per dwelling unit |
| Courtyard Apartments <sup>2</sup>                  | One per dwelling unit |
| <i>Multifamily</i>                                 |                       |
| Duplex: Side-by-Side                               | Two per dwelling unit |
| Duplex: Back-to-Back                               | Two per dwelling unit |

|                                                      |                                                                   |
|------------------------------------------------------|-------------------------------------------------------------------|
| <del>Duplex: Top and Bottom</del>                    | <del>Two per dwelling unit</del>                                  |
| <del>Attached Dwelling</del>                         | <del>Two per dwelling unit</del>                                  |
| Multi-Plex <sup>3</sup>                              | 1.5 per dwelling unit                                             |
| Townhouse <sup>3</sup>                               | 1.5 per dwelling unit                                             |
| Apartment <sup>3</sup>                               | 1.5 per dwelling unit                                             |
| <i>Other</i>                                         |                                                                   |
| Adult Family Home <sup>4</sup>                       | One per three beds plus one per employee                          |
| Nursing and Residential Care Facilities <sup>6</sup> | One per four beds                                                 |
| Assisted Living Facilities <sup>6</sup>              | One per three beds plus one per employee                          |
| Live/Work Unit                                       | One per business use in addition to the residential use           |
| <b>Agriculture and Resource</b>                      |                                                                   |
| 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                                            |
| <b>Utilities</b>                                     |                                                                   |
| Electric Power Generation                            | NA                                                                |
| Potable Water Treatment                              | Parking study required                                            |
| Sewage Collection or Treatment Facility              | NA                                                                |
| Wireless Communication Facilities                    | Parking study required                                            |
| <b>Manufacturing</b>                                 |                                                                   |
| 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                                   |
| <b>Wholesale and Retail Trade</b>                    |                                                                   |
| Wholesale Trade                                      | Three per 1,000 square feet                                       |

|                                                                   |                                                                                                                                                                                                                         |
|-------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Retail Trade</b>                                               |                                                                                                                                                                                                                         |
| 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                                                                                                                                                                                             |
| <b>Transportation and Warehousing</b>                             |                                                                                                                                                                                                                         |
| 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                                                                                                                                                                                         |
| <b>Business and Professional Services (Sector 51-56)</b>          |                                                                                                                                                                                                                         |
| 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                                                                                                                                                                                                  |
| <b>Educational Services</b>                                       |                                                                                                                                                                                                                         |
| 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                                                                                                                                                    |
| <b>Health Care and Social Assistance</b>                          |                                                                                                                                                                                                                         |
| Ambulatory Health Care Services, All Other                        | One per 250 gross square feet                                                                                                                                                                                           |
| Hospitals                                                         | Parking study required                                                                                                                                                                                                  |

|                                                                         |                                                                                                                   |
|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| <b>Social Assistance</b>                                                |                                                                                                                   |
| 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                                                                                     |
| <b>Arts, Entertainment, and Recreation</b>                              |                                                                                                                   |
| 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                                                                                            |
| <b>Accommodation</b>                                                    |                                                                                                                   |
| 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                                                                                            |
| <b>Food Service and Drinking Places</b>                                 |                                                                                                                   |
| 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                                              |
| <b>Services (Sector 811-812)</b>                                        |                                                                                                                   |
| <b>Automotive Repair and Maintenance</b>                                |                                                                                                                   |
| 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                                                                                     |
| <b>Other Repair and Maintenance</b>                                     |                                                                                                                   |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| 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                                                                                           |
| <b>Civic and Public Uses</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                         |
| 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                                                                                                  |
| <u>Notes:</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                         |
| <p><u>1. Accessory dwelling units within one-half (0.5) mile of a major transit stop, defined as a stop for commuter rail, bus rapid transit, or actual fixed route service at intervals of at least fifteen (15) minutes for at least five (5) hours during the peak hours of operation on weekdays, are not required to provide on-site parking spaces if adequate provision of on-street parking facilities is available as determined by the Director.</u></p> <p><u>2. For middle housing types, housing units that are within one-half (1/2) mile of a major transit stop are not required to provide on-site parking.</u></p> <p><u>3. For multifamily housing types:</u></p> <p><u>a. Housing units within one-half (0.5) mile of a transit stop that receives transit service at least four (4) times per hour for twelve (12) or more hours per day are required to provide three-quarters (0.75) parking spaces per unit or one (1) space per bedroom, to a maximum of two (2) spaces per unit, and no unreserved guest parking is required.</u></p> <p><u>b. Housing units that meet the criteria under (a) must include at least ten (10) percent of the total parking spaces set aside for unreserved guest parking.</u></p> <p><u>4. For housing units that are specifically for seniors or people with disabilities and are within one-half (1/2) mile of a transit stop that receives transit service at least four (4) times per hour for twelve (12) or more hours per day, no on-site parking is required</u></p> |                                                                                                                         |



Senate Bill 6015 Consistency Checklist  
File No. 25-003CODE

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 <a href="#">RCW 36.70A.622</a> *** CHANGES EFFECTIVE June 31, 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;                                                                                                                                                                                                                                     | --                                                                                                                                                                                                                                                                    | No code updates are recommended 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;                                                                                                                                                                                                                                                           | --                                                                                                                                                                                                                                                                    | No code updates are recommended to address this item because the existing code does not require a garage or carports to meet minimum parking requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| (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, EMC 18.90.130 revision is proposed:<br><br><u>EMC 18.90.130.C.5 Tandem Parking.</u> For residential uses only, parking spaces in tandem must count towards meeting minimum vehicle 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, with one or more 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;                                                                                                  | --                                                                                                                                                                                                                                                                    | <u>EMC 18.90.130.C.1.b Surfacing:</u><br>For residential uses only, existing legally nonconforming gravel surfaces designated for vehicle parking may be used to meet these parking standards, up to a maximum of six parking spaces.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| (e) Parking spaces may not be required to exceed eight feet by 20 feet, except for required parking for people with disabilities;                                                                                                                                                                                                                           | <u>EMC 18.90.130.C.5 Size and Access</u><br>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). | <u>EMC 18.90.130.C.3 Minimum Parking Stall Dimension Standards</u><br>a. Residential Use Standards: The parking stall dimensions shall have a minimum width of eight (8) feet and a minimum length of eighteen (18) feet.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Title 36 Revised Code of Washington (RCW)

Residential Parking Regulations [RCW 36.70A.622](#) \*\*\* CHANGES EFFECTIVE June 31, 2025 \*\*\*

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

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

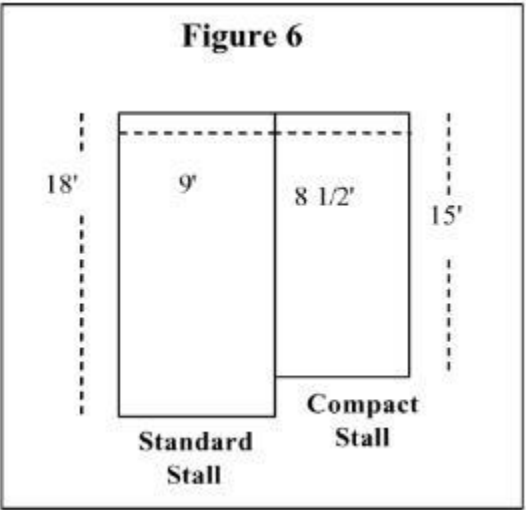


Table 3

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

b. Non-residential Use Standards: A standard parking space shall have a minimum width of nine (9) feet and a minimum length of eighteen (18) feet. Compact stalls shall have a minimum width of eight (8) feet and a minimum length of fifteen (15) feet. Up to 50 percent of the required parking for a non-residential development may consist of compact stalls.

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

d. These minimum standards are exclusive of any state- and/or federally-required accessible parking stalls.

| Title 36 Revised Code of Washington (RCW)                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Residential Parking Regulations <a href="#">RCW 36.70A.622</a> *** CHANGES EFFECTIVE June 31, 2025 ***                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                         | 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 | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p><u>EMC 18.90.130.F. Residential Parking Infeasibility due to Tree Retention.</u></p> <p>Residential uses (including residential portions of mixed-use developments) are exempt from the minimum parking standards if compliance with tree preservation (EMC 18.90.180 Tree Preservation) would make the proposed development infeasible.</p> <ol style="list-style-type: none"><li>1. Application: Submit a Residential Development Minimum Parking Waiver Request.</li><li>2. Process: Type I procedure that is concurrent with underlying permit.</li><li>3. Application Materials:<ol style="list-style-type: none"><li>a. A site plan depicting the jurisdiction’s requirements for:<ol style="list-style-type: none"><li>i. Location of buildings and dwelling units, required setbacks, required open spaces, and other features.</li><li>ii. Trees that are required for retention.</li><li>iii. The location of minimum required parking spaces, maneuvering areas, and driveways.</li><li>iv. The location of protected critical areas and required buffers, if applicable.</li></ol></li><li>b. A narrative demonstrating site conditions and applicable parking and tree retention standards that impact feasibility.</li></ol></li></ol> |

| Title 36 Revised Code of Washington (RCW)                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Residential Parking Regulations <a href="#">RCW 36.70A.622</a> *** CHANGES EFFECTIVE June 31, 2025 ***                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>c. A site-specific parking study.</p> <p>d. Any other evidence and supporting information the applicant wishes to provide to help the jurisdiction analyze the waiver request.</p> <p>4. Decision Criteria. The Director may grant the waiver request if the applicant demonstrates that the residential project is unable to comply with the minimum parking requirements and tree retention requirements while complying within maximum building height, minimum setbacks, and maximum density and/or maximum floor area ratio (FAR).</p>                                                                                               |
| <p>(g) Parking spaces that consist of grass block pavers may count toward minimum parking requirements.</p>                                                                                                                                                                                                                                                                                                                                  | <p><u>EMC 18.90.130.C Parking Standards</u></p> <p>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.</p> | <p><u>EMC 18.90.130.C.1 Surfacing:</u></p> <p>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). Pervious alternative materials that meet LID standards (e.g., pervious asphalt, grass block pavers, etc.) shall be used to the maximum extent feasible (per Minimum Requirement No. 5 of the PCM).</p> <p>b. For residential uses only, existing legally nonconforming gravel surfaces designated for vehicle parking may be used to meet these parking standards, up to a maximum of six parking spaces.</p> |
| <p>(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.</p> | <p>--</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p>Staff recommends not making any changes to directly address this item because the current code doesn't require resurfacing parking lot to trigger full compliance with parking standards.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p>(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.</p>                                                                                                                                                                                                                                   | <p>Not Applicable to City of Edgewood.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>--</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |



# Notice of Public Hearing

City of Edgewood

2224 104<sup>th</sup> Ave East

Edgewood, Washington 98372-1513

253-952-3299

**Notice Date:** March 21, 2025

**File(s):** This is a notice of public hearing for the following four (4) Edgewood Municipal Code (EMC) amendments.

- **#24-001-CODE, EMC Title 8 and 18 Hazardous Trees and Tree Preservation Amendments**

Description: Amendments to EMC 8.15 and EMC 18.90 associated with mitigation and removal of hazardous trees and other tree protection code clarification updates. The proposed amendments identify specific species of trees that are not considered significant, identifies a process for emergency tree removal, provides for off-site tree replacement, and various other code cleanup.

- **#24-002-CODE, EMC Title 18 Middle Housing Amendments**

Description: Amendments to EMC 18.20 Definitions, EMC 18.70 Land Use Types and Zones, EMC 18.80 land Use Zones, and EMC 18.95 Design Chapter to provide for Middle Housing standards compliant with House Bill 1110.

- **#25-002-CODE, EMC Title 18 Accessory Dwelling Unit Amendments**

Description: Amendments to EMC 18.90.190 Accessory dwelling units to comply with House Bill 1137.

- **#25-003-CODE, EMC Title 18 Residential Parking Amendments**

Description: Amendments to EMC 18.90.130 Parking to comply with Second Senate Bill 6015, House Bill 1137, House Bill 1110, code reorganization, and code cleanup.

**Hearing Date/Time:** April 14, 2025 at 6:00 PM

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

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

**Documents:** Draft code amendments are provided electrically at [noa.cityofedgewood.org](https://noa.cityofedgewood.org) under the associated file number.

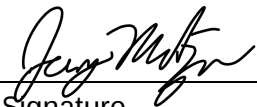
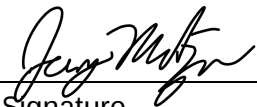
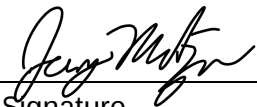
Please call (253) 952-3299 if you have any questions.

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



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

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

|                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------|-----------|------|
| Issued:                                                                             | March 21, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                     |           |           |      |
| File:                                                                               | #25-003-CODE EMC Title 18 Amendments to comply with SSB 6015, HB 1137, and HB 1110                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                     |           |           |      |
| Lead Agency:                                                                        | City of Edgewood                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |           |           |      |
| Staff Contact:                                                                      | Josh Kubitza, AICP, Planning Manager<br>253-952-3299   <a href="mailto:comdev@cityofedgewood.org">comdev@cityofedgewood.org</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
| Proponent:                                                                          | City of Edgewood                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |           |           |      |
| Location:                                                                           | City of Edgewood located in northern Pierce County, Washington. The proposal is for all areas within the City of Edgewood municipal boundaries.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
| Proposal:                                                                           | Amendments to City of Edgewood Municipal Code (EMC) EMC 18.90.130 Parking to comply with Second Senate Bill 6015, House Bill 1137, House Bill 1110, code reorganization, and code cleanup.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                     |           |           |      |
| Existing Documents:                                                                 | All existing environmental documents and studies associated with this proposal are available on the City of Edgewood Permit Portal via <a href="https://portal.cityofedgewood.org">portal.cityofedgewood.org</a> by searching the File No. 25-003-CODE. <ul style="list-style-type: none"><li>• SEPA Environmental Checklist;</li><li>• DRAFT Title 18.90.130 Code Amendments;</li></ul>                                                                                                                                                                                                                                                                                                                                                       |                                                                                     |           |           |      |
| SEPA:                                                                               | <p>The City of Edgewood has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of an Environmental Checklist and other information on file with the City. This DNS is issued under WAC 197-11-340(2). A final decision will not be made on this proposal until after April 29, 2025.</p> <p>SEPA Responsible Official:</p> <table><tr><td></td><td>3/21/2025</td></tr><tr><td>Signature</td><td>Date</td></tr></table> <p>Jeremy Metzler, PE, Community Development Director</p> |  | 3/21/2025 | Signature | Date |
|  | 3/21/2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     |           |           |      |
| Signature                                                                           | Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                     |           |           |      |
| Comment Period:                                                                     | Written comments may be submitted until April 14, 2025 by 5:00 PM via email, mail, or in-person via <a href="mailto:comdev@cityofedgewood.org">comdev@cityofedgewood.org</a> or City of Edgewood, 2224 104th Avenue East, Edgewood, WA 98372. Verbal comments may be submitted during the Planning Commission public hearing.                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |           |           |      |
| Public Hearing:                                                                     | The City of Edgewood Planning Commission will convene a hybrid public hearing on the matter at 6:00pm on Monday, April 14, 2025. Members of the public can attend and participate in person at Edgewood City Hall, Council Chambers, 2224 104th Ave East, Edgewood, WA 98372 or virtually via Zoom by visiting <a href="https://zoom.us/join">zoom.us/join</a> using Meeting ID: 970 6596 9184. Meeting information is available at <a href="https://cityofedgewood.org/calendar">cityofedgewood.org/calendar</a> .                                                                                                                                                                                                                            |                                                                                     |           |           |      |
| Appeals:                                                                            | Appeals for this threshold determination must be made to the City of Edgewood pursuant to EMC 20.05.250(J). Per EMC 20.05.250(E) appeals will be accepted until 5:00 PM on April 29, 2025. Appeals must be submitted in writing along with the appeal fee via the City’s permit portal: <a href="https://portal.cityofedgewood.org">portal.cityofedgewood.org</a> .                                                                                                                                                                                                                                                                                                                                                                            |                                                                                     |           |           |      |



## CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

---

Date: April 14, 2025

Title: Public Hearing – Middle Housing Code Amendments

Attachments:

- A. Draft Middle Housing Code Amendments
- B. Middle Housing Consistency Checklist
- C. Notice of Public Hearing (NOPH)
- D. State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS)

Submitted By: Josh Kubitz, Planning Manager

### Introduction:

“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](#)<sup>1</sup>.

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.

### Additional Updates:

- Removing SF-5 zoning district reference to comply with most recent zoning map

---

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

- Change references from SF-2 to R-1 and SF-3 to R-2 to comply with the 2024 Comprehensive Plan
- Various organization and clarity edits.

#### Public Involvement Update:

A Middle Housing Community Survey went live January 31, 2025, and ran until February 28, 2025. The city received 126 survey responses. See [Middle Housing Survey Results](#) to view the survey results.

Middle Housing Open House was held on February 20, 2025, and a copy of the presentation is available at the [city housing webpage](#).

#### Background Information:

Planning staff presented the legislation updates, local legislative decision options, and proposed code amendments to the Planning Commission for their consideration in various monthly meetings since December 2024. The following are some of key items that have been revised:

- Definitions revised for cottage housing, development regulations, duplex, multifamily dwelling unit, major transit stop, middle housing, unit density, townhouses, and single-family zones.
- Updates to land use tables for middle housing types
- Update density to allow up to 2 principal units per lot in R-1, R-2, MR-1, and MR-2.
- Repeal and replace Residential Design (18.95.050) to address detached single-family, middle housing types, and accessory dwelling units.

#### Additional Updates:

- Removing SF-5 zoning district reference to comply with most recent zoning map
- Change references from SF-2 to R-1 and SF-3 to R-2 to comply with the 2024 Comprehensive Plan
- Various organization and clarity edits.

The Planning Commission has held meetings regarding this item on the following dates:

- December 9, 2024
- January 13, 2025
- February 10, 2025
- March 10, 2025
- April 14, 2025

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

After the commission's review and discussion of the draft amendments on March 10, 2025, a Notice of Public Hearing (Exhibit B) and SEPA DNS (Exhibit C) was issued informing the public of the proposed drafts amendments, this public hearing date/time, and to provide an opportunity to submit comments.

These notices were issued on March 21, 2025, with a public comment period held from March 21, 2025 – April 14, 2025. Public notice was submitted to SEPA agencies, tribes and public through the Tacoma

News Tribune, the city's website, email, posting on the Statewide SEPA Register, and posting at the City Hall notice board. As of April 10, 2025, no public comments have been received. If any public comments are received by April 13, 2025, prior to the Planning Commission Public Hearing on April 14, 2025, staff will provide the commission with the comments prior to the meeting.

Current Discussion:

This is the Planning Commission Public Hearing for draft amendments to address HB 1110 Middle Housing and other organization and clarification edits. Staff will provide a brief presentation on the draft code amendments. After the presentation, the public may submit written or oral testimony to the Planning Commission.

Public Hearing:

The Planning Commission is scheduled and duly noticed to hold a public hearing this evening to accept public comment regarding proposed draft amendments to EMC Title 18 related to HB 1110 Middle Housing requirements and other organization and clarification edits.

## 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 community development director or 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.

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

...

#### **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. a development of detached dwellings, which has the following characteristics:~~

- ~~1. Each unit is of a size and function suitable for a single person or small family;~~
- ~~2. Each unit has the construction characteristics of a single family house;~~

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

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

...

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

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

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

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

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

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

...

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

...

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

...

#### **18.20.160 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 including bus rapid transit route under construction.

...

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

...

“Multi-plex” means three ~~or four~~ to six attached dwelling units vertically or horizontally integrated on an individual lot.

...

**18.20.220 S definitions.**

...

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

...

“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. where each unit is separated vertically and shares at least one common wall with another dwelling unit.

...

“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.

**Commented [KS1]:** optional

**Commented [JK2R1]:** We should remove this an use multi-plex

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                                                                                                                                |
|--------------------------------------------------------------------------------------------------------|--------------------|-----------------|-----------------|-----------------|---------------------|---------------------|-----------------------|----------------|----------------|----------------|--------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------|
| <b>Residential</b>                                                                                     |                    |                 |                 |                 |                     |                     |                       |                |                |                |              |              |                                                                                                                                      |
| ✓ – Permitted Use<br>CUP – Use may be approved via CUP<br>– 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                                                                                               |
| <del>Accessory</del>                                                                                   | -                  |                 |                 |                 |                     |                     |                       |                |                |                |              |              |                                                                                                                                      |
| <del>Accessory Dwelling Unit (ADU), Attached</del>                                                     | <del>Special</del> | <del>✓</del>    | <del>✓</del>    | <del>✓</del>    | <del>✓</del>        | <del>✓</del>        | <del>✓</del>          | <del>–</del>   | <del>–</del>   | <del>–</del>   | <del>–</del> | <del>–</del> | <del>See EMC 18.90.190 for ADU requirements for both attached and detached (backyard cottage) ADUs</del>                             |
| <del>ADU, Detached (Backyard Cottage)</del>                                                            | <del>Special</del> | <del>✓</del>    | <del>✓</del>    | <del>✓</del>    | <del>✓</del>        | <del>✓</del>        | <del>✓</del>          | <del>A</del>   | <del>A</del>   | <del>–</del>   | <del>–</del> | <del>–</del> | <del>Detached ADU allowed secondarily in TC and C zones only when paired with townhouse use</del>                                    |
| <del>Caretaker Residence</del>                                                                         | <del>Special</del> | <del>CUP</del>  | <del>CUP</del>  | <del>CUP</del>  | <del>CUP</del>      | <del>CUP</del>      | <del>CUP</del>        | <del>CUP</del> | <del>CUP</del> | <del>CUP</del> | <del>–</del> | <del>–</del> |                                                                                                                                      |
| Single-Family                                                                                          |                    |                 |                 |                 |                     |                     |                       |                |                |                |              |              |                                                                                                                                      |
| Detached Dwelling                                                                                      | Special            | ✓               | ✓               | ✓               | ✓                   | ✓                   | ✓                     | –              | –              | –              | –            | –            |                                                                                                                                      |
| <del>Cottage Court</del>                                                                               | <del>Special</del> | <del>–</del>    | <del>✓</del>    | <del>✓</del>    | <del>✓</del>        | <del>✓</del>        | <del>✓</del>          | <del>–</del>   | <del>–</del>   | <del>–</del>   | <del>–</del> | <del>–</del> | <del>-</del>                                                                                                                         |
| <u>Middle Housing</u>                                                                                  |                    |                 |                 |                 |                     |                     |                       |                |                |                |              |              |                                                                                                                                      |
| <u>Accessory Dwelling Unit (ADU)</u>                                                                   | <u>Special</u>     | <u>✓</u>        | <u>✓</u>        | <u>✓</u>        | <u>✓</u>            | <u>✓</u>            | <u>✓</u>              | <u>✓</u>       | <u>✓</u>       | <u>=</u>       | <u>=</u>     | <u>=</u>     | <u>See EMC 18.90.190 for ADU requirements. ADUs are allowed secondarily in TC and C zones only when paired with a townhouse use.</u> |
| <u>Cottage Housing</u>                                                                                 | <u>Special</u>     | <u>✓</u>        | <u>✓</u>        | <u>✓</u>        | <u>✓</u>            | <u>✓</u>            | <u>✓</u>              | <u>=</u>       | <u>=</u>       | <u>=</u>       | <u>=</u>     | <u>=</u>     |                                                                                                                                      |
| <u>Courtyard Apartments</u>                                                                            | <u>Special</u>     | <u>✓</u>        | <u>✓</u>        | <u>✓</u>        | <u>✓</u>            | <u>✓</u>            | <u>✓</u>              | <u>=</u>       | <u>=</u>       | <u>=</u>       | <u>=</u>     | <u>=</u>     |                                                                                                                                      |
| <u>Duplex</u>                                                                                          | <u>Special</u>     | <u>✓</u>        | <u>✓</u>        | <u>✓</u>        | <u>✓</u>            | <u>✓</u>            | <u>✓</u>              | <u>=</u>       | <u>=</u>       | <u>=</u>       | <u>=</u>     | <u>=</u>     |                                                                                                                                      |
| <u>Stacked Flats</u>                                                                                   | <u>Special</u>     | <u>✓</u>        | <u>✓</u>        | <u>✓</u>        | <u>✓</u>            | <u>✓</u>            | <u>✓</u>              | <u>=</u>       | <u>=</u>       | <u>=</u>       | <u>=</u>     | <u>=</u>     |                                                                                                                                      |
| <del>Duplex: Side-by-Side</del>                                                                        | <del>Special</del> | <del>–✓</del>   | <del>✓</del>    | <del>✓</del>    | <del>✓</del>        | <del>✓</del>        | <del>✓</del>          | <del>–</del>   | <del>–</del>   | <del>–</del>   | <del>–</del> | <del>–</del> | <del>See Condition 7.</del>                                                                                                          |

|                                         |              |   |   |   |     |     |   |   |   |   |   |   |                                                  |
|-----------------------------------------|--------------|---|---|---|-----|-----|---|---|---|---|---|---|--------------------------------------------------|
| Duplex: Back to Back                    | Special      | – | ✓ | ✓ | ✓   | ✓   | ✓ | – | – | – | – | – | –                                                |
| Duplex: Top and Bottom                  | Special      | – | ✓ | ✓ | ✓   | ✓   | ✓ | – | – | – | – | – | –                                                |
| Attached Dwelling                       | Special      | – | ✓ | ✓ | ✓   | ✓   | ✓ | – | – | – | – | – | –                                                |
| Multifamily                             |              |   |   |   |     |     |   |   |   |   |   |   |                                                  |
| Multi-plex (tri-, four-, five-, six-)   | Special      | – | – | – | ✓   | ✓   | ✓ | – | – | – | – | – |                                                  |
| Townhouse                               | Special      | – | – | – | ✓   | ✓   | ✓ | ✓ | ✓ | – | – | – |                                                  |
| Apartment                               | Special      | – | – | – | –   | –   | ✓ | ✓ | ✓ | ✓ | – | – |                                                  |
| Other                                   |              |   |   |   |     |     |   |   |   |   |   |   |                                                  |
| Adult Family Home                       | 623990, part | ✓ | ✓ | ✓ | ✓   | ✓   | ✓ | ✓ | ✓ | ✓ | – | – | In accordance with RCW 70.128.010(1), as amended |
| Nursing and Residential Care Facilities | 6231; 6232   | – | – | – | –   | CUP | ✓ | ✓ | ✓ | ✓ | – | – |                                                  |
| Assisted Living Facilities              | 6233         | – | – | – | CUP | CUP | ✓ | ✓ | ✓ | ✓ | – | – |                                                  |
| Live/Work Unit                          | Special      | – | – | – | –   | –   | ✓ | ✓ | ✓ | ✓ | – | – |                                                  |
| Permanent Supportive Housing            |              | ✓ | ✓ | ✓ | ✓   | ✓   | ✓ | ✓ | ✓ | ✓ | – | – |                                                  |
| Transitional Housing                    |              | ✓ | ✓ | ✓ | ✓   | ✓   | ✓ | ✓ | ✓ | ✓ | – | – |                                                  |

...

**Chapter 18.80**  
**LAND USE ZONES**

**18.80.040 ~~Single Family~~ Residential zoning districts (R-1 and R-2)**

...

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 Residential~~ zoning districts:

1. ~~Density. The p~~Permitted unit density on all Single Family zoning districts is two (2) principal units per lot on all lots equal to or greater than 1,000 square feet. ~~Otherwise, one (1) unit per lot is allowed. The density for the Single Family zoning districts is the number of dwelling units allowed per net buildable acre (dua) and shall be as follows:~~

|                                     | <del>Maximum</del> | <del>Minimum</del> |
|-------------------------------------|--------------------|--------------------|
| a. <del>SF-2 zoning district:</del> | <del>2 dua</del>   | <del>1 dua</del>   |
| b. <del>SF-3 zoning district:</del> | <del>3 dua</del>   | <del>1 dua</del>   |
| c. <del>SF-5 zoning district:</del> | <del>5 dua</del>   | <del>2.5 dua</del> |

2. Lot Size. ~~The~~ Except for lots subject to the on-site septic system design requirements of the Tacoma – Pierce County Health Department Environmental Health Code, Chapter 2, the minimum net developable lot sizes ~~for the Single Family zoning districts~~ shall be as follows:

|                                         | <del>Minimum</del> |
|-----------------------------------------|--------------------|
| a. <del>SF-2-R-1</del> zoning district: | 18,500 square feet |
| b. <del>SF-3-R-2</del> zoning district: | 12,500 square feet |

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

a. ~~SF 2R-1~~ Zoning District ~~(Lot Area 10,000 Square Feet or Greater).~~

- i. Lot coverage: 25 percent;
- ii. Effective impervious surface: 35 percent; and
- iii. Hard surface area: 45 percent.

b. ~~SF 3 and SF 2-R-2~~ Zoning Districts ~~(Lot Area Less Than 10,000 Square Feet).~~

- i. Lot coverage: 35 percent;
- ii. Effective impervious surface: 40 percent; and
- iii. Hard surface area: 50 percent.

c. ~~SF 5 Zoning District.~~

- i. ~~Lot coverage: 50 percent;~~
- ii. ~~Effective impervious surface: 55 percent; and~~
- iii. ~~Hard surface area: 65 percent.~~

4. Setbacks. The minimum setbacks ~~for the Single Family zoning districts for R-1 and R-2~~ shall be as follows:

a. ~~SF 2 and SF 3 R-1 Zoning Districts.~~

- i. ~~a.~~ Front yard/street setback: 25 feet.
- ii. ~~b.~~ Principal arterial or state highway setback: 25 feet.
- iii. ~~c.~~ Rear yard setback: 20 feet.
- iv. ~~d.~~ Interior setback: ~~eight~~8 feet.

v. Flag lots and irregular lot setbacks: EMC 18.90.100

b. ~~SF 5 Zoning District.~~

i. ~~Front yard/street setback: 20 feet.~~

ii. ~~Principal arterial and state highway setback: 25 feet.~~

iii. ~~Rear yard setback: 10 feet.~~

iv. ~~Interior setback: five feet.~~

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

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

a. R-1 SF-2 Zoning District: 75 feet.

i. ~~Lot width: 75 feet.~~

ii. ~~Street frontage: 50 feet.~~

b. R-2 Zoning District SF-3 and SF-5 Zoning Districts: 50 feet.

i. ~~Lot width: 50 feet.~~

ii. ~~Street frontage: 50 feet.~~

6. Height. The maximum building height in the Single-Family zoning districts shall be 35 feet (see EMC 18.90.070, Height standards).

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

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

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

107. Design. Design features shall be required ~~for multifamily~~ as set forth in Chapter 18.95 EMC, Design Standards.

~~8. Significant tree identification and preservation and/or replacement shall be required as set forth in EMC 18.90.180, Tree preservation.~~

~~9. Landscaping shall be provided as set forth in EMC 18.90.090, Landscaping, as it applies in their appropriate zones.~~

~~10. Parking shall conform to the requirements of EMC 18.90.130, Parking.~~

11. Signage. Signage shall conform to the requirements of Chapter 18.97 EMC, Sign Code.

#### **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. Unit Density and/or Maximum Density.

a. Non-Multifamily: The permitted unit density is two (2) principal units per lot on lots equal to or greater than 1,000 square feet. Otherwise, one (1) unit per lot is allowed. Maximum Density.

b. Multifamily: The ~~Maximum permitted~~ density ~~for the Mixed Residential zoning districts~~ is the maximum number of principal dwelling units allowed per net buildable acre (dua), calculated per -EMC 18.90.040, and shall be as follows:

ia. MR-1 zoning district: four (4) dua.

iiib. MR-2 zoning district: eight (8) dua.

4. ~~Setbacks. The required setbacks for the Mixed Residential zoning districts shall be as follows:~~

a. MR-1 and MR-2 Zoning Districts.

i. Front yard/street setback: 15 feet.

ii. Garage setback: 20 feet from access street.

iii. Principal arterial and state highway setback: 25 feet.

iv. Rear yard setback, without an alley: 10 feet.

v. Rear yard setback, with an alley: Zero feet.

vi. Rear garage setback to an alley: three feet.

vii. Interior setback: zero feet.

viii. Flag and Irregular: 10 ee EMC 18.90.100.

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

5. Street Frontage. All lots abutting public streets shall have a minimum street frontage of 50 feet, except flag and irregularly shaped lots addressed by EMC 18.90.100, Lot standards.

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

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

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

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

107. Design. Design features shall be required ~~for multifamily~~ as set forth in Chapter 18.95 EMC, Design Standards.

~~8. Significant tree identification and preservation and/or replacement shall be required as set forth in EMC 18.90.180, Tree preservation.~~

~~9. Landscaping shall be provided as set forth in EMC 18.90.090, Landscaping, as it applies in their appropriate zones.~~

~~10. Parking shall conform to the requirements of EMC 18.90.130, Parking.~~

11. Signage. Signage shall conform to the requirements of Chapter 18.97 EMC, Sign Code.

## Chapter 18.90

### DEVELOPMENT STANDARDS – CITYWIDE APPLICABILITY

#### 18.90.040 Density standards.

~~A. Gross area is the total area of the lot (see Figure 1 below).~~

~~B. The developable area is the area of a lot remaining after public and/or private rights-of-way and critical area/buffers are subtracted from the gross area (see Figure 2 below).~~

~~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 ratio, i.e., one dwelling unit per net developable acre. Accessory dwelling units shall be excluded from the maximum number of allowable dwelling units. The minimum lot size does not determine maximum density.~~

~~D. The m~~Maximum density ~~for all other zoning districts~~ shall be based on the total gross area of a lot minus any critical areas and associated buffers for all zones.

~~E. Density standards for the single family residential zoning districts shall fall within the ranges stated in EMC 18.80.040(E)(1).~~

~~[Figure 1]~~

~~[Figure 2]~~

...

#### 18.90.070 Height standards.

A. For the SF-2-R-1 and SF-3-R-2 zones, building height is determined as the vertical distance from the average final grade of a building footprint to the highest point of the structure; except, where a structure is proposed on fill material, final height shall be determined from the existing grade (See Figures 2 and 3).

B. For I, BP, C, TC, MUR, MR-1 and MR-2, ~~SF-5~~, building height is determined as the vertical distance from the curb level, or the equivalent final grade of a building site at the front of the building to the highest point of the underside of the ceiling. In the case of a flat roof; to the deck side of a mansard roof; and to the mean level of the underside of the rafters between the eaves and the ridge of a gable, hip, or gambrel roof. Where no curb level has been established, the

height of a building may be measured from the mean elevation of the finished lot grade at the front of the building.

C. Height standards shall not apply to religious assembly spires, belfries, and domes; chimneys, household antennas, ventilation stacks, or similar appurtenances that are required to be placed above the roof level.

D. The height of a fence located on a rockery, retaining wall, or berm shall be measured from the top of the fence to the ground on the high side of the rockery, retaining wall, or berm. Net fences, such as those used on golf courses and/or driving ranges, shall not be higher than the maximum building height allowed by the zoning district ~~35 feet~~ and shall meet the setbacks required for structures.

...

**18.90.100 Lot standards.**

...

C. A flag lot shall have setbacks of 20 feet from all property lines for both principal and accessory structures.

1. Flag lots in residential zones (~~SF-2, SF-3, SF-5~~R-1, R-2, MR-1, and MR-2) shall have a minimum frontage of 20 feet on a public road or street from which access is taken. If such frontage does not exist, an easement to a public road or street shall be a minimum of 20 feet in width.

...

**Chapter 18.95**  
**DESIGN STANDARDS**

**18.95.020 Applicability.**

A. Unless exempt by EMC 18.95.020.C, this chapter applies citywide to all development and redevelopment, including the following:

1. New construction and expansion of buildings, structures, and parking lots.
2. The expansion, remodel, or alteration of any building or other structure by more than five percent of its existing floor area, or overall size in cases where floor area standards are not applicable.
3. The expansion of any building or structure that creates a new dwelling unit.
4. A change of use, or where traffic, parking, noise or other impacts are greater than the impacts for the previously existing use, as determined by the director; or
5. Site development activities, if the underlying project is subject to this title.
6. Amendments to previously approved design review shall comply with EMC 18.50.050.

B. Site, Building, and Residential design standards applicable to the following development types:

| <u>Applicable Design Standards</u>    |                                                                                          |
|---------------------------------------|------------------------------------------------------------------------------------------|
| <u>Development Regulations</u>        | <u>Type of Development</u>                                                               |
| <u>Site Planning (18.95.030)</u>      | <u>Industrial</u><br><u>Commercial</u><br><u>Mixed-Use</u><br><u>Multifamily</u>         |
| <u>Building Design (18.95.040)</u>    | <u>Industrial</u><br><u>Commercial</u><br><u>Mixed-Use</u><br><u>Multifamily</u>         |
| <u>Residential Design (18.95.050)</u> | <u>Detached Single-Family</u><br><u>Middle Housing</u><br><u>Accessory Dwelling Unit</u> |

C. Exemptions. The following activities shall not require site plan design review:

1. Development permits not immediately associated with building construction or landscaping, such as short plats, subdivisions, and new zoning or land use designations unaccompanied by any actions related to site plans or building permit application. This does not include unit lot subdivisions.
2. Normal building maintenance and repair, or any activity that does not require a building permit or is not considered a change in use, as determined by the director.
3. Any activity on the exterior of a building that does not exceed a 10 percent change in any existing facade or roof form.
4. Interior alterations; provided, that the interior alterations do not result in additional dwelling units.
5. Temporary uses authorized and conducted in accordance with EMC 18.50.070.
6. Home Business authorized and conducted in accordance with EMC 18.100.70 or EMC 18.100.080.

Site plan design review shall be required prior to the issuance of construction permits in any of the following circumstances:

1. The new construction of a nonresidential building or other structure;
2. The expansion, remodel, or alteration of any building or other structure by more than five percent of its existing floor area, or overall size in cases where floor area standards are not applicable;
3. The expansion of any building or structure that creates a new dwelling unit;
4. A change of use, or where traffic, parking, noise or other impacts are greater than the impacts for the previously existing use, as determined by the director; or
5. The construction and reconstruction of driveway approaches, gates, roads, shared access facilities, alleys, and driving surfaces within ingress/egress easements.

B. The following activities shall not require site plan design review:

1. Permits authorizing residential construction for detached single family residential use and accessory dwelling units.
2. Normal building maintenance and repair, or any activity that does not require a building permit or is not considered a change in use, as determined by the director.

~~3. Any activity on the exterior of a building that does not exceed a 25 percent change in any existing facade or roof form.~~

~~4. Interior alterations; provided, that the interior alterations do not result in the following:~~

~~a. Additional sleeping quarters or bedrooms;~~

~~b. Nonconformity with Federal Emergency Management Agency (FEMA)~~

~~substantial improvement thresholds; or~~

~~c. Increase the total square footage or valuation of the structure thereby requiring upgraded fire access or fire suppression systems.~~

~~Nothing in this subsection (B)(4) exempts interior alterations from otherwise applicable building, plumbing, mechanical, or electrical codes. For purposes of this subsection (B)(4), "interior alterations" include construction activities that do not modify the existing site layout or its current use and involve no exterior work adding to the building footprint.~~

...

#### ~~18.95.050 Special residential design standards applicable to all zones~~

#### **REPEAL AND REPLACE AS FOLLOWS:**

##### **18.95.050 Residential design**

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

1. Promote housing compatibility.
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. Ensure consistency with state law regarding design regulations for housing.

B. Applicability. In addition to the development standards required elsewhere in this title and the Edgewood Municipal Code (EMC), this chapter shall apply to:

1. All new detached dwellings, duplexes, stacked flats, cottage housing, courtyard apartments, and ADUs.
2. The expansion, remodel, or alteration of any structure listed in EMC 18.95.050(B)(1) by more than five percent of its existing net floor area.

3. The conversion of an existing permitted structure to a middle housing type that does not include net floor area expansion is exempt from this section.

C. Design review. The process used for reviewing compliance with residential design standards shall be administrative design review as provided in EMC 18.50.050.

D. Pedestrian access. A paved pedestrian connection at least three (3) feet wide is required between each building and the sidewalk (or the street if there is no sidewalk). Driveways may be used to meet this requirement.

E. 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 this subsection.

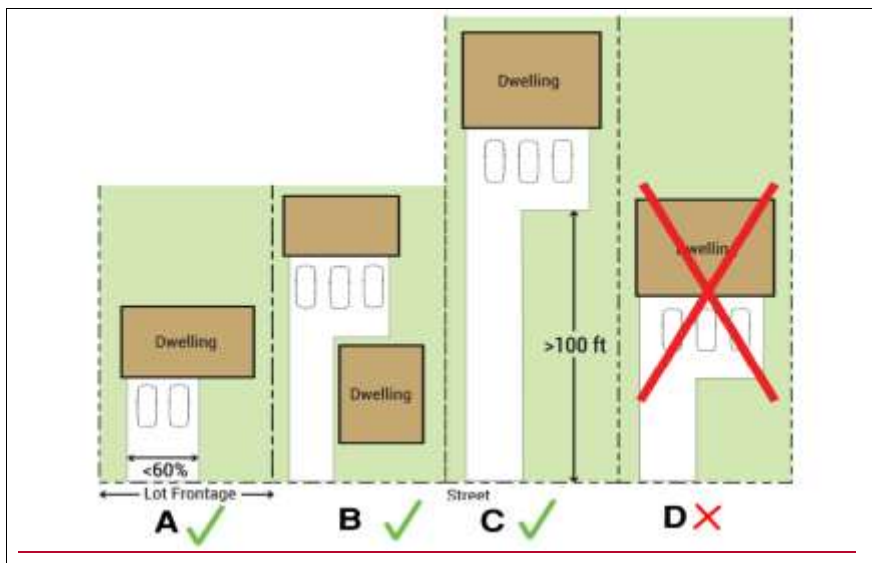
2. Garages, driveways, and off-street parking areas shall not be located between a building and a street, except when either of the following conditions are met:

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.

Figure XX  
Garage and Driveway Locations



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

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

#### F. Unit Articulation.

##### 1. Applicability.

a. Each attached unit featuring a separate ground level entrance in a multi-unit building facing the street shall include at least one of the articulation options listed in subsection F.2 below.

b. Facades separated from the street by a dwelling or located more than 100 feet from a street are exempt from this standard.

##### 2. Articulation Options.

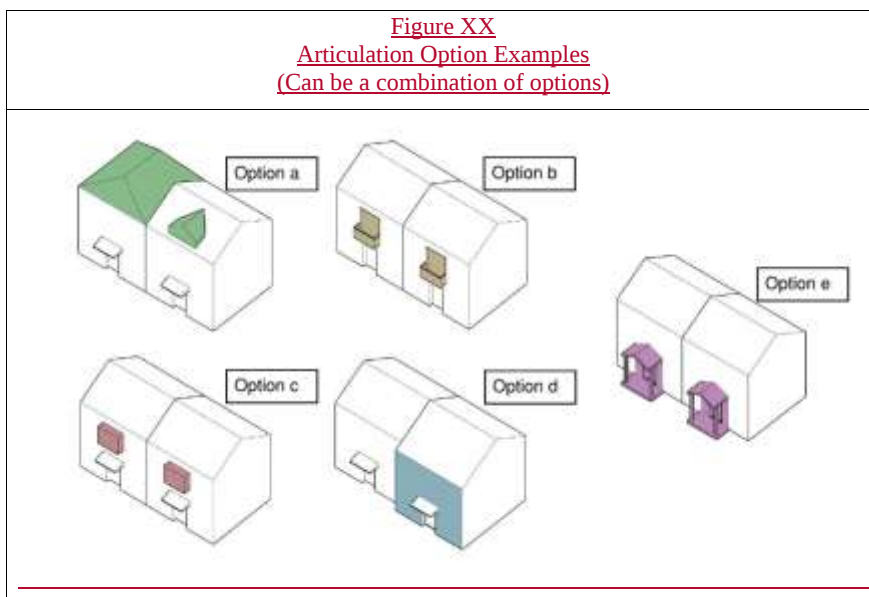
a. Roofline change or a roof dormer with a minimum of four feet in width.

b. A balcony a minimum of two feet in depth and four feet in width and accessible from an interior room.

c. A bay window that extends from the façade a minimum of two feet.

d. An offset of the façade of a minimum of two feet in depth from the neighboring unit.

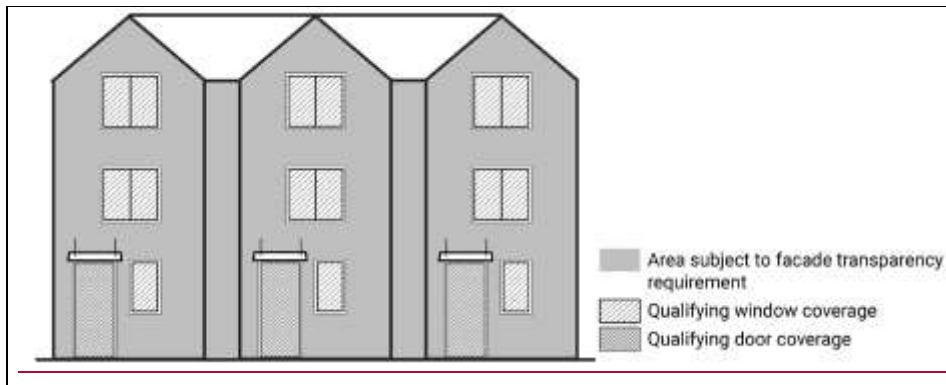
e. A roofed porch at least 50 square feet in size with a minimum four feet in width.



G. 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.

H. 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.

Figure XX  
Windows and Doors Transparency



I. Waste Management. All waste and recycling areas shall be kept in a clean and orderly manner. Two or more dwelling units per lot shall have a common waste and recycling area where bins or containers are stored of no less than 30 square feet. Bins or containers shall be screened from streets and neighboring properties.

J. Cottage housing.

1. Applicability. The following additional design standards apply to only cottage housing developments regardless of the number of proposed units.

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

3. Open space. Total open space shall be provided equal to a minimum 20 percent of the total lot sizes combined. This may include common open space, private open space, setbacks, critical areas, and other open space. Parking areas and vehicular areas shall not qualify as open space.

5. Entries. All cottages shall feature a covered porch at least 50 square feet in size with a minimum dimension of five feet on any side facing the street and/or common open space.

4. At least one outdoor common open space is required. All cottage development of 25 or more cottages shall require at least two outdoor common open spaces, and 100 or more cottages shall require three outdoor common open spaces.

a. Size and Dimensions. Common open space shall be provided equal to a minimum of 100 square feet per cottage. Each common open space shall have a minimum dimension of 15 feet on any side.

b. 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.

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

6. Community building.

a. Number. No more than one community building is permitted, unless otherwise approved by the community development director or designee meeting the residential design standard purpose.

b. Parking. No minimum off-street parking requirement.

K. Courtyard apartments.

1. Applicability. The following additional design standards apply to only two (2) unit courtyard apartments. All other courtyard apartments are subject to EMC 18.95 Design Standards.

2. 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, vehicular areas, and critical areas and their buffers do not qualify as a common open space.

3. Entries. All units shall feature a covered pedestrian entry, such as a covered porch or recessed entry, with minimum weather protection of three (3) feet by three (3) feet, facing the street or common open space.

L. Administrative Design Deviations. The Director or Designee may allow for deviations from the above residential design standards if the applicant demonstrates that the proposed deviation meets or exceeds the intent of the design standard to the satisfaction of the Director or Designee. Administrative Deviations are a Process I Administrative approval that is completed concurrently with the building permit.

## MIDDLE HOUSING CHECKLIST

**Overview:** This checklist provides the framework Commerce regional planners will use to review all relevant development regulation submissions. **This checklist is NOT required to be completed by each jurisdiction;** it is an additional tool to help local planners meet the intent of the statute.

The Tier 1 provisions in this checklist apply to cities with a population of at least 75,000 based on 2020 Office of Financial Management population estimates. Tier 2 provisions apply to cities with a population of at least 25,000 but less than 75,000 based on 2020 Office of Financial Management population estimates. Tier 3 provisions apply to cities with a population of less than 25,000, that are within a contiguous urban growth area with the largest city in a county with a population of more than 275,000, based on 2020 Office of Financial Management population estimates.

**Timeline:** Local codes should be updated to reflect all applicable requirements by six months after the deadline for the city's next periodic comprehensive plan and development regulation update required under RCW [36.70A.130](#). Local codes not updated by this timeline will be invalidated and superseded by the appropriate version of the Commerce Middle Housing Model Ordinance until the city takes all actions necessary to implement RCW 36.70A.635.

**Guidance:** Information on implementing middle housing requirements may be found on the Commerce Planning for Middle Housing web page: [Planning for Middle Housing – Washington State Department of Commerce](#)

**Questions:** Contact Lilith Vespier at [Lilith.vespier@commerce.wa.gov](mailto:Lilith.vespier@commerce.wa.gov) or (509)-606-3530.

## Definitions

The statutory definitions in this section are needed to implement middle housing requirements under state law

| Code requirement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Consistent?<br>Yes/No | Changes needed?                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Administrative design review</b> 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 pre-decision 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. A city may utilize public meetings, hearings, or voluntary review boards to consider, recommend, or approve requests for variances from locally established design review standards. <a href="#">RCW 36.70A.030 (3)</a> | No                    | "Administrative design review" definition is being added to EMC 18.20.040.A.                                                                                                                                   |
| <b>Cottage housing</b> 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. <a href="#">RCW 36.70A.030 (9)</a>                                                                                                                                                                                                                                                                                                                                                                                                            | No                    | "Cottage housing" definition is be revised.                                                                                                                                                                    |
| <b>Courtyard apartments</b> means attached dwelling units arranged on two or three sides of a yard or court. <a href="#">RCW 36.70A.030 (10)</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | No                    | "Courtyard apartments" definition is being added to EMC 18.20.040.C.                                                                                                                                           |
| <b>Major transit stop</b> 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, including bus rapid transit routes under construction. <a href="#">RCW 36.70A.030 (25)</a>                                                                                                                                                                                                                                                                                                                                                           | No                    | "Major transit stop" definition is being added to EMC 18.20.040.M.                                                                                                                                             |
| <b>Middle housing</b> 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. <a href="#">RCW 36.70A.030 (26)</a>                                                                                                                                                                                                                                                                                                                                              | No                    | "Middle housing" definition is being added to EMC 18.20.040.M. Please note that the definition was altered to ensure no confusion between what middle housing is allowed in City of Edgewood as a Tier 3 city. |
| <b>Single-family zones</b> means those zones where single-family detached residences are the predominant land use. <a href="#">RCW 36.70A.030 (39)</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | No                    | "Single-family zones" definition is being added to EMC 18.20.040.S.                                                                                                                                            |
| <b>Stacked flat</b> 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. <a href="#">RCW 36.70A.030 (40)</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | No                    | "Stacked flat" definition is being added to EMC 18.20.040.S.                                                                                                                                                   |

|                                                                                                                                                                                                                                           |    |                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------------------------------------------------------|
| <b>Townhouses</b> means buildings that contain three or more attached single-family dwelling units that extend from foundation to roof and that have a yard or public way on not less than two sides. <a href="#">RCW 36.70A.030 (41)</a> | No | “Townhouse” definition is being revised in EMC 18.20.230.T |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------------------------------------------------------|

## Lots zoned predominantly for residential use

Requirements in this table should be applied to all lots zoned predominantly for residential use, and represent the minimum requirements necessary to meet state law

| Code requirement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Consistent?<br>Yes/No | Changes needed?                                                                                                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------|
| <p>Allows <b>at minimum</b> the following permitted unit per lot densities:</p> <ul style="list-style-type: none"> <li>• TIER 1 CITIES: (1) Four units per lot, (2) six units per lot on all lots within one-quarter mile walking distance of a major transit stop, (3) six units per lot if at least two units on the lot are affordable housing as defined below</li> <li>• TIER 2 CITIES: (1) Two units per lot, (2) four units per lot on all lots within one-quarter mile walking distance of a major transit stop, (3) four units per lot if at least one unit on the lot is affordable housing as defined below</li> <li>• TIER 3 CITIES: Two units per lot</li> </ul> <p>Exempts lots below 1,000 square feet after subdivision, unless the city has enacted an allowable lot size below 1,000 square feet in the zone. <a href="#">RCW 36.70A.635(1)(a - c)</a></p>                                                                                                                                                                                             | No                    | EMC 18.80.040.C and EMC 18.80.050.C is being revised to allow two units per lot except when lots are below 1,000 square feet. |
| <p>For <b>Tier 1 and 2</b> cities, requires units qualifying for affordable housing provisions to meet the following standards, per <a href="#">RCW 36.70A.635(2)</a>:</p> <ul style="list-style-type: none"> <li>• Housing costs do not exceed 30% of the monthly income of a household making at or below 60% of median household income for rental housing, or 80% of median household income for owner-occupied housing for the county where the household is located. Median household income is as reported by the United States Department of Housing and Urban Development. Housing costs include utilities other than telephone. Median household incomes are adjusted for household size.</li> <li>• A covenant or deed restriction ensures that units are maintained as affordable for a term of at least 50 years, consistent with the conditions in chapter 84.14 RCW.</li> <li>• A covenant or deed restriction addresses criteria and policies to maintain public benefit if the property is converted to a use other than affordable housing.</li> </ul> | N/A                   | N/A                                                                                                                           |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |     |                                                                                                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Affordable units are provided in a format comparable to other units in the development, including in range of size, number of bedrooms, functionality, and distribution throughout the development.</li> </ul> <p>* If a city has enacted a program under RCW 36.70A.540, then the terms of that program govern to the extent they vary from the requirements of RCW 36.70A.635(2). However, programs under RCW 36.70A.540 are not to substitute for the Tier 1 and Tier 2 cities' middle housing affordable housing density requirement.</p>                                   |     |                                                                                                                     |
| <p>For Tier 1 and Tier 2 cities, allows at least six of the nine types of middle housing by-right in all zones predominantly for residential use: duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, cottage housing. <a href="#">RCW 36.70A.635(5)</a></p> <p>For Tier 3 cities, allows all middle housing types that meet the two unit per lot density requirements in RCW 36.70A.635(1)(c) (i.e. duplex, stacked flats, courtyard apartments, cottage housing) by-right in all zones predominantly for residential use. <a href="#">RCW 36.70A.635(5)</a></p> | No  | EMC 18.70.050 is being updated to allow duplexes, stacked flats, courtyard apartments, and cottage housing outright |
| Allows zero lot line short subdivisions where the number of lots created is equal to the required unit density. <a href="#">RCW 36.70A.635(5)</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | No  | Separate Code Amendment Process.                                                                                    |
| Reviews compliance with middle housing design standards using an administrative design review process. <a href="#">RCW 36.70A.635(6)(a)</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | No  | EMC 18.95.050 is being updated to make the residential design review an administrative review process.              |
| Does not require more restrictive development regulations for middle housing than those required for detached single-family residences. <a href="#">RCW 36.70A.635(6)(b)</a>                                                                                                                                                                                                                                                                                                                                                                                                                                           | No  | EMC 18.95.050 is being updated to ensure detached single-family residences have the same design standards.          |
| Applies the same development permit and environmental review processes to middle housing as those applied to detached single-family residences, unless otherwise required by state law. <a href="#">RCW 36.70A.635(6)(c)</a>                                                                                                                                                                                                                                                                                                                                                                                           | Yes | No specific change required.                                                                                        |
| Does not require off-street parking within one-half mile walking distance of a major transit stop. <a href="#">RCW 36.70A.635(6)(d)</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | No  | Being updated through the Parking Regulations ordinance.                                                            |
| Requires no more than one off-street parking space per unit on lots 6,000 square feet or less, before any zero lot line subdivisions or lot splits. <a href="#">RCW 36.70A.635(6)(e)</a>                                                                                                                                                                                                                                                                                                                                                                                                                               | Yes | Being updated through the Parking Regulations ordinance.                                                            |

|                                                                                                                                                                                                        |            |                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------------------------------------------|
| Requires no more than two off-street parking spaces on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits. <a href="#">RCW 36.70A.635(6)(f)</a>                   | <b>Yes</b> | Being updated through the Parking Regulations ordinance. |
| <b>For cottage housing</b> , requires a minimum of 20 percent of the lot be common open space.. The common open spaced must be owned in common or has condominium units with property owned in common. | <b>No</b>  | EMC 18.95.050 updated.                                   |
| <b>For courtyard apartments</b> , requires at least one yard or court, which must be bordered by attached dwelling units on two or three sides.                                                        | <b>No</b>  | EMC 18.95.050 updated.                                   |
| <b>For townhouses</b> , requires at least three attached single family dwelling units that extend from the foundation to roof and have a yard or public way on not less than two sides.                | <b>Yes</b> | EMC 18.20.230 definition is being updated.               |

## Exemptions

As applicable, local code should specify the following exemptions to middle housing requirements

| Code requirement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Consistent?<br>Yes/No | Changes needed? |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------|
| <p>Exempts the following areas from the middle housing requirements of <a href="#">RCW 36.70A.635</a>:</p> <ul style="list-style-type: none"> <li>• Portions of a lot, parcel, or tract designated with critical areas designated under <a href="#">RCW 36.70A.170</a> or their buffers as required by <a href="#">RCW 36.70A.170</a>, except for critical aquifer recharge areas where a single-family detached house is an allowed use provided that any requirements to maintain aquifer recharge are met.</li> <li>• Watersheds 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)).</li> <li>• Lots designated as urban separators by countywide planning policies as of July 23, 2023.</li> <li>• A lot that was created through the splitting of a single residential lot.</li> <li>• Areas designated as sole-source aquifers by the United States Environmental Protection Agency on islands in the Puget Sound.</li> </ul> |                       |                 |
| <p>Exempts the following areas from parking standards for middle housing, per <a href="#">RCW 36.70A.635(7)</a>:</p> <ul style="list-style-type: none"> <li>• Portions of the city for which the Department of Commerce has certified a parking study in accordance with <a href="#">RCW 36.70A.635(7)(a)</a>, in which case off-street parking requirements are as provided in the certification from the Department of Commerce.</li> <li>• Areas within a one-mile radius of Seattle-Tacoma International Airport. <a href="#">RCW 36.70A.635(7)(b)</a>.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | N/A                   | N/A             |



# Notice of Public Hearing

City of Edgewood

2224 104<sup>th</sup> Ave East

Edgewood, Washington 98372-1513

253-952-3299

**Notice Date:** March 21, 2025

**File(s):** This is a notice of public hearing for the following four (4) Edgewood Municipal Code (EMC) amendments.

- **#24-001-CODE, EMC Title 8 and 18 Hazardous Trees and Tree Preservation Amendments**

Description: Amendments to EMC 8.15 and EMC 18.90 associated with mitigation and removal of hazardous trees and other tree protection code clarification updates. The proposed amendments identify specific species of trees that are not considered significant, identifies a process for emergency tree removal, provides for off-site tree replacement, and various other code cleanup.

- **#24-002-CODE, EMC Title 18 Middle Housing Amendments**

Description: Amendments to EMC 18.20 Definitions, EMC 18.70 Land Use Types and Zones, EMC 18.80 land Use Zones, and EMC 18.95 Design Chapter to provide for Middle Housing standards compliant with House Bill 1110.

- **#25-002-CODE, EMC Title 18 Accessory Dwelling Unit Amendments**

Description: Amendments to EMC 18.90.190 Accessory dwelling units to comply with House Bill 1137.

- **#25-003-CODE, EMC Title 18 Residential Parking Amendments**

Description: Amendments to EMC 18.90.130 Parking to comply with Second Senate Bill 6015, House Bill 1137, House Bill 1110, code reorganization, and code cleanup.

**Hearing Date/Time:** April 14, 2025 at 6:00 PM

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

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

**Documents:** Draft code amendments are provided electrically at [noa.cityofedgewood.org](https://noa.cityofedgewood.org) under the associated file number.

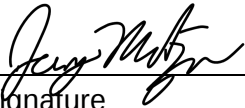
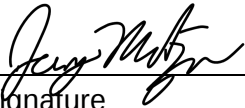
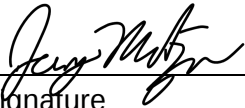
Please call (253) 952-3299 if you have any questions.

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



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

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

|                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------|-----------|------|
| Issued:                                                                             | March 21, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                     |           |           |      |
| File:                                                                               | #24-002-CODE EMC Title 18 Middle Housing Amendments (HB 1110)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |           |           |      |
| Lead Agency:                                                                        | City of Edgewood                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |           |           |      |
| Staff Contact:                                                                      | Josh Kubitza, AICP, Planning Manager<br>253-952-3299   <a href="mailto:comdev@cityofedgewood.org">comdev@cityofedgewood.org</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
| Proponent:                                                                          | City of Edgewood                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |           |           |      |
| Location:                                                                           | City of Edgewood located in northern Pierce County, Washington. The proposal is for all areas within the City of Edgewood municipal boundaries.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
| Proposal:                                                                           | Amendments to City of Edgewood Municipal Code (EMC) EMC 18.20 Definitions, EMC 18.70 Land Use Types and Zones, EMC 18.80 land Use Zones, and EMC 18.95 Design Chapter to provide for Middle Housing standards compliant with House Bill 1110.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |           |           |      |
| Existing Documents:                                                                 | All existing environmental documents and studies associated with this proposal are available on the City of Edgewood Permit Portal via <a href="https://portal.cityofedgewood.org">portal.cityofedgewood.org</a> by searching the File No. 24-002-CODE. <ul style="list-style-type: none"><li>• SEPA Environmental Checklist;</li><li>• DRAFT Title 18 Code Amendments;</li></ul>                                                                                                                                                                                                                                                                                                                                                              |                                                                                     |           |           |      |
| SEPA:                                                                               | <p>The City of Edgewood has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of an Environmental Checklist and other information on file with the City. This DNS is issued under WAC 197-11-340(2). A final decision will not be made on this proposal until after April 29, 2025.</p> <p>SEPA Responsible Official:</p> <table><tr><td></td><td>3/21/2025</td></tr><tr><td>Signature</td><td>Date</td></tr></table> <p>Jeremy Metzler, PE, Community Development Director</p> |  | 3/21/2025 | Signature | Date |
|  | 3/21/2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     |           |           |      |
| Signature                                                                           | Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                     |           |           |      |
| Comment Period:                                                                     | Written comments may be submitted until April 14, 2025 by 5:00 PM via email, mail, or in-person via <a href="mailto:comdev@cityofedgewood.org">comdev@cityofedgewood.org</a> or City of Edgewood, 2224 104th Avenue East, Edgewood, WA 98372. Verbal comments may be submitted during the Planning Commission public hearing.                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                     |           |           |      |
| Public Hearing:                                                                     | The City of Edgewood Planning Commission will convene a hybrid public hearing on the matter at 6:00pm on Monday, April 14, 2025. Members of the public can attend and participate in person at Edgewood City Hall, Council Chambers, 2224 104th Ave East, Edgewood, WA 98372 or virtually via Zoom by visiting <a href="https://zoom.us/join">zoom.us/join</a> using Meeting ID: 970 6596 9184. Meeting information is available at <a href="https://cityofedgewood.org/calendar">cityofedgewood.org/calendar</a> .                                                                                                                                                                                                                            |                                                                                     |           |           |      |
| Appeals:                                                                            | Appeals for this threshold determination must be made to the City of Edgewood pursuant to EMC 20.05.250(J). Per EMC 20.05.250(E) appeals will be accepted until 5:00 PM on April 29, 2025. Appeals must be submitted in writing along with the appeal fee via the City’s permit portal: <a href="https://portal.cityofedgewood.org">portal.cityofedgewood.org</a> .                                                                                                                                                                                                                                                                                                                                                                            |                                                                                     |           |           |      |



# CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

---

Date: April 14, 2025

Title: Public Hearing – Hazardous Trees and Tree Preservation Codes

Attachments:

- A. Draft EMC 8.15 Redlines
- B. Draft EMC 18.90.180 Redlines
- C. Notice of Public Hearing (NOPH)
- D. State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS)

Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:

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.

The Planning Commission has held meetings regarding this item on the following dates:

- [February 12, 2024](#)
- [February 10, 2025](#)
- [March 10, 2025](#)
- April 14, 2025

Following conversations with the Planning Commission at prior meetings, 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.

While not yet drafted, 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.

After the commission’s review and discussion of the draft amendments on March 10, 2025, a Notice of Public Hearing (Exhibit C) and SEPA DNS (Exhibit D) was issued informing the public of the proposed drafts amendments, this public hearing date/time, and to provide an opportunity to submit comments.

These notices were issued on March 21, 2025, with a public comment period held from March 21, 2025 through April 14, 2025. Public notice was submitted to SEPA agencies, tribes and public through the Tacoma News Tribune, the city’s website, email, posting on the Statewide SEPA Register, and posting at the City Hall notice board. As of April 10, 2025, no public comments have been received. If any public comments are received by April 13, 2025, prior to the Planning Commission Public Hearing on April 14, 2025, staff will provide the commission with the comments prior to the meeting.

#### Current Discussion:

This is the Planning Commission Public Hearing for draft amendments to address Hazardous Trees and Tree Preservation Codes. Staff will provide a brief presentation on the draft code amendments. After the presentation, the public may submit written or oral testimony to the Planning Commission.

#### Public Hearing:

The Planning Commission is scheduled and duly noticed to hold a public hearing this evening to accept public comment regarding proposed draft amendments to EMC Titles 8 and 18 related to Hazardous Trees and Tree Preservation.

**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
- ~~1-2.~~ 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, and unless otherwise specified in this section, the preservation of certain trees is required for 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, the standards of this section still apply.

~~1. Tree preservation requirements are applicable to 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.~~

C. Exemptions. The following uses and/or activities related to tree preservation are exempt from this section:

#### 1. Routine maintenance and pruning.

2. Existing residential uses on a lot of record development or single family residences that is no greater than 0.5 acres in area, unless the subject tree(s) are otherwise designated for preservation under a prior tree preservation action, 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.

4. Any tree deemed hazardous by a qualified tree professional due to natural causes and not by adjacent development activity or other human causes, with replacement at a 1:1 tree ratio (not diameter-inches).

5. Removal of the following tree species, regardless of size:

a. Black Cottonwood (*Populus trichocarpa*)

b. Red Alder (*Alnus rubra*)

c. Poplar (*Populus*)

d. Non-native **and** invasive tree species to the Puget Sound Region<sup>1</sup>, 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.

DE. 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:

<sup>1</sup> 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\\_rial.pdf](https://www.earthcorps.org/ftp/ECScience/Resources/Fact_Sheets/Invasive_Native_Trees_rial.pdf)

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.

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 zones<sup>2</sup>.

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 subject to this section. 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.

<sup>2</sup> 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).

c. ~~Interior~~ Significant Interior Tree Retention Incentive. Significant ~~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

ii. The tree is located in a grouping of ~~two or more~~ at least five other significant trees with canopies that touch or overlap, determined to be viable for retention by a qualified tree professional, and the grouping does not intersect existing or proposed lot boundaries.;

iii. ~~The tree provides energy savings, through wind protection or summer shading, as a result of its location relative to buildings;~~

iv. ~~The tree belongs to a unique or unusual species;~~

v. ~~The tree is located within 25 feet of any critical area or required critical area buffers; or~~

vi. ~~The tree is 18 inches in diameter or greater and is identified as providing wildlife habitat.~~

~~iii.~~ If a tree using this incentive dies or is removed, replacement for such tree shall be provided in accordance with (C)(4) of this section. If the tree died as a result of construction, improper tree protection, lack of maintenance, or negligence, then the tree must be replaced at the standard replacement rate without this incentive benefit.

d. Tree Protection Techniques. The tree retention plan shall demonstrate the tree protection techniques intended to be utilized during land alteration and construction in order to provide for the continual healthy life of retained significant trees. The proposed tree protection techniques will be reviewed by the city to ensure compliance with the provisions of this section.

e. If any significant tree that has been specifically designated to be retained in the tree preservation plan dies within ~~three~~ five years of the development of the site, and a qualified tree professional determines it has died due to unnatural causes, then the significant tree shall be replaced with new tree diameter-inches at a rate of 3:1.

3. Tree Protection Measures. Tree protection measures have been established to reduce the impacts of development action on existing significant trees. The protection measures are as follows:

a. If a tree retention, landscape plan, or both are required, no clearing shall be allowed on site until approval of each such plan.

b. An area free of disturbance, corresponding to the dripline of the significant tree's canopy shall be identified and protected during the construction stage with a temporary three-foot-high chainlink or plastic net fence. Fencing shall be in place prior to any site disturbing and construction related activity. No impervious surfaces, fill, excavation, storage of construction materials, operations or parking of vehicles shall be permitted within the area defined by such fencing. For trees 20 DBH inches or more, tree protection fencing shall be provided corresponding to the protection zone diameter, meaning that a 20 DBH inch tree requires a 20 foot diameter protection, including the trunk.

c. The Director or Designee may approve use of alternate tree protection techniques if the trees will be protected to an equal or greater degree than by the techniques listed above. Alternative techniques must be approved by a registered landscape architect, certified nursery professional or certified arborist, with review and concurrence by the City.

d. Tree Topping is prohibited.

4. Tree Replacement. Any ~~removed~~-significant tree removed that is otherwise required to be retained, subject to this section, shall be replaced in accordance with the following standards.

a. On-Site Replacement

ia. Significant trees shall be replaced at a rate of 1.5 times to one (1.5:1) of the total tree diameter inches of all the significant trees that were removed.

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

iiie. 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.

ivd. Replacement trees shall be native to Washington State and shall be classified as noninvasive species.

ve. 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.

E. Determining Significant Trees.

1. To be identified as a significant tree, an existing tree must not be exempt from this section and 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 due to a structural defect, combination of defects, or disease.<sup>3</sup>

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.

<sup>3</sup> This highlighted section is covered by the new exemptions section, above.

~~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.~~

~~2. Trees specifically indicated in a discretionary land use permit or tree removal permit may be exempted from the requirement to be retained, subject to the provisions of EMC Title 14 and tree replacement requirements.~~

F. State Environmental Policy Act Requirements. Additional or specific tree retention may be required as SEPA mitigation in addition to the requirements of this section.



# Notice of Public Hearing

City of Edgewood

2224 104<sup>th</sup> Ave East

Edgewood, Washington 98372-1513

253-952-3299

**Notice Date:** March 21, 2025

**File(s):** This is a notice of public hearing for the following four (4) Edgewood Municipal Code (EMC) amendments.

- **#24-001-CODE, EMC Title 8 and 18 Hazardous Trees and Tree Preservation Amendments**

Description: Amendments to EMC 8.15 and EMC 18.90 associated with mitigation and removal of hazardous trees and other tree protection code clarification updates. The proposed amendments identify specific species of trees that are not considered significant, identifies a process for emergency tree removal, provides for off-site tree replacement, and various other code cleanup.

- **#24-002-CODE, EMC Title 18 Middle Housing Amendments**

Description: Amendments to EMC 18.20 Definitions, EMC 18.70 Land Use Types and Zones, EMC 18.80 land Use Zones, and EMC 18.95 Design Chapter to provide for Middle Housing standards compliant with House Bill 1110.

- **#25-002-CODE, EMC Title 18 Accessory Dwelling Unit Amendments**

Description: Amendments to EMC 18.90.190 Accessory dwelling units to comply with House Bill 1137.

- **#25-003-CODE, EMC Title 18 Residential Parking Amendments**

Description: Amendments to EMC 18.90.130 Parking to comply with Second Senate Bill 6015, House Bill 1137, House Bill 1110, code reorganization, and code cleanup.

**Hearing Date/Time:** April 14, 2025 at 6:00 PM

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

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

**Documents:** Draft code amendments are provided electrically at [noa.cityofedgewood.org](https://noa.cityofedgewood.org) under the associated file number.

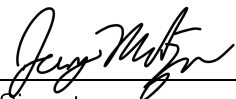
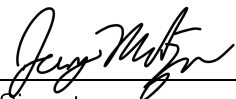
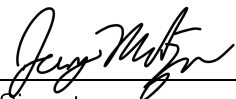
Please call (253) 952-3299 if you have any questions.

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



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

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

|                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-----------|-----------|------|
| Issued:                                                                             | March 21, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                     |           |           |      |
| File:                                                                               | #24-001-CODE EMC 8.15 and EMC 18.90.180 Tree Preservation Amendments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                     |           |           |      |
| Lead Agency:                                                                        | City of Edgewood                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |           |           |      |
| Staff Contact:                                                                      | Josh Kubitza, AICP, Planning Manager<br>253-952-3299   <a href="mailto:comdev@cityofedgewood.org">comdev@cityofedgewood.org</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
| Proponent:                                                                          | City of Edgewood                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                     |           |           |      |
| Location:                                                                           | City of Edgewood located in northern Pierce County, Washington. The proposal is for all areas within the City of Edgewood municipal boundaries.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                     |           |           |      |
| Proposal:                                                                           | Amendments to EMC 8.15 and EMC 18.90 to update regulations associated with mitigation and removal of hazardous trees and other tree protection code clarification updates. The proposed amendments identify specific species of trees that are not considered significant, identifies a process for emergency tree removal, provides for off-site tree replacement, and various other code cleanup.                                                                                                                                                                                                                                                                                                                                            |                                                                                     |           |           |      |
| Existing Documents:                                                                 | <p>All existing environmental documents and studies associated with this proposal are available on the City of Edgewood Permit Portal via <a href="https://portal.cityofedgewood.org">portal.cityofedgewood.org</a> by searching the File No. 24-001-CODE.</p> <ul style="list-style-type: none"><li>• SEPA Environmental Checklist;</li><li>• DRAFT EMC 8.15 Code Amendments; and</li><li>• DRAFT EMC 18.90.180 Code Amendments.</li></ul>                                                                                                                                                                                                                                                                                                    |                                                                                     |           |           |      |
| SEPA:                                                                               | <p>The City of Edgewood has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of an Environmental Checklist and other information on file with the City. This DNS is issued under WAC 197-11-340(2). A final decision will not be made on this proposal until after April 29, 2025.</p> <p>SEPA Responsible Official:</p> <table><tr><td></td><td>3/21/2025</td></tr><tr><td>Signature</td><td>Date</td></tr></table> <p>Jeremy Metzler, PE, Community Development Director</p> |  | 3/21/2025 | Signature | Date |
|  | 3/21/2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                     |           |           |      |
| Signature                                                                           | Date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                     |           |           |      |
| Comment Period:                                                                     | Written comments may be submitted until <b>April 14, 2025 by 5:00 PM</b> via email, mail, or in-person via <a href="mailto:comdev@cityofedgewood.org">comdev@cityofedgewood.org</a> or City of Edgewood, 2224 104th Avenue East, Edgewood, WA 98372. Verbal comments may be submitted during the Planning Commission public hearing.                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                     |           |           |      |
| Public Hearing:                                                                     | The City of Edgewood Planning Commission will convene a hybrid public hearing on the matter at <b>6:00pm on Monday, April 14, 2025</b> . Members of the public can attend and participate in person at Edgewood City Hall, Council Chambers, 2224 104th Ave East, Edgewood, WA 98372 or virtually via Zoom by visiting <a href="https://zoom.us/join">zoom.us/join</a> using Meeting ID: 970 6596 9184. Meeting information is available at <a href="https://cityofedgewood.org/calendar">cityofedgewood.org/calendar</a> .                                                                                                                                                                                                                    |                                                                                     |           |           |      |
| Appeals:                                                                            | Appeals for this threshold determination must be made to the City of Edgewood pursuant to EMC 20.05.250(J). Per EMC 20.05.250(E) appeals will be accepted until 5:00 PM on April 29, 2025. Appeals must be submitted in writing along with the appeal fee via the City's permit portal: <a href="https://portal.cityofedgewood.org">portal.cityofedgewood.org</a> .                                                                                                                                                                                                                                                                                                                                                                            |                                                                                     |           |           |      |



## CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

---

Date: April 14, 2025

Title: Climate Planning (HB 1181)

Attachments: Presentation Slides

Submitted By: Jeremy Metzler, PE – Community Development Director

### Background Information:

In the 2023 Regular Session, the 68th Legislature passed Second Substitute House Bill 1181 (HB 1181), which made various amendments to Revised Code of Washington (RCW) Chapter 36.70A, Growth Management. This is the state law that requires counties and cities to develop comprehensive plans, establishes the required elements, and requires periodic updates to the plan every 10 years.

HB 1811 is intended to improve the state's climate response through updates to the state's planning framework. The following are the key changes to RCW 36.70A:

- Adding a Climate Change and Resiliency goal,
- Adding a Shorelines of the State goal,
- Adding the requirements for a greenhouse gas (GHG) emission reduction sub-element,
- Adding green space (urban forestry) to the Open Space and Recreation Goal,
- Adding the requirements to including the participation of vulnerable populations and overburdened communities in public participation.
- Directing Department of Commerce to provide associated guidance, model elements, and grant funding.
- Setting the deadline for Pierce County cities to adopt the new elements and GHG reduction sub-element by June 30, 2029.

A copy of HB 1181 is provided here: [1181-S2.SL.pdf](https://lawfilesexternal.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1181-S2.SL.pdf?q=20230615091639)

<https://lawfilesexternal.wa.gov/biennium/2023-24/Pdf/Bills/Session%20Laws/House/1181-S2.SL.pdf?q=20230615091639>

The Washington State Department of Commerce requested that cities apply for grant funding in 2023 to start the planning process with additional funds planned between 2025 and 2029. The City applied for and was awarded \$105,000 to start the climate planning process (2024-2025). City Council authorized the Mayor to execute this Department of Commerce Grant with Resolution 24-0713.

Current Discussion:

The City has contracted with Measure Meant to assist the city through the climate change and resiliency process by initiating the Climate Assessment and Comprehensive Plan Audit draft reports. These draft reports are due to Commerce by June 2025.

Staff Recommendation:

Following tonight's presentation, the Planning Commission is invited discuss any questions they may have with Measure Meant, in preparation for further conversation at next month's meeting.



# Edgewood Climate Planning Process

Prepared for the Planning Commission

April 14, 2025

# Climate in the Comp Plan

HB 1181 (2023) amended the GMA, requiring WA jurisdictions to consider climate in their Comprehensive Plan updates.

1. GHG Reduction Sub-element
2. Resilience Sub-element

All plans should consider prioritizing goals and actions by co-benefits and their ability to reduce Environmental Justice disparities.

This is required by the state, however it is Edgewood's plan to make your own.



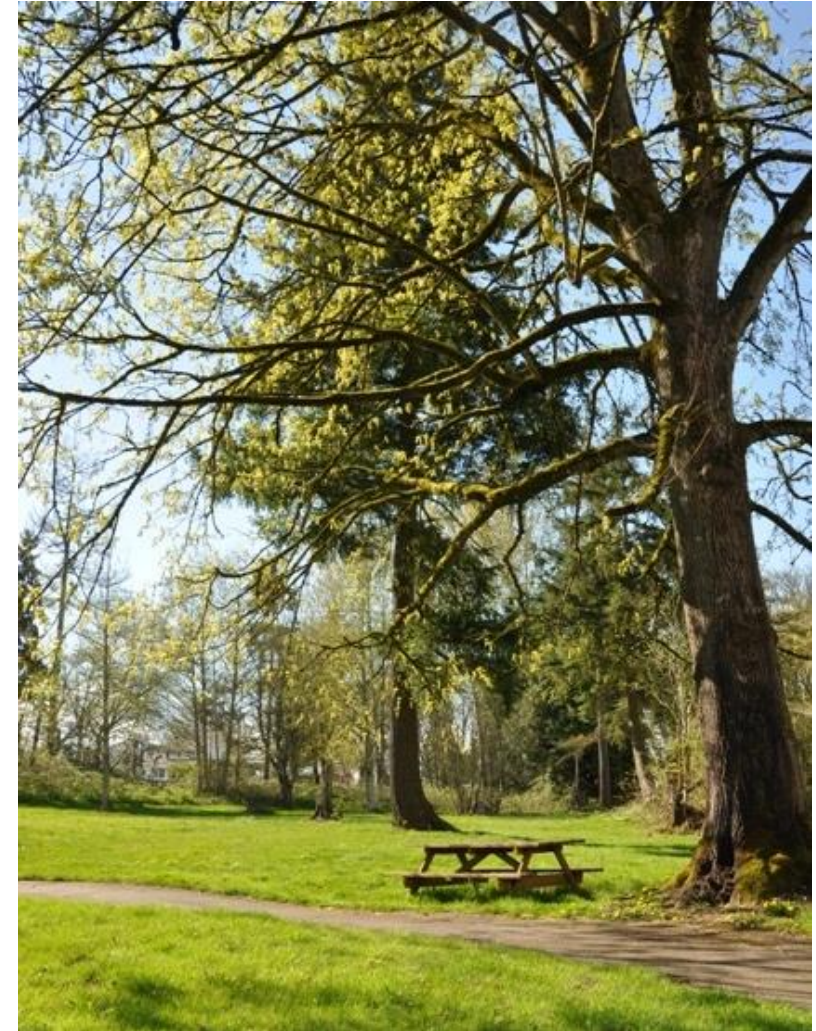
# Requirements for GHG Sub-Element

1. Reduce overall GHG emissions from transportation & land use
2. Reduce per capita vehicle miles traveled (VMT)
3. Prioritize reductions that benefit overburdened communities to maximize the co-benefits of reduced air pollution & EJ



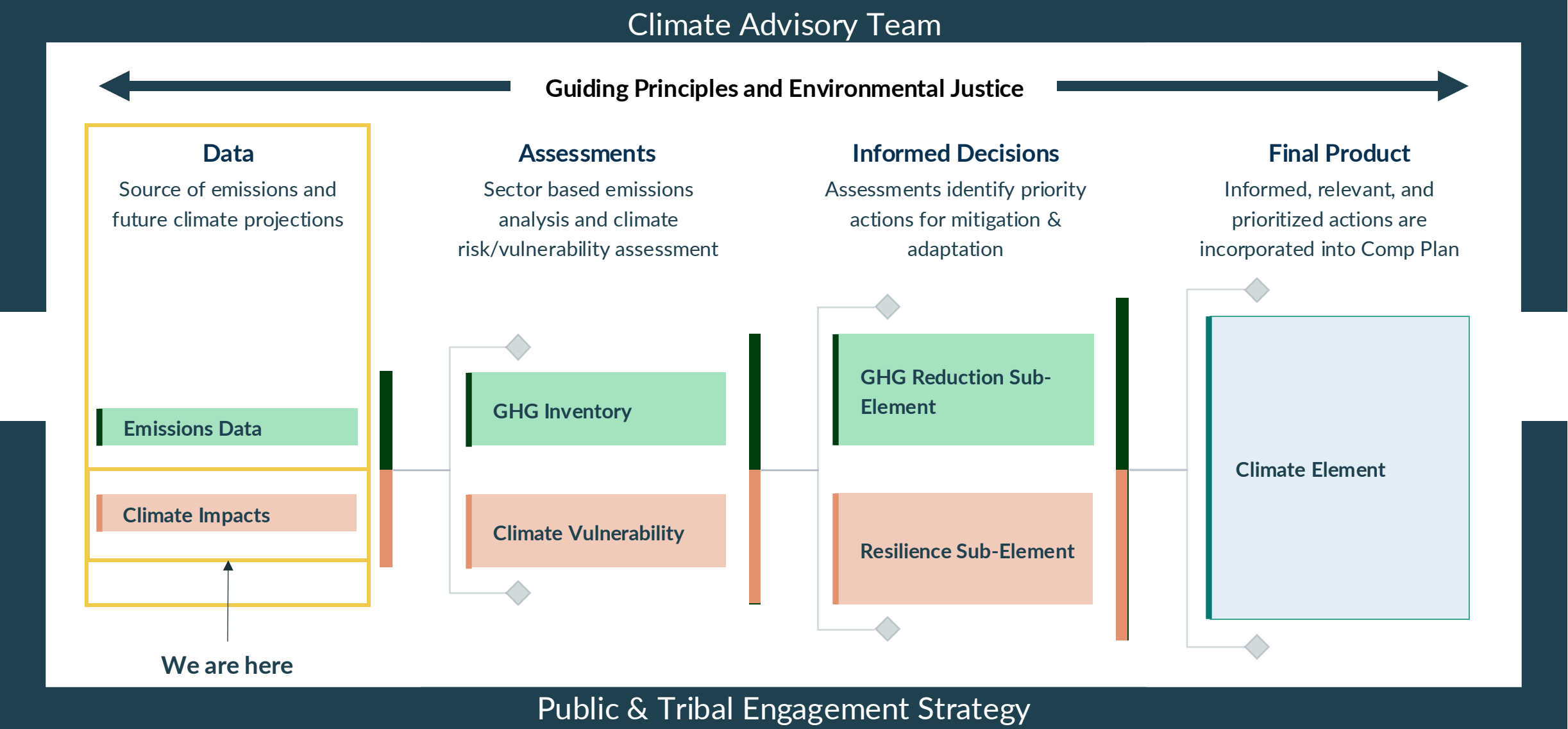
# Requirements for Resilience Sub-Element

1. Address natural hazards created or aggravated by climate change
2. Identify, protect, and enhance natural areas to foster climate resilience as well as areas vital for habitat
3. Identify, protect, and enhance community resilience to climate impacts, including social, economic, and built-environment factors



Nelson Nature Park Photo credit: WillHiteWeb.com

# Comprehensive Climate Planning Process



# Relevance to the Planning Commission

## 11 Sectors

## Comp Plan Chapters

Agriculture

Land Use

Buildings & Energy

Energy

Cultural Resources & Practices

Parks, Rec, Open Space, Trails

Economic Development

Economic Development

Ecosystems

Natural Environment

Emergency Management

Housing

Human Health

Transportation

Transportation

Waste Management

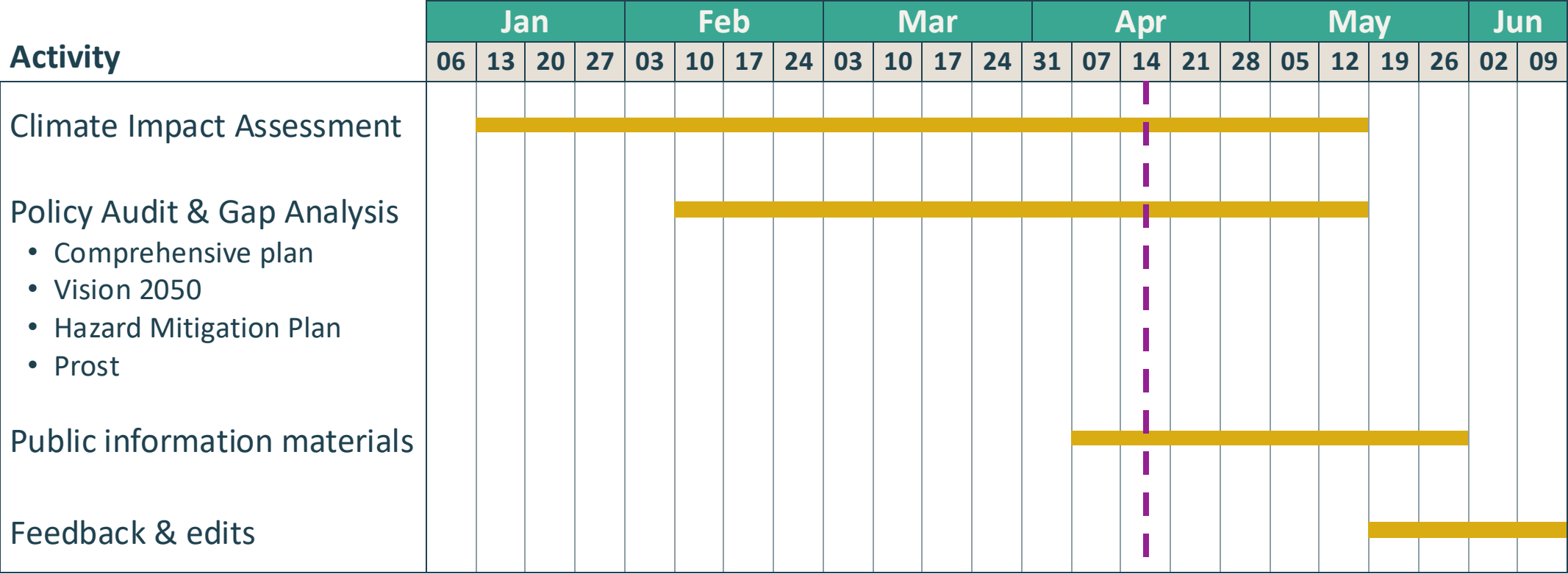
Town Center

Water Resources

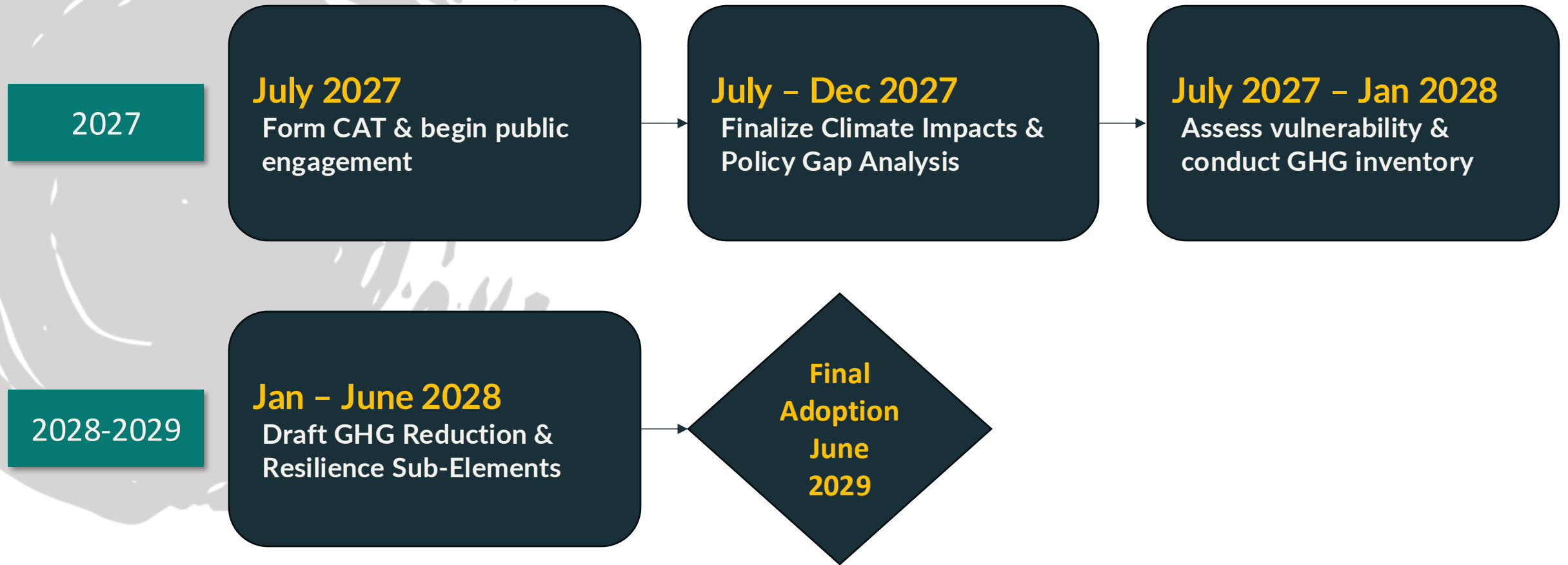
Zoning & Development

Capital Facilities, Utilities

# Current Project Timeline

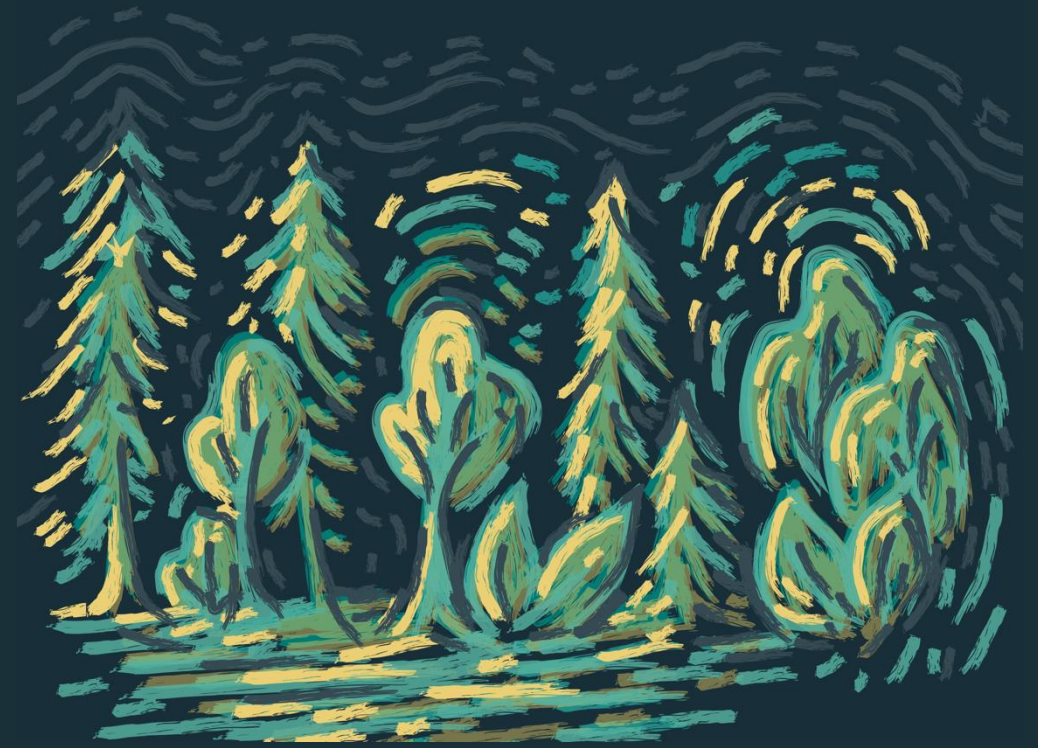


# Continued Project Timeline





Questions?





# Thank you!

Please contact us with any questions:



Josh Kubitza, AICP  
Planning Manager  
[josh@cityofedgewood.org](mailto:josh@cityofedgewood.org)



Kara Odegard  
Climate Planning  
[kara@measurepnw.com](mailto:kara@measurepnw.com)

Annie Murai  
Climate Planning  
[annie@measurepnw.com](mailto:annie@measurepnw.com)



CITY OF EDGEWOOD  
STAFF REPORT  
PLANNING COMMISSION AGENDA ITEM

---

Date: April 14, 2025

Title: Accessory Dwelling Units Amendments

Attachments: See Agenda Item 4.a

Submitted By: Josh Kubitza, AICP – Planning Manager

Background Information:  
Please see Agenda Item 4.a.

Current Discussion:

Staff has prepared code amendments for Planning Commission's review which incorporates the guidance and discussion from the March 10, 2025, Planning Commission Meeting. The following are the items that had additional requests or comments:

1. Accessory Dwelling Unit Size: The Planning Commission directed Planning Staff to draft language that would limit the size of an ADU at 80% of the principal unit total habitable floor area with a maximum of 1,6000 square feet. Staff has drafted the following language that was included with the draft code amendments:

*The total habitable floor area of an ADU shall be no greater than 1,000 square feet or 80% of the principal unit total habitable floor area, whichever is greater, up to a maximum of 1,600 square feet. Habitable floor area is considered rooms of the structure that are spent living, sleeping, eating, and/or cooking.*

Additionally, the Planning Commission held a public hearing tonight on the Accessory Dwelling Units code amendments to solicit any final input before providing a recommendation to City Council. Staff also issued a SEPA Determination of Nonsignificance (DNS) on March 21, 2025, with the currently open SEPA public comment period set to close with tonight's public hearing. The Planning Commission is invited to have further discussion. If directed by Planning Commission, staff will finalize the draft amendments so that the Planning Commission may provide a formal recommendation to the City Council at the May 12, 2025, meeting.

Staff Recommendation:

The Planning Commission is invited to review and discuss the materials provided under Agenda Item 4.a and request staff to prepare final edits for formal recommendation to City Council at the next meeting.



# CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

---

Date: April 14, 2025

Title: Parking Code Amendments

Attachments: See Agenda Item 4.b

Submitted By: Josh Kubitza, AICP – Planning Manager

Background Information:  
Please see Agenda Item 4.b.

Current Discussion:

Staff has prepared code amendments for Planning Commission's review which incorporates the guidance and discussion from the March 10, 2025, Planning Commission Meeting. The following are the items that had additional requests or comments:

1. Residential Parking Infeasibility due to Tree Retention Requirements: The Planning Commission directed Planning Staff to simplify the associated decision criteria. Staff has drafted the following language that was included with the draft code amendments:

*4. Decision Criteria. The Director may grant the waiver request if the applicant demonstrates that the residential project is unable to comply with the minimum parking requirements and tree retention requirements while complying within maximum building height, minimum setbacks, and maximum density and/or maximum floor area ratio (FAR).*

Additionally, the Planning Commission held a public hearing tonight on the Middle Housing code amendments to solicit any final input before providing a recommendation to City Council. Staff also issued a SEPA Determination of Nonsignificance (DNS) on March 21, 2025, with the currently open SEPA public comment period set to close with tonight's public hearing. The Planning Commission is invited to have further discussion. If directed by Planning Commission, staff will finalize the draft amendments so that the Planning Commission may provide a formal recommendation to the City Council at the May 12, 2025, meeting.

Staff Recommendation:

The Planning Commission is invited to review and discuss the materials provided under Agenda Item 4.b and request staff to prepare final edits for formal recommendation to City Council at the next meeting.



CITY OF EDGEWOOD  
STAFF REPORT  
PLANNING COMMISSION AGENDA ITEM

---

Date: April 14, 2025

Title: Middle Housing Ordinance Update

Attachments: See Agenda Item 4.c

Submitted By: Josh Kubitza, AICP – Planning Manager

Background Information:  
Please see Agenda Item 4.c.

Current Discussion:

Staff has prepared code amendments for Planning Commission's review which incorporates the guidance and discussion from the March 10, 2025, Planning Commission Meeting. There were no additional requests for revisions or additional information from Planning Commission.

Additionally, the Planning Commission held a public hearing tonight on the Middle Housing code amendments to solicit any final input before providing a recommendation to City Council. Staff also issued a SEPA Determination of Nonsignificance (DNS) on March 21, 2025, with the currently open SEPA public comment period set to close with tonight's public hearing. The Planning Commission is invited to have further discussion. If directed by Planning Commission, staff will finalize the draft amendments so that the Planning Commission may provide a formal recommendation to the City Council at the May 12, 2025, meeting.

Staff Recommendation:

The Planning Commission is invited to review and discuss the materials provided under Agenda Item 4.c and request staff to prepare final edits for formal recommendation to City Council at the next meeting.



CITY OF EDGEWOOD  
STAFF REPORT  
PLANNING COMMISSION AGENDA ITEM

---

Date: April 14, 2025

Title: Hazardous Trees and Tree Preservation Codes

Attachments: See Agenda Item 4.d

Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:  
Please see Agenda Item 4.d.

Current Discussion:  
Staff has prepared code amendments for Planning Commission's review which incorporates the guidance and discussion from prior Planning Commission Meetings. There were no additional requests for revisions or additional information from the Planning Commission at the March 10, 2025 meeting.

Additionally, the Planning Commission held a public hearing tonight on the Hazardous Trees and Tree Preservation code amendments to solicit any final input before providing a recommendation to City Council. Staff also issued a SEPA Determination of Nonsignificance (DNS) on March 21, 2025, with the currently open SEPA public comment period set to close with tonight's public hearing. The Planning Commission is invited to have further discussion. If directed by Planning Commission, staff will finalize the draft amendments so that the Planning Commission may provide a formal recommendation to the City Council at the May 12, 2025, meeting.

Staff Recommendation:  
The Planning Commission is invited to review and discuss the materials provided under Agenda Item 4.d and request staff to prepare final edits for formal recommendation to City Council at the next meeting.



# CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

---

Date: April 14, 2025

Title: Land Use Table Updates

Attachments:

- 1) Current Zoning Map
- 2) Draft Land Use Table Amendments

Submitted By: Jeremy Metzler, PE – Community Development Director

## Background Information:

The 2024 Comprehensive Plan Periodic Update was adopted by the City Council, including updated Land Use and Zoning Maps, and they became effective as of January 1, 2025. The changes adopted therein necessitate Edgewood Municipal Code (EMC) updates to ensure consistency. Staff asked the Planning Commission at their [February 10, 2025 meeting](#) to review draft amendments to EMC 18.70.050, Land Use Table for consistency with the following:

1. 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
5. Update associated land use references in EMC Title 18 and EMC 18.20, Definitions for consistency with the proposed amendments

Following further review of item #2 led staff to recognize a need for Economic Development Advisory Board (EDAB) input on proposed changes to commercial and industrial land uses. The Planning Commission requested this review at their [March 10, 2025 meeting](#). EDAB met on [April 7, 2025](#), performed a detailed review of the proposed land use table amendments, and are tentatively scheduled to make a formal recommendation to the Planning Commission at their May 5, 2025 meeting.

## Current Discussion:

Staff has updated the draft land use table amendments to more clearly demonstrate the changes that are anticipated due to other code amendments currently being processed, for clarity. Rows highlighted in yellow are either 1) being added, removed, or modified by other pending code amendments, or 2) being recommended for addition or deletion through this discussion. Redline text with strikeouts and underlines indicate other modifications being recommended through this discussion. Also, with the effective elimination of the Single Family 5 zoning district (see map), staff recommends deletion of that column.

Finally, the attached draft land use table amendments have been updated to reflect the initial feedback received from the EDAB at last week's meeting. The far right column, Staff Notes, contains other suggestions and notes from staff resulting from our review. The notes highlighted orange are those that staff recommends focusing on in tonight's discussion, seeking feedback for how to best proceed.

Staff Recommendation:

Staff welcomes any input the Planning Commission may have on the proposed amendments at this time. Pending any feedback received, staff is prepared to schedule a public hearing for next month's Planning Commission Meeting so we may proceed with the formal code amendment process.



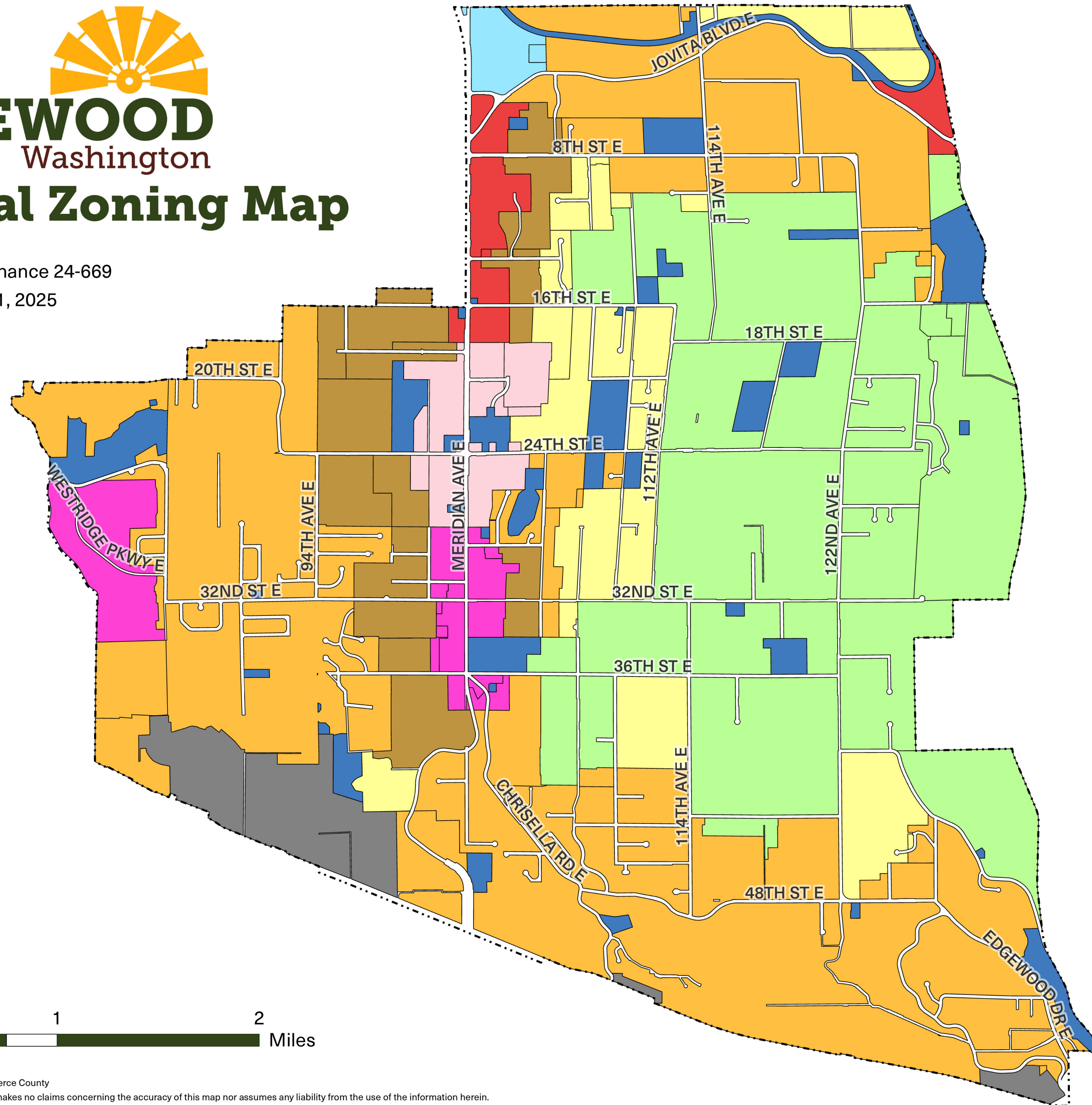
# EDGEWOOD

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)



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.

|    | A                                                                                                       | B          | C                             | D                             | E               | F                   | G                   | H                     | I           | J          | K             | L          | M      | N                                                                                                                             | O                                                                                                                                                                     |
|----|---------------------------------------------------------------------------------------------------------|------------|-------------------------------|-------------------------------|-----------------|---------------------|---------------------|-----------------------|-------------|------------|---------------|------------|--------|-------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | EMC 18.70.050 Land use table                                                                            |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                               |                                                                                                                                                                       |
| 2  | Land Use                                                                                                | NAICS Code | Single-Family-2 Residential 1 | Single-Family-3 Residential 2 | Single-Family-5 | Mixed Residential 1 | Mixed Residential 2 | Mixed Use Residential | Town Center | Commercial | Business Park | Industrial | Public | Notes                                                                                                                         | Staff Notes                                                                                                                                                           |
| 3  | ✓ – Permitted Use<br>CUP – Use may be approved via CUP<br>A – Approval Requires AUP<br>– Prohibited Use | NAICS Code | SF2 R-1                       | SF3 R-2                       | SF5             | MR-1                | MR-2                | MUR                   | TC          | C          | BP            | I          | P      | All Uses Subject to Conditions 1 and 6                                                                                        | Highlighted rows are being modified by middle housing ordinance and animals amendments (likely to be adopted prior to this item) or are being added as new land uses. |
| 4  | Residential                                                                                             |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                               |                                                                                                                                                                       |
| 5  | Accessory                                                                                               |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                               | Row to be removed (Middle Housing)                                                                                                                                    |
| 6  | Accessory Dwelling Unit (ADU), Attached                                                                 | Special    | ✓                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      | See EMC 18.90.190 for ADU requirements for both attached and detached (backyard cottage) ADUs                                 | Row to be removed (Middle Housing)                                                                                                                                    |
| 7  | ADU, Detached (Backyard Cottage)                                                                        | Special    | ✓                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | A           | A          | –             | –          | –      | Detached ADU allowed secondarily in TC and C zones only when paired with townhouse use.                                       | Row to be removed (Middle Housing)                                                                                                                                    |
| 8  | Caretaker Residence                                                                                     | Special    | CUP                           | CUP                           | CUP             | CUP                 | CUP                 | CUP                   | CUP         | CUP        | CUP           | –          | –      |                                                                                                                               | Row to be removed (Middle Housing)                                                                                                                                    |
| 9  | Single-Family                                                                                           |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                               |                                                                                                                                                                       |
| 10 | Detached Dwelling                                                                                       | Special    | ✓                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      | Not permitted within 1 mile of Meridian Ave E (SR-161) in the MUR zone.                                                       |                                                                                                                                                                       |
| 11 | Cottage Court                                                                                           | Special    | –                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      |                                                                                                                               | Row to be removed (Middle Housing)                                                                                                                                    |
| 12 | Middle Housing                                                                                          |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                               | Row to be added (Middle Housing)                                                                                                                                      |
| 13 | Accessory Dwelling Unit (ADU)                                                                           | Special    | ✓                             | ✓                             |                 | ✓                   | ✓                   | ✓                     | ✓           | ✓          | –             | –          | –      | See EMC 18.90.190 for ADU requirements. ADUs are allowed secondarily in TC and C zones only when paired with a townhouse use. | Row to be added (Middle Housing)                                                                                                                                      |
| 14 | Cottage Housing                                                                                         | Special    | ✓                             | ✓                             |                 | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      |                                                                                                                               | Row to be added (Middle Housing)                                                                                                                                      |
| 15 | Courtyard Apartments                                                                                    | Special    | ✓                             | ✓                             |                 | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      |                                                                                                                               | Row to be added (Middle Housing)                                                                                                                                      |
| 16 | Duplex                                                                                                  | Special    | ✓                             | ✓                             |                 | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      |                                                                                                                               | Row to be added (Middle Housing)                                                                                                                                      |
| 17 | Stacked Flats                                                                                           | Special    | ✓                             | ✓                             |                 | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      |                                                                                                                               | Row to be added (Middle Housing)                                                                                                                                      |

|    | A                                                                                                       | B                    | C                             | D                             | E               | F                   | G                   | H                     | I           | J          | K             | L          | M      | N                                                                                                                                   | O                                                                                                                                                                     |
|----|---------------------------------------------------------------------------------------------------------|----------------------|-------------------------------|-------------------------------|-----------------|---------------------|---------------------|-----------------------|-------------|------------|---------------|------------|--------|-------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2  | Land Use                                                                                                | NAICS Code           | Single-Family 2 Residential 1 | Single-Family 3 Residential 2 | Single-Family 5 | Mixed Residential 1 | Mixed Residential 2 | Mixed Use Residential | Town Center | Commercial | Business Park | Industrial | Public | Notes                                                                                                                               | Staff Notes                                                                                                                                                           |
| 3  | ✓ – Permitted Use<br>CUP – Use may be approved via CUP<br>A – Approval Requires AUP<br>– Prohibited Use | NAICS Code           | SF2 R-1                       | SF3 R-2                       | SF5             | MR-1                | MR-2                | MUR                   | TC          | C          | BP            | I          | P      | All Uses Subject to Conditions 1 and 6                                                                                              | Highlighted rows are being modified by middle housing ordinance and animals amendments (likely to be adopted prior to this item) or are being added as new land uses. |
| 18 | Multifamily                                                                                             |                      |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                     |                                                                                                                                                                       |
| 19 | Duplex: Side-by-Side                                                                                    | Special              | –                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      |                                                                                                                                     | Row to be removed (Middle Housing)                                                                                                                                    |
| 20 | Duplex: Back-to-Back                                                                                    | Special              | –                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      |                                                                                                                                     | Row to be removed (Middle Housing)                                                                                                                                    |
| 21 | Duplex: Top-and-Bottom                                                                                  | Special              | –                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      |                                                                                                                                     | Row to be removed (Middle Housing)                                                                                                                                    |
| 22 | Attached Dwelling                                                                                       | Special              | –                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      |                                                                                                                                     | Row to be removed (Middle Housing)                                                                                                                                    |
| 23 | Multi-plex (tri-, four-, five-, six-)                                                                   | Special              | –                             | –                             | –               | ✓                   | ✓                   | ✓                     | –           | –          | –             | –          | –      |                                                                                                                                     |                                                                                                                                                                       |
| 24 | Townhouse                                                                                               | Special              | –                             | –                             | –               | ✓                   | ✓                   | ✓                     | ✓           | ✓          | –             | –          | –      | See Ordinance 25-0676 for TC and C zones.                                                                                           | Future updates pending interim zoning ordinance review                                                                                                                |
| 25 | Apartment                                                                                               | Special              | –                             | –                             | –               | –                   | –                   | ✓                     | ✓           | ✓          | ✓             | –          | –      | See Ordinance 25-0676 for TC, C and BP zones.                                                                                       | Future updates pending interim zoning ordinance review                                                                                                                |
| 26 | Other                                                                                                   |                      |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                     |                                                                                                                                                                       |
| 27 | 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.                                                                              |
| 28 | Nursing and Residential Care Facilities                                                                 | 6231; 6232           | –                             | –                             | –               | – CUP               | CUP A               | ✓                     | ✓           | ✓          | ✓             | –          | –      | Only permitted in MR-1 if located on a Arterial or Collector road. This use is considered residential for mixed use determinations. |                                                                                                                                                                       |
| 29 | Assisted Living Facilities                                                                              | 6233                 | –                             | –                             | –               | CUP                 | CUP A               | ✓                     | ✓           | ✓          | ✓             | –          | –      | Only permitted in MR-1 if located on a Arterial or Collector road. This use is considered residential for mixed use determinations. |                                                                                                                                                                       |
| 30 | Live/Work Unit                                                                                          | Special              | –                             | –                             | –               | – A                 | – A                 | ✓                     | ✓           | ✓          | ✓ –           | –          | –      | Only permitted in MR-1 if located on a Arterial or Collector road. This use is considered residential for mixed use determinations. |                                                                                                                                                                       |
| 31 | Work/Live Unit                                                                                          | Special              | –                             | –                             | –               | –                   | A                   | ✓                     | ✓           | ✓          | –             | –          | –      |                                                                                                                                     | Row to be added, also need to add a definition in EMC 18.20                                                                                                           |
| 32 | Permanent Supportive Housing                                                                            |                      | ✓                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | ✓           | ✓          | ✓             | –          | –      |                                                                                                                                     |                                                                                                                                                                       |
| 33 | Transitional Housing                                                                                    |                      | ✓                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | ✓           | ✓          | ✓             | –          | –      |                                                                                                                                     |                                                                                                                                                                       |
| 34 | Agriculture and Resource (Sector 11-21)                                                                 |                      |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                     |                                                                                                                                                                       |
| 35 | Family Farm                                                                                             | 111; Special         | ✓                             | ✓                             | A               | –                   | –                   | –                     | –           | –          | –             | ✓          | ✓      | Activities must be performed on parcels larger than two acres in size, unless in the SF2 or SF3 zone                                | Row to be removed (Animals)                                                                                                                                           |
| 36 | Agricultural Sales                                                                                      | Special 454390, part | ✓                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | ✓           | ✓          | ✓             | ✓          | ✓      | Activities permitted in all districts, but require TUP and must comply with EMC 18.50.070                                           | Row to be modified (Animals)                                                                                                                                          |

|    | A                                                                                                       | B                                                                                                    | C                             | D                             | E               | F                   | G                   | H                     | I           | J          | K             | L          | M      | N                                                                                                         | O                                                                                                                                                                     |
|----|---------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------------------------------|-------------------------------|-----------------|---------------------|---------------------|-----------------------|-------------|------------|---------------|------------|--------|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2  | Land Use                                                                                                | NAICS Code                                                                                           | Single-Family 2 Residential 1 | Single-Family 3 Residential 2 | Single-Family 5 | Mixed Residential 1 | Mixed Residential 2 | Mixed Use Residential | Town Center | Commercial | Business Park | Industrial | Public | Notes                                                                                                     | Staff Notes                                                                                                                                                           |
| 3  | ✓ – Permitted Use<br>CUP – Use may be approved via CUP<br>A – Approval Requires AUP<br>– Prohibited Use | NAICS Code                                                                                           | SF2 R-1                       | SF3 R-2                       | SF5             | MR-1                | MR-2                | MUR                   | TC          | C          | BP            | I          | P      | All Uses Subject to Conditions 1 and 6                                                                    | Highlighted rows are being modified by middle housing ordinance and animals amendments (likely to be adopted prior to this item) or are being added as new land uses. |
| 37 | Crop Production                                                                                         |                                                                                                      |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                           |                                                                                                                                                                       |
| 38 | Crop Production                                                                                         | 111, part                                                                                            | A                             | A                             | A               | A                   | =                   | =                     | =           | =          | A             | A          | =      |                                                                                                           | Row to be added (Animals)                                                                                                                                             |
| 39 | Marijuana Production                                                                                    | 111; Special                                                                                         | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | –             | –          | –      | See Condition 2                                                                                           |                                                                                                                                                                       |
| 40 | Crop Production, All Other                                                                              | 111, part                                                                                            | ✓                             | ✓                             | A               | –                   | –                   | –                     | –           | –          | –             | ✓          | ✓      |                                                                                                           | Row to be modified (Animals)                                                                                                                                          |
| 41 | Animal Production and Aquaculture                                                                       | All Uses subject to Condition 6. Personal animal uses are permitted in all zones per EMC 18.100.030. |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                           | Row to be modified (Animals)                                                                                                                                          |
| 42 | Hog and Pig Farming                                                                                     | 112210                                                                                               | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | –             | –          | –      |                                                                                                           |                                                                                                                                                                       |
| 43 | Cattle Feedlots                                                                                         | 112112                                                                                               | CUP =                         | –                             | –               | –                   | –                   | –                     | –           | –          | –             | – CUP      | –      |                                                                                                           | Row to be modified (Animals)                                                                                                                                          |
| 44 | Animal Production and Aquaculture, All Other                                                            | 112-except-112210, part; 112112, 1122, 1123 20; 112511, part                                         | ✓                             | CUP                           | –               | –                   | –                   | –                     | –           | –          | –             | ✓          | CUP    |                                                                                                           | Row to be modified (Animals)                                                                                                                                          |
| 45 | Animal Production, All Other                                                                            | 112, part                                                                                            | ✓                             | ✓                             | –               | ✓                   | A                   | =                     | =           | =          | =             | ✓          | CUP    | Only permitted as an accessory use to a primary residential use                                           | Row to be added (Animals)                                                                                                                                             |
| 46 | Mining, Quarrying, and Oil and Gas Extraction                                                           | 21                                                                                                   | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | –             | –          | –      | Unless otherwise authorized or permitted by the state where city of Edgewood is preempted from regulating |                                                                                                                                                                       |
| 47 | Utilities (Sector 22)                                                                                   |                                                                                                      |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                           |                                                                                                                                                                       |
| 48 | 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        |                                                                                                                                                                       |
| 49 | Solar Electric Power Generation                                                                         | 221114                                                                                               | ✓                             | ✓                             | –               | A                   | A                   | A                     | A           | A          | ✓             | ✓          | ✓      |                                                                                                           | Row to be added                                                                                                                                                       |
| 50 | Wind Electric Power Generation                                                                          | 221115                                                                                               | ✓                             | ✓                             | –               | ✓                   | ✓                   | ✓                     | ✓           | ✓          | ✓             | A          | A      |                                                                                                           | Row to be added                                                                                                                                                       |
| 51 | Potable Water Treatment                                                                                 | 221310, part                                                                                         | CUP                           | CUP                           | CUP             | CUP                 | CUP                 | –                     | –           | –          | –             | CUP        | CUP    |                                                                                                           |                                                                                                                                                                       |
| 52 | Sewage Collection or Treatment Facility                                                                 | 221320, part                                                                                         | CUP                           | CUP                           | CUP             | CUP                 | CUP                 | –                     | –           | –          | –             | CUP        | CUP    |                                                                                                           |                                                                                                                                                                       |
| 53 | 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)           |                                                                                                                                                                       |

|    | A                                                                                                       | B                                                                              | C                             | D                             | E               | F                   | G                   | H                     | I           | J          | K             | L          | M      | N                                                                                                                                                                                      | O                                                                                                                                                                     |
|----|---------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-------------------------------|-------------------------------|-----------------|---------------------|---------------------|-----------------------|-------------|------------|---------------|------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2  | Land Use                                                                                                | NAICS Code                                                                     | Single-Family 2 Residential 1 | Single-Family 3 Residential 2 | Single-Family 5 | Mixed Residential 1 | Mixed Residential 2 | Mixed Use Residential | Town Center | Commercial | Business Park | Industrial | Public | Notes                                                                                                                                                                                  | Staff Notes                                                                                                                                                           |
| 3  | ✓ – Permitted Use<br>CUP – Use may be approved via CUP<br>A – Approval Requires AUP<br>– Prohibited Use | NAICS Code                                                                     | SF2 R-1                       | SF3 R-2                       | SF5             | MR-1                | MR-2                | MUR                   | TC          | C          | BP            | I          | P      | All Uses Subject to Conditions 1 and 6                                                                                                                                                 | Highlighted rows are being modified by middle housing ordinance and animals amendments (likely to be adopted prior to this item) or are being added as new land uses. |
| 54 | Manufacturing (Sector 31-33)                                                                            |                                                                                |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                                                                        |                                                                                                                                                                       |
| 55 | Animal Slaughtering and Processing                                                                      | 3116                                                                           | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | –             | –          | –      |                                                                                                                                                                                        |                                                                                                                                                                       |
| 56 | Marijuana Processing                                                                                    | Special                                                                        | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | –             | –          | –      | See Condition 2                                                                                                                                                                        |                                                                                                                                                                       |
| 57 | Manufacturing, Craft                                                                                    | Special                                                                        | –                             | –                             | –               | –                   | –                   | CUP A                 | CUP A       | CUP ✓      | CUP ✓         | ✓          | –      |                                                                                                                                                                                        |                                                                                                                                                                       |
| 58 | Manufacturing, Light                                                                                    | 23, part; 311 except 3116; 312; 313; 314; 315; 316; 337                        | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | CUP A         | ✓          | –      |                                                                                                                                                                                        |                                                                                                                                                                       |
| 59 | Manufacturing, Heavy                                                                                    | 23, part; 321; 322; 323; 324; 325; 326; 327; 331; 332; 333; 334; 335; 336; 339 | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | –             | CUP        | –      |                                                                                                                                                                                        |                                                                                                                                                                       |
| 60 | Wholesale and Retail Trade (Sector 42, 44-45)                                                           |                                                                                |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                                                                        |                                                                                                                                                                       |
| 61 | Wholesale Trade                                                                                         | 423; 424; 425                                                                  | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | A             | ✓          | –      |                                                                                                                                                                                        |                                                                                                                                                                       |
| 62 | Retail Trade                                                                                            |                                                                                |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                                                                        |                                                                                                                                                                       |
| 63 | Automobile and Other Motor Vehicle Dealers                                                              | 4411; 4412                                                                     | –                             | –                             | –               | –                   | –                   | –                     | –           | CUP        | A             | A          | –      |                                                                                                                                                                                        | TO BE DISCUSSED: May still be a desirable use in C zone, per EDAB.                                                                                                    |
| 64 | Gasoline Stations                                                                                       | 447                                                                            | –                             | –                             | –               | –                   | –                   | CUP                   | CUP =       | A CUP      | ✓             | ✓          | –      | Use is limited to a total 25,000 square feet of site area in the MUR and C zones (total square footage includes all accessory and ancillary uses associated with the gasoline station) | TO BE DISCUSSED: EDAB is in favor of the proposed limitations, but may be worth discussing the total area limitation described herein.                                |
| 65 | Alternative Fueling Stations                                                                            | Special                                                                        | =                             | =                             | –               | =                   | ✓                   | ✓                     | ✓           | ✓          | ✓             | ✓          | ✓      |                                                                                                                                                                                        | Row to be added, definition needed in 18.20. This will be for EV charging stations.                                                                                   |
| 66 | Pet and Pet Supplies Stores                                                                             | 453910                                                                         | –                             | –                             | –               | –                   | –                   | A ✓                   | ✓           | ✓          | ✓             | ✓          | –      |                                                                                                                                                                                        |                                                                                                                                                                       |
| 67 | Fuel Dealers                                                                                            | 454310                                                                         | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | CUP           | ✓ CUP      | –      |                                                                                                                                                                                        |                                                                                                                                                                       |
| 68 | Marijuana Retailers                                                                                     | 453998, part                                                                   | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | –             | –          | –      | 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                                                       |                                                                                                                                                                       |
| 69 | Sexually Oriented Retail Businesses                                                                     | Special                                                                        | –                             | –                             | –               | –                   | –                   | –                     | –           | – A        | – A           | – A        | –      | Subject to standards provided in EMC 18.100.100                                                                                                                                        | TO BE DISCUSSED: EDAB Looking for potential sales tax revenue generators.                                                                                             |
| 70 | Retail Trade, All Other                                                                                 | All Other 44; 45                                                               | –                             | –                             | –               | –                   | – A                 | ✓                     | ✓           | ✓          | ✓             | ✓          | – CUP  |                                                                                                                                                                                        |                                                                                                                                                                       |

|    | A                                                                                                       | B                                                                                 | C                             | D                             | E               | F                   | G                   | H                     | I           | J          | K             | L          | M      | N                                                                                              | O                                                                                                                                                                     |
|----|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------------|-------------------------------|-----------------|---------------------|---------------------|-----------------------|-------------|------------|---------------|------------|--------|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2  | Land Use                                                                                                | NAICS Code                                                                        | Single-Family-2 Residential 1 | Single-Family-3 Residential 2 | Single-Family-5 | Mixed Residential 1 | Mixed Residential 2 | Mixed Use Residential | Town Center | Commercial | Business Park | Industrial | Public | Notes                                                                                          | Staff Notes                                                                                                                                                           |
| 3  | ✓ – Permitted Use<br>CUP – Use may be approved via CUP<br>A – Approval Requires AUP<br>– Prohibited Use | NAICS Code                                                                        | SF2 R-1                       | SF3 R-2                       | SF5             | MR-1                | MR-2                | MUR                   | TC          | C          | BP            | I          | P      | All Uses Subject to Conditions 1 and 6                                                         | Highlighted rows are being modified by middle housing ordinance and animals amendments (likely to be adopted prior to this item) or are being added as new land uses. |
| 71 | Transportation and Warehousing (Sector 48-49)                                                           |                                                                                   |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                |                                                                                                                                                                       |
| 72 | Transportation                                                                                          |                                                                                   |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                |                                                                                                                                                                       |
| 73 | Pipeline Transportation                                                                                 | 486                                                                               | See Note                      |                               |                 |                     |                     |                       |             |            |               |            |        | Activities must follow city of Edgewood permitting requirements and are subject to Condition 3 |                                                                                                                                                                       |
| 74 | Transportation, All Other                                                                               | 48 except 486                                                                     | See Note                      |                               |                 |                     |                     |                       |             |            |               |            |        | See Condition 4                                                                                |                                                                                                                                                                       |
| 75 | Warehousing and Storage                                                                                 |                                                                                   |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                |                                                                                                                                                                       |
| 76 | Mini-Warehouses and Self-Storage Units                                                                  | 53113                                                                             | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | ✓             | ✓          | –      |                                                                                                |                                                                                                                                                                       |
| 77 | Warehousing and Storage, All Other                                                                      |                                                                                   | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | CUP           | ✓          | –      |                                                                                                | Row to be removed                                                                                                                                                     |
| 78 | Warehousing and Storage, All Other up to 50,000 sq. ft.                                                 |                                                                                   | =                             | =                             | –               | =                   | =                   | =                     | =           | =          | ✓             | ✓          | =      |                                                                                                | Row to be added                                                                                                                                                       |
| 79 | Warehousing and Storage, All Other 50,001 sq. ft. and greater                                           |                                                                                   | =                             | =                             | –               | =                   | =                   | =                     | =           | =          | =             | ✓          | =      |                                                                                                | Row to be added                                                                                                                                                       |
| 80 | Business and Professional Services (Sector 51-56)                                                       |                                                                                   |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                |                                                                                                                                                                       |
| 81 | General                                                                                                 | All Office Use, plus: 51 except 517; 52; 531; 533; 54 except 541940; 55; 561; 813 | –                             | –                             | –               | –                   | –                   | ✓                     | ✓           | ✓          | ✓             | A          | –      |                                                                                                |                                                                                                                                                                       |
| 82 | Wedding and Special Occasion Venues and Events                                                          | Special                                                                           | A                             | A                             | –               | A                   | ✓                   | ✓                     | ✓           | ✓          | A             | A          | A      |                                                                                                | Row to be added, Definition needed in 18.20.                                                                                                                          |
| 83 | Rental and Leasing                                                                                      |                                                                                   |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                |                                                                                                                                                                       |
| 84 | Passenger Car Rental and Leasing                                                                        | 53211                                                                             | –                             | –                             | –               | –                   | –                   | ✓ =                   | ✓ =         | ✓ A        | ✓             | ✓          | –      |                                                                                                | TO BE DISCUSSED: EDAB may desire this use, consider AUP in MUR, TC, C and BP?                                                                                         |
| 85 | Truck, Utility Trailer, and RV Rental and Leasing                                                       | 53212                                                                             | –                             | –                             | –               | –                   | –                   | CUP =                 | CUP =       | –          | ✓             | ✓          | –      |                                                                                                | TO BE DISCUSSED: EDAB may desire this use, consider AUP in MUR, TC, C and BP w/ cap? (U-Haul example)                                                                 |
| 86 | Consumer Goods Rental                                                                                   | 5322; 5323, part                                                                  | –                             | –                             | –               | –                   | –                   | ✓                     | ✓           | ✓          | ✓             | ✓          | –      |                                                                                                |                                                                                                                                                                       |
| 87 | Commercial and Industrial Equipment Rentals                                                             | 5323, part; 5324                                                                  | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | ✓             | ✓          | –      |                                                                                                | TO BE DISCUSSED: May consider allowing in C zone?                                                                                                                     |

|     | A                                                                                                       | B                 | C                             | D                             | E               | F                   | G                   | H                     | I           | J          | K             | L          | M      | N                                                                                                | O                                                                                                                                                                     |
|-----|---------------------------------------------------------------------------------------------------------|-------------------|-------------------------------|-------------------------------|-----------------|---------------------|---------------------|-----------------------|-------------|------------|---------------|------------|--------|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2   | Land Use                                                                                                | NAICS Code        | Single-Family 2 Residential 1 | Single-Family 3 Residential 2 | Single-Family-5 | Mixed Residential 1 | Mixed Residential 2 | Mixed Use Residential | Town Center | Commercial | Business Park | Industrial | Public | Notes                                                                                            | Staff Notes                                                                                                                                                           |
| 3   | ✓ – Permitted Use<br>CUP – Use may be approved via CUP<br>A – Approval Requires AUP<br>– Prohibited Use | NAICS Code        | SF2 R-1                       | SF3 R-2                       | SF5             | MR-1                | MR-2                | MUR                   | TC          | C          | BP            | I          | P      | All Uses Subject to Conditions 1 and 6                                                           | Highlighted rows are being modified by middle housing ordinance and animals amendments (likely to be adopted prior to this item) or are being added as new land uses. |
| 88  | Waste Management and Remediation Services                                                               |                   |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                  |                                                                                                                                                                       |
| 89  | Waste Management and Remediation Services, All Other                                                    | 5622, part; 5629  | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | – CUP         | CUP        | – CUP  |                                                                                                  |                                                                                                                                                                       |
| 90  | Educational Services (Sector 61)                                                                        |                   |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                  |                                                                                                                                                                       |
| 91  | Elementary and Secondary Schools                                                                        | 6111              | CUP                           | CUP                           | CUP             | CUP                 | CUP                 | A                     | ✓           | ✓          | ✓             | CUP        | A      |                                                                                                  |                                                                                                                                                                       |
| 92  | Junior Colleges, Colleges, Universities, and Professional Schools                                       | 6112; 6113; 6114  | –                             | –                             | –               | –                   | – CUP               | A                     | ✓           | ✓          | ✓             | CUP        | A      |                                                                                                  |                                                                                                                                                                       |
| 93  | Technical and Trade Schools                                                                             | 6115              | –                             | –                             | –               | –                   | – CUP               | A                     | ✓           | ✓          | ✓             | CUP A      | A      |                                                                                                  |                                                                                                                                                                       |
| 94  | Educational Services, All Other                                                                         | 6116; 6117        | –                             | –                             | –               | –                   | – A                 | A                     | ✓           | ✓          | ✓             | CUP        | – A    |                                                                                                  |                                                                                                                                                                       |
| 95  | Health Care and Social Assistance (Sector 62)                                                           |                   |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                  |                                                                                                                                                                       |
| 96  | Ambulatory Health Care Services, All Other                                                              | All Other 621     | –                             | –                             | –               | –                   | CUP                 | ✓                     | ✓           | ✓          | ✓             | CUP        | CUP    |                                                                                                  |                                                                                                                                                                       |
| 97  | Hospitals                                                                                               | 622               | –                             | –                             | –               | –                   | – CUP               | – CUP                 | ✓           | ✓          | ✓ A           | CUP        | – CUP  |                                                                                                  |                                                                                                                                                                       |
| 98  | Community Care & Walk-in Clinics                                                                        | Special           | =                             | =                             |                 | =                   | A                   | ✓                     | ✓           | ✓          | ✓             | ✓          | ✓      |                                                                                                  | Row to be added, Definition needed in 18.20.                                                                                                                          |
| 99  | Social Assistance                                                                                       |                   |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                  |                                                                                                                                                                       |
| 100 | Services for the Elderly and Persons with Disabilities                                                  | 624120            | –                             | –                             | –               | – A                 | CUP A               | ✓                     | ✓           | ✓          | ✓             | CUP        | CUP ✓  |                                                                                                  |                                                                                                                                                                       |
| 101 | Vocational Rehabilitation Services                                                                      | 624310            | –                             | –                             | –               | – CUP               | CUP A               | ✓                     | ✓           | ✓          | ✓             | CUP        | CUP ✓  |                                                                                                  |                                                                                                                                                                       |
| 102 | Child Daycare Services, Home-Based                                                                      | 624410, part      | A ✓                           | A ✓                           | A               | A ✓                 | A ✓                 | ✓                     | ✓           | ✓          | ✓ –           | –          | –      | Subject to standards provided in EMC 18.100.040 and requires an applicable Home Business Permit. |                                                                                                                                                                       |
| 103 | Child Daycare Services, All Other                                                                       | 624410, part      | –                             | –                             | –               | – A                 | CUP A               | ✓                     | ✓           | ✓          | ✓             | CUP A      | – ✓    | Subject to standards provided in EMC 18.100.040                                                  |                                                                                                                                                                       |
| 104 | Social Assistance, All Other                                                                            | All Other 624     | –                             | –                             | –               | – CUP               | CUP A               | ✓                     | ✓           | ✓          | ✓             | CUP A      | CUP ✓  |                                                                                                  |                                                                                                                                                                       |
| 105 | Emergency Housing                                                                                       |                   | –                             | –                             | –               | –                   | –                   | CUP A                 | ✓           | ✓          | CUP A         | ✓          | – ✓    |                                                                                                  |                                                                                                                                                                       |
| 106 | Emergency Shelter                                                                                       |                   | –                             | –                             | –               | –                   | –                   | CUP A                 | ✓           | ✓          | CUP A         | ✓          | – ✓    |                                                                                                  |                                                                                                                                                                       |
| 107 | Arts, Entertainment, and Recreation (Sector 71)                                                         |                   |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                  |                                                                                                                                                                       |
| 108 | Libraries                                                                                               | Special           | –                             | –                             | –               | A                   | A                   | ✓                     | ✓           | ✓          | ✓             | A          | ✓      |                                                                                                  |                                                                                                                                                                       |
| 109 | Museums and Art Galleries                                                                               | 712 except 712130 | –                             | –                             | –               | A                   | A                   | ✓                     | ✓           | ✓          | ✓             | A          | ✓      |                                                                                                  |                                                                                                                                                                       |
| 110 | Zoos, Aquariums, and Botanical Gardens                                                                  | 712130            | –                             | –                             | –               | –                   | –                   | A                     | ✓           | ✓          | ✓             | ✓          | A      |                                                                                                  |                                                                                                                                                                       |
| 111 | Golf Courses and Country Clubs                                                                          | 713910            | A                             | A                             | –               | – A                 | – A                 | A                     | ✓           | ✓          | ✓             | ✓          | A      |                                                                                                  |                                                                                                                                                                       |
| 112 | Sexually Oriented Entertainment                                                                         | Special           | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | CUP           | – CUP      | –      | Subject to standards provided in EMC 18.100.100                                                  |                                                                                                                                                                       |

|     | A                                                                                                       | B                  | C                             | D                             | E               | F                   | G                   | H                     | I           | J          | K             | L          | M      | N                                                                                                                                                                                                                  | O                                                                                                                                                                     |
|-----|---------------------------------------------------------------------------------------------------------|--------------------|-------------------------------|-------------------------------|-----------------|---------------------|---------------------|-----------------------|-------------|------------|---------------|------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2   | Land Use                                                                                                | NAICS Code         | Single-Family 2 Residential 1 | Single-Family 3 Residential 2 | Single-Family 5 | Mixed Residential 1 | Mixed Residential 2 | Mixed Use Residential | Town Center | Commercial | Business Park | Industrial | Public | Notes                                                                                                                                                                                                              | Staff Notes                                                                                                                                                           |
| 3   | ✓ – Permitted Use<br>CUP – Use may be approved via CUP<br>A – Approval Requires AUP<br>– Prohibited Use | NAICS Code         | SF2 R-1                       | SF3 R-2                       | SF5             | MR-1                | MR-2                | MUR                   | TC          | C          | BP            | I          | P      | All Uses Subject to Conditions 1 and 6                                                                                                                                                                             | Highlighted rows are being modified by middle housing ordinance and animals amendments (likely to be adopted prior to this item) or are being added as new land uses. |
| 113 | Gambling Industries                                                                                     | 7132               | –                             | –                             | –               | –                   | –                   | –                     | CUP A       | A          | A             | ✓          | –      |                                                                                                                                                                                                                    |                                                                                                                                                                       |
| 114 | Indoor Arts, Entertainment, and Recreation Activities, Other                                            | Special            | –                             | –                             | –               | – CUP               | – A                 | CUP ✓                 | ✓           | ✓          | ✓             | A          | ✓      |                                                                                                                                                                                                                    |                                                                                                                                                                       |
| 115 | Outdoor Arts, Entertainment, and Recreation Activities, Other                                           | Special            | – A                           | – A                           | –               | – A                 | – A                 | CUP ✓                 | A           | A          | A             | –          | ✓      |                                                                                                                                                                                                                    |                                                                                                                                                                       |
| 116 | Accommodation (Sector 721)                                                                              |                    |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                                                                                                    |                                                                                                                                                                       |
| 117 | Hotels (except Casino Hotels) and Motels                                                                | 721110             | –                             | –                             | –               | –                   | – A                 | CUP ✓                 | ✓           | ✓          | CUP           | ✓ =        | –      |                                                                                                                                                                                                                    |                                                                                                                                                                       |
| 118 | Bed-and-Breakfast Inns                                                                                  | 721191             | – A                           | – A                           | –               | CUP A               | CUP A               | CUP ✓                 | ✓           | ✓          | CUP A         | –          | –      |                                                                                                                                                                                                                    |                                                                                                                                                                       |
| 119 | Short-term Rentals                                                                                      | Special            | ✓                             | ✓                             |                 | ✓                   | ✓                   | ✓                     | ✓           | ✓          | =             | =          | =      |                                                                                                                                                                                                                    | Row to be added, Definition needed in 18.20.                                                                                                                          |
| 120 | RV Parks and Recreational Camps                                                                         | 7212               | – A                           | – A                           | –               | – A                 | –                   | –                     | –           | –          | –             | – A        | –      |                                                                                                                                                                                                                    | TO BE DISCUSSED: This is an expansion that previously appears to be undesired... affordability considerations                                                         |
| 121 | Food Service and Drinking Places (Sector 722)                                                           |                    |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                                                                                                    |                                                                                                                                                                       |
| 122 | Special Food Services                                                                                   | 7223 except 722330 | See Note                      |                               |                 | See Note            |                     | ✓                     | ✓           | ✓          | ✓             | – ✓        | – ✓    | Allowed as incidental use in residential districts                                                                                                                                                                 |                                                                                                                                                                       |
| 123 | Mobile Vendors                                                                                          | 722330             | – A                           | – A                           | –               | – A                 | – ✓                 | ✓                     | ✓           | ✓          | ✓             | ✓          | ✓      | Activities always require TUP and must comply with EMC 18.50.070: In R-1, R-2, and MR-1, only permitted within 600 feet of a street corner and fronting on a Collector or Arterial road.                           |                                                                                                                                                                       |
| 124 | Drinking Places for Alcoholic Beverages                                                                 | 722410             | – A                           | – A                           | –               | – A                 | – ✓                 | CUP ✓                 | ✓           | ✓          | ✓             | ✓          | CUP ✓  | Subject to regulation and classification by the Washington State Liquor and Cannabis Board. In R-1, R-2, and MR-1, only permitted within 600 feet of a street corner and fronting on a Collector or Arterial road. | Consider use, setback, and buffering standards. May need use-specific update for mitigating impacts in more residential areas.                                        |
| 125 | Restaurants, Full Service                                                                               | 722511             | – A                           | – A                           | –               | – A                 | – ✓                 | ✓                     | ✓           | ✓          | ✓             | ✓          | ✓      | In R-1, R-2, and MR-1, only permitted within 600 feet of a street corner and fronting on a Collector or Arterial road.                                                                                             | Consider use, setback, and buffering standards. May need use-specific update for mitigating impacts in more residential areas.                                        |
| 126 | Restaurants, Limited Service                                                                            | 722513; 722514     | – A                           | – A                           | –               | – A                 | – ✓                 | ✓                     | ✓           | ✓          | ✓             | ✓          | ✓      | Subject to compliance with drive-up windows (special) use, if also applicable. In R-1, R-2, and MR-1, only permitted within 600 feet of a street corner and fronting on a Collector or Arterial road.              | Consider use, setback, and buffering standards. May need use-specific update for mitigating impacts in more residential areas.                                        |

|     | A                                                                                                       | B                                       | C                             | D                             | E               | F                   | G                   | H                     | I           | J          | K             | L          | M      | N                                                                                                                                                                                                               | O                                                                                                                                                                     |
|-----|---------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------------------------|-------------------------------|-----------------|---------------------|---------------------|-----------------------|-------------|------------|---------------|------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2   | Land Use                                                                                                | NAICS Code                              | Single-Family 2 Residential 1 | Single-Family 3 Residential 2 | Single-Family-5 | Mixed Residential 1 | Mixed Residential 2 | Mixed Use Residential | Town Center | Commercial | Business Park | Industrial | Public | Notes                                                                                                                                                                                                           | Staff Notes                                                                                                                                                           |
| 3   | ✓ – Permitted Use<br>CUP – Use may be approved via CUP<br>A – Approval Requires AUP<br>– Prohibited Use | NAICS Code                              | SF2 R-1                       | SF3 R-2                       | SF5             | MR-1                | MR-2                | MUR                   | TC          | C          | BP            | I          | P      | All Uses Subject to Conditions 1 and 6                                                                                                                                                                          | Highlighted rows are being modified by middle housing ordinance and animals amendments (likely to be adopted prior to this item) or are being added as new land uses. |
| 127 | Snack and Nonalcoholic Beverage Bars                                                                    | 722515                                  | – A                           | – A                           | –               | – A                 | – ✓                 | ✓                     | ✓           | ✓          | ✓             | ✓          | ✓      | Subject to compliance with drive-up windows (special) use, if also applicable.<br><u>In R-1, R-2, and MR-1, only permitted within 600 feet of a street corner and fronting on a Collector or Arterial road.</u> | Consider use, setback, and buffering standards. May need use-specific update for mitigating impacts in more residential areas.                                        |
| 128 | Services (Sector 811-812)                                                                               |                                         |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                                                                                                 |                                                                                                                                                                       |
| 129 | Automotive Repair and Maintenance                                                                       |                                         |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                                                                                                 |                                                                                                                                                                       |
| 130 | Automotive Oil Change and Lubrication Shops                                                             | 811191                                  | –                             | –                             | –               | –                   | –                   | –                     | –           | CUP A      | A             | ✓          | –      |                                                                                                                                                                                                                 |                                                                                                                                                                       |
| 131 | Car Washes                                                                                              | 811192                                  | –                             | –                             | –               | –                   | –                   | CUP A                 | ✓ =         | ✓          | ✓             | ✓          | –      |                                                                                                                                                                                                                 |                                                                                                                                                                       |
| 132 | Automotive Repair and Maintenance, All Other                                                            | All Other 8111                          | –                             | –                             | –               | –                   | –                   | –                     | –           | CUP A      | CUP A         | ✓          | –      |                                                                                                                                                                                                                 |                                                                                                                                                                       |
| 133 | Personal Care Services                                                                                  | 8121; 812310; 8123200                   | – A                           | – A                           | –               | – A                 | – ✓                 | CUP ✓                 | ✓           | ✓          | ✓             | ✓          | –      | <u>In R-1, R-2, and MR-1, only permitted within 600 feet of a street corner and fronting on a Collector or Arterial road.</u>                                                                                   |                                                                                                                                                                       |
| 134 | Other Repair and Maintenance                                                                            |                                         |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                                                                                                 |                                                                                                                                                                       |
| 135 | Other Repair and Maintenance, Consumer                                                                  | 811 except 8111                         | –                             | –                             | –               | –                   | –                   | –                     | –           | CUP A      | CUP A         | ✓          | –      |                                                                                                                                                                                                                 |                                                                                                                                                                       |
| 136 | Other Repair and Maintenance, Commercial/Industrial                                                     | 811 except 8111                         | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | CUP A         | ✓          | –      |                                                                                                                                                                                                                 |                                                                                                                                                                       |
| 137 | Funeral Homes and Funeral Services                                                                      | 812210                                  | – A                           | – A                           | –               | – A                 | – A                 | – A                   | –           | CUP A      | CUP A         | ✓          | –      | <u>In R-1, R-2, and MR-1, only permitted within 600 feet of a street corner and fronting on a Collector or Arterial road.</u>                                                                                   |                                                                                                                                                                       |
| 138 | Crematoria                                                                                              | 812220, part                            | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | CUP           | CUP        | –      |                                                                                                                                                                                                                 |                                                                                                                                                                       |
| 139 | Pet Care Services                                                                                       | <u>All uses subject to Condition 6.</u> |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                                                                                                 |                                                                                                                                                                       |
| 140 | Kennels                                                                                                 | Special 812910, part                    | –                             | –                             | –               | –                   | –                   | – A                   | –           | – A        | CUP A         | A          | – CUP  |                                                                                                                                                                                                                 | Row to be modified (Animals)                                                                                                                                          |
| 141 | Veterinary Services                                                                                     | 541940                                  | – A                           | – A                           | –               | – A                 | – A                 | A ✓                   | A ✓         | ✓          | ✓             | A          | – A    | <u>Only permitted in residential zones and MR-1 as an accessory use to a primary residential use.</u>                                                                                                           | Row to be modified (Animals)                                                                                                                                          |
| 142 | Pet Care Services, All Other                                                                            | 812910, part                            | – A                           | – A                           | –               | – A                 | – A                 | ✓                     | ✓           | ✓          | ✓             | A          | –      | <u>Only permitted in residential zones and MR-1 as an accessory use to a primary residential use.</u>                                                                                                           | Row to be modified (Animals)                                                                                                                                          |
| 143 | Civic and Public Uses (Sector 813)                                                                      |                                         |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                                                                                                                                                                                                 |                                                                                                                                                                       |
| 144 | Cemeteries                                                                                              | 812220, part                            | – A                           | – A                           | –               | – A                 | –                   | –                     | –           | –          | –             | –          | CUP    |                                                                                                                                                                                                                 |                                                                                                                                                                       |

|     | A                                                                                                       | B                     | C                             | D                             | E               | F                   | G                   | H                     | I           | J          | K             | L          | M        | N                                                                                                                                                                                               | O                                                                                                                                                                     |
|-----|---------------------------------------------------------------------------------------------------------|-----------------------|-------------------------------|-------------------------------|-----------------|---------------------|---------------------|-----------------------|-------------|------------|---------------|------------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2   | Land Use                                                                                                | NAICS Code            | Single-Family 2 Residential 1 | Single-Family 3 Residential 2 | Single-Family 5 | Mixed Residential 1 | Mixed Residential 2 | Mixed Use Residential | Town Center | Commercial | Business Park | Industrial | Public   | Notes                                                                                                                                                                                           | Staff Notes                                                                                                                                                           |
| 3   | ✓ – Permitted Use<br>CUP – Use may be approved via CUP<br>A – Approval Requires AUP<br>– Prohibited Use | NAICS Code            | SF2 R-1                       | SF3 R-2                       | SF5             | MR-1                | MR-2                | MUR                   | TC          | C          | BP            | I          | P        | All Uses Subject to Conditions 1 and 6                                                                                                                                                          | Highlighted rows are being modified by middle housing ordinance and animals amendments (likely to be adopted prior to this item) or are being added as new land uses. |
| 145 | Correctional Institutions                                                                               | 922140                | –                             | –                             | –               | –                   | –                   | –                     | –           | CUP –      | CUP           | – CUP      | CUP      |                                                                                                                                                                                                 | Moved above religious                                                                                                                                                 |
| 146 | Administrative Public Facility                                                                          | 92 except 922140      | –                             | –                             | –               | –                   | –                   | ✓                     | ✓           | ✓          | ✓             | ✓          | ✓        |                                                                                                                                                                                                 | Moved above religious                                                                                                                                                 |
| 147 | Nonadministrative Public Facility                                                                       | Special               | –                             | –                             | –               | –                   | –                   | –                     | –           | –          | –             | –          | A        | Activities with Outside Storage also subject to EMC 18.90.120                                                                                                                                   | Moved above religious                                                                                                                                                 |
| 148 | Parks, Open Space, and Public Recreation                                                                | Special               | ✓                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | ✓           | ✓          | ✓             | A          | ✓        |                                                                                                                                                                                                 | Moved above religious                                                                                                                                                 |
| 149 | Religious Assembly                                                                                      |                       |                               |                               |                 |                     |                     |                       |             |            |               |            |          |                                                                                                                                                                                                 |                                                                                                                                                                       |
| 150 | Up to 10,000 sq. ft.                                                                                    | 813110, Assembly Only | ✓                             | ✓                             | ✓               | ✓                   | ✓                   | ✓                     | ✓           | ✓          | ✓             | ✓          | ✓        |                                                                                                                                                                                                 |                                                                                                                                                                       |
| 151 | 10,000 to 19,999 sq. ft.                                                                                | 813110, Assembly Only | ✓                             | ✓                             | ✓               | A                   | A                   | CUP A                 | CUP A       | ✓          | ✓             | –          | CUP      |                                                                                                                                                                                                 |                                                                                                                                                                       |
| 152 | 20,000 to 29,999 sq. ft.                                                                                | 813110, Assembly Only | A                             | A                             | A               | A                   | A                   | CUP                   | CUP         | ✓          | ✓             | –          | CUP      |                                                                                                                                                                                                 |                                                                                                                                                                       |
| 153 | 30,000 to 39,999 sq. ft.                                                                                | 813110, Assembly Only | CUP                           | CUP                           | CUP             | A                   | A                   | CUP                   | CUP         | ✓          | ✓             | –          | CUP      |                                                                                                                                                                                                 |                                                                                                                                                                       |
| 154 | 40,000 sq. ft. or greater                                                                               | 813110, Assembly Only | –                             | –                             | –               | –                   | –                   | –                     | –           | ✓ CUP      | ✓             | –          | CUP      |                                                                                                                                                                                                 |                                                                                                                                                                       |
| 155 | Other Uses                                                                                              |                       |                               |                               |                 |                     |                     |                       |             |            |               |            |          |                                                                                                                                                                                                 |                                                                                                                                                                       |
| 156 | Parking Lots                                                                                            | 812930, part          | –                             | –                             | –               | –                   | –                   | – A                   | – A         | CUP A      | –             | – CUP      | – CUP    | No more than 25,000 square feet of total parking area per lot or contiguous ownership in MUR, TC, or C zoning districts, except for Transit agency park-and-rides or public parks and services. |                                                                                                                                                                       |
| 157 | Parking Structures                                                                                      | 812930, part          | –                             | –                             | –               | –                   | –                   | – A                   | CUP A       | CUP A      | –             | – A        | – A      | Permitted as an accessory use without an AUP in all zones                                                                                                                                       |                                                                                                                                                                       |
| 158 | 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                                                                                                                       |                                                                                                                                                                       |
| 159 | Outside Displays                                                                                        | Special               | –                             | –                             | –               | –                   | –                   | ✓ –                   | ✓           | ✓          | ✓             | ✓          |          | Activities also subject to EMC 18.95.030(l)                                                                                                                                                     |                                                                                                                                                                       |
| 160 | Outside Storage                                                                                         | Special               | –                             | –                             | –               | –                   | –                   | –                     | CUP –       | –          | CUP           | A          | See Note | Allowed as incidental use in Public district. Activities also subject to EMC 18.90.120                                                                                                          |                                                                                                                                                                       |

|     | A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | B          | C                             | D                             | E               | F                   | G                   | H                     | I           | J          | K             | L          | M      | N                                      | O                                                                                                                                                                     |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------------------------|-------------------------------|-----------------|---------------------|---------------------|-----------------------|-------------|------------|---------------|------------|--------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2   | Land Use                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | NAICS Code | Single-Family 2 Residential 1 | Single-Family 3 Residential 2 | Single-Family-5 | Mixed Residential 1 | Mixed Residential 2 | Mixed Use Residential | Town Center | Commercial | Business Park | Industrial | Public | Notes                                  | Staff Notes                                                                                                                                                           |
| 3   | ✓ – Permitted Use<br>CUP – Use may be approved via CUP<br>A – Approval Requires AUP<br>– Prohibited Use                                                                                                                                                                                                                                                                                                                                                                             | NAICS Code | SF2 R-1                       | SF3 R-2                       | SF5             | MR-1                | MR-2                | MUR                   | TC          | C          | BP            | I          | P      | All Uses Subject to Conditions 1 and 6 | Highlighted rows are being modified by middle housing ordinance and animals amendments (likely to be adopted prior to this item) or are being added as new land uses. |
| 161 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                        |                                                                                                                                                                       |
| 162 | Conditions                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                        |                                                                                                                                                                       |
| 163 | (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.                                                                                                                                                                                                                                                                              |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                        |                                                                                                                                                                       |
| 164 | (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.                                                                                                                                                                                                                    |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                        |                                                                                                                                                                       |
| 165 | (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.                                                                                                                                                             |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                        |                                                                                                                                                                       |
| 166 | (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. |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                        |                                                                                                                                                                       |
| 167 | (5) Essential public facilities are subject to EMC 18.50.060, Essential public facilities permit.                                                                                                                                                                                                                                                                                                                                                                                   |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                        |                                                                                                                                                                       |
| 168 | (6) Subject to EMC 18.100.030, Animals.                                                                                                                                                                                                                                                                                                                                                                                                                                             |            |                               |                               |                 |                     |                     |                       |             |            |               |            |        |                                        |                                                                                                                                                                       |



## CITY OF EDGEWOOD STAFF REPORT PLANNING COMMISSION AGENDA ITEM

---

Date: April 14, 2025

Title: Impact Fees Code Updates

Attachments: Draft EMC Title 4 Redlines  
Draft Park Impact Fee Analysis (2025)

Submitted By: Jeremy Metzler, PE – Community Development Director

### Background Information:

As introduced at the [March 10, 2024 Planning Commission Meeting](#), staff is working to update Impact Fee provisions in Edgewood Municipal Code (EMC) to align with recent changes in state law. Here is a summary of the relevant legislation:

- [SB 5258 \(2023\)](#) – Section 10 amends RCW 82.02.060 to require fees to be based on “*the square footage, number of bedrooms, or trips generated,*” rather than by unit type or classification, and requires any amendment to EMC be completed by June 30, 2025.
- [HB 1337 \(2023\)](#) – Section 4(1)(a) requires impact fees on Accessory Dwelling Units (ADU’s) be no greater than 50 percent of the fee imposed on the principal unit.

Staff is continuing to work on updates to the City’s Impact Fee calculations, and the Economic Development Advisory Board (EDAB) is considering recommending reduced Transportation Impact Fee rates for certain land use categories to the City Council. While these items are not expected to affect the Planning Commission’s work, staff will provide progress updates as we are able.

### Current Discussion:

The City is required to update the relevant sections of EMC to comply with this legislation by June 30, 2025. Staff recommends keeping the existing “per trip” rate structure for Transportation Impact Fees. Based on initial input from the Master Builders Association, staff is considering “per square foot” rate structures for Park and School Impact Fees. Staff has already scaled the Park Impact Fee to a “per square foot” rate structure, following the methodology developed by Federal Way and their consultant. Attached for reference is a copy of the draft analysis, comparing the existing rate and structure to proposed rates using the current and proposed rate structure.

The City is in the process of coordinating with our local school districts on developing a “per square foot” School Impact Fee rate structure, but recognizes a “per bedroom” rate structure may be more easily

implemented by the school districts. The attached draft code amendments for EMC 4.10 may be adjusted pending the results of this analysis.

Staff Recommendation:

Staff welcomes any input the Planning Commission may have on the proposed rate structures at this time. Please provide staff with any feedback on the proposed code amendments, and staff is prepared to schedule a public hearing for next month's Planning Commission Meeting so we may proceed with the formal code amendment process ahead of the June 20, 2025 statutory deadline.

|   |                  |                                                     |
|---|------------------|-----------------------------------------------------|
| 1 |                  | <b>Title 4</b>                                      |
| 2 |                  | <b>IMPACT FEES</b>                                  |
| 3 | <b>Chapters:</b> |                                                     |
| 4 | 4.05             | <b>Deferral of Impact Fees</b>                      |
| 5 | 4.10             | <b>School Impact Fees</b>                           |
| 6 | 4.20             | <b>Park Impact Fees</b>                             |
| 7 | 4.30             | <b>Traffic Impact Fees</b>                          |
| 8 | 4.40             | <b>Impact Fee Exemptions for Low Income Housing</b> |

DRAFT

**Chapter 4.05**

**DEFERRAL OF IMPACT FEES**

Sections:

- 4.05.010 Authority.
- 4.05.015 Impact fee payment deferral.
- 4.05.020 Definitions.
- 4.05.030 Administrative fees.
- 4.05.040 Limitation.
- 4.05.050 Impact fee deferral request.
- 4.05.060 Deferral period.
- 4.05.070 Lien.
- 4.05.080 Final inspection withheld.
- 4.05.090 Release of lien.

**4.05.010 Authority.**

This chapter is adopted in accordance with Engrossed Senate Bill (ESB) 5923 and shall be reasonable construed in a manner consistent therewith.

**4.05.015 Impact fee payment deferral.**

Payment of impact fees for new single-family detached or attached residential construction assessed under any chapter of this title may, at the election of an applicant for impact fee deferral, be deferred in accordance with the provisions of this chapter.

**4.05.020 Definitions.**

For purposes of this chapter, the following terms shall have the indicated meanings below:

A. "Applicant for impact fee deferral" means an applicant for a building permit who also seeks deferral of impact fee payment pursuant to this chapter. An applicant for impact fee deferral includes without limitation an entity that controls the applicant, is controlled by the applicant, or is under the common control with the applicant.

B. "Final inspection" means the city's signed approval of the final inspection under EMC Title 15 authorizing the use and/or occupancy of a single-family detached or attached residence.

**4.05.030 Administrative fees.**

For each new single-family residence for which an impact fee payment deferral is sought, the applicant for impact fee deferral shall simultaneously remit an administrative fee to the city to help defray the city's expenses in processing and monitoring such application. The amount of the administrative fee shall be as set forth in the city of Edgewood fee schedule.

**4.05.040 Limitation.**

Each applicant for impact fee deferral is entitled annually (per calendar year) to obtain deferral for only the first 20 single-family residential construction building permits applied for by that applicant.

**4.05.050 Impact fee deferral request.**

An impact fee payment deferral request pursuant to this chapter shall be submitted to the community development director prior to building permit issuance on an application form prescribed by the city. A separate application form shall be required for each building permit for which impact fee payment deferral is requested.

**4.05.060 Deferral period.**

Impact fee payments may be deferred to the date of final inspection or up to 18 months from the date of building permit issuance, whichever occurs first.

**4.05.070 Lien.**

A. An applicant for impact fee deferral shall grant and record in favor of the city a lien in a form approved by the city attorney in the amount of the deferred impact fee. The content, form, enforcement and procedure of the lien shall be in accordance with RCW 82.02.050. Proof that such lien has been recorded against the title of the subject property shall be submitted to the city before building permit issuance.

B. Recording of the lien shall be at the sole expense of the applicant for impact fee deferral.

**4.05.080 Final inspection withheld.**

The city shall withhold final inspection of the single-family residence until the deferred impact fees are paid and collected.

**4.05.090 Release of lien.**

Upon written request following full payment of impact fees that have been deferred pursuant to this chapter, the city shall execute a written release of the lien recorded pursuant to this chapter. The release shall be in a form approved by the city attorney and shall be recorded against the title of the subject property by and at the expense of the current landowner.

**Chapter 4.10**

**SCHOOL IMPACT FEES**

Sections:

- 4.10.010 Authority.
- 4.10.020 Definitions.
- 4.10.030 Exemptions.
- 4.10.040 Interlocal agreement between the city and districts.
- 4.10.050 Exemptions – Low-income housing.
- 4.10.060 Submission of each district’s capital facilities plan and data.
- 4.10.070 Annual council review.
- 4.10.080 Impact fee program elements.
- 4.10.090 Fee calculations.
- 4.10.100 Fee collection.
- 4.10.110 Imposition of impact fees.
- 4.10.120 Determination of the fee, adjustments, exceptions and appeals.
- 4.10.130 Impact fee accounts and refunds.

**4.10.010 Authority.**

This chapter is adopted as an official control to implement Edgewood’s comprehensive plan policies, the Growth Management Act, RCW 82.02.050 through 82.02.100; and the State Subdivision Act, Chapter 58.17 RCW. This chapter is also necessary to address identified impacts of new development on schools, in order to protect the public health, safety and welfare.

**4.10.020 Definitions.**

For purposes of this chapter, the following terms have the indicated meanings:

A. “Capacity” means the number of students each district’s facilities can accommodate district-wide, based on the district’s standard of service, as determined by each district.

B. “Capital facilities plan” means each district’s facilities plan adopted by the school board(s) consisting of:

1. A forecast of future needs for school facilities based on each district’s enrollment projections;
2. An identification of additional demands placed on existing public facilities by new development;
3. The long-range construction and capital improvement projects of the districts;
4. The schools under construction or expansion;
5. The proposed locations and capacities of expanded or new school facilities;
6. An inventory of existing school facilities, including permanent, transitional and relocatable facilities;
7. At least a six-year financing component, updated as necessary to maintain at least a six-year forecast period, for financing needed for school facilities within projected funding levels, and identifying sources of financing for such purposes, including bond issues authorized by the voters;
8. An identification of deficiencies in school facilities serving the student populations and the means by which existing deficiencies will be eliminated within a reasonable period of time; and
9. Any other long-range projects planned by the districts.

C. “City” means the city of Edgewood.

D. “Classrooms” mean educational facilities of each district required to house students for its basic educational program. The classrooms are those facilities the districts determine are necessary to best serve its student population. Specialized facilities as identified by the districts, including but not limited to gymnasiums, cafeterias, libraries, administrative offices, and child care centers, shall not be counted as classrooms.

E. “Construction cost per student” means the estimated cost of construction of a permanent school facility in each district for the grade span of school to be provided, as a function of each district’s design standard per grade span.

F. “Design standard” means the space required, by grade span and taking into account the requirements of students with special needs, which is needed in order to fulfill the educational goals of the districts as identified in each district’s capital facilities plan.

G. “District(s)” means Puyallup School District No. 3; Fife School District No. 417; and Sumner–[Bonney Lake](#) School District No. 320.

H. “Developer” means the person or entity who owns or holds purchase options or other development control over property for which development activity is proposed.

I. “Development activity” means any residential construction or expansion of a residential building, structure or use, any change in use of a residential building or structure, or any change in the use of residential land that creates additional demand for school facilities.

J. “Dwelling unit” means a dwelling unit as defined in EMC Title 18.

K. “Elderly” means a person aged 62 or older.

L. “Encumbered” means impact fees identified by each district as being committed as part of the funding for a school facility for which the publicly funded share has been assured or building permits sought or construction contracts let.

M. “Interlocal agreement” means the agreement between each district and the city, governing the operation of the school impact fee program and describing the relationship, duties and liabilities of the parties.

N. “Grade span” means the categories into which each district groups its grade of students; i.e., elementary, middle or junior high school, and high school.

O. “Impact fee” means a payment of money imposed upon development as a condition of development approval to pay for school facilities needed to serve new growth and development, that is reasonably related to the new development that creates additional demand and need for public facilities, that is a proportionate share of the cost of the public facilities, and that is used for facilities that reasonably benefit the new development. “Impact fee” does not include a reasonable permit or application fee.

P. “Impact fee schedule” means the table of impact fees to be charged per unit of development, computed by the formula adopted under this chapter, indicating the standard fee amount per dwelling unit that shall be paid as a condition of residential development within the city.

Q. “Low-income and moderate-income housing” means housing affordable under federal standards to households with annual incomes at or below 80 percent of the county median income.

R. “Permanent facilities” means facilities of the districts with a fixed foundation which are not relocatable facilities.

S. “Relocatable facilities” means any factory-built structure, transportable in one or more sections that is designed to be used as an education space and is needed to prevent the overbuilding of school facilities, to meet the needs of service areas within each district or to cover the gap between the time that families move into new residential developments and the date that construction is completed on permanent school facilities.

1 T. “Relocatable facilities cost per student” means the estimated cost of purchasing and siting a relocatable facility in  
2 any of the districts for the grade span of school to be provided, as a function of the district’s design standard per  
3 grade span.

4 U. “Site cost per student” means the estimated cost of a site in any of the districts for the grade span of school to be  
5 provided, as a function of the district’s design standard per grade span.

6 V. “Standard of service” means the standard adopted by each district which identifies the program year, the class  
7 size by grade span and taking into account the requirements of students with special needs, the number of  
8 classrooms, the types of facilities each district believes will best serve its student population, and other factors as  
9 identified by the districts. Each district’s standard of service shall not be adjusted for any portion of the classrooms  
10 housed in relocatable facilities which are used as transitional facilities or any other specialized facilities housed in  
11 relocatable facilities.

12 W. “Student factor” means the number derived by each district to describe how many students of each grade span  
13 are expected to be generated by a dwelling unit. Student factors shall be based on each district’s record of average  
14 actual student generated rates for new developments constructed over a period of not more than five years prior to  
15 the date of the fee calculation; provided, that if such information is not available in a district, data from adjacent  
16 districts, or districts with similar demographics or county-wide averages may be used. Student factors must be  
17 updated on an annual basis, and separately determined for single-family and multifamily dwelling units and for  
18 grade spans.

19 X. “Transitional facilities” means those school facilities that are being used pending the construction of permanent  
20 facilities; provided, that the necessary financial commitments are in place to construct the permanent facilities.

21 **4.10.030 Exemptions.**

22 The following development activities do not create any additional school impacts and are exempt from the  
23 requirements of this chapter:

24 A. Reconstruction, remodeling or construction of the following facilities, subject to the recording of a covenant or  
25 recorded declaration of restrictions precluding use of the property for other than the exempt purpose; provided, that  
26 if the property is used for a nonexempt purpose, then the school impact fees then in effect shall be paid.

27 1. Shelters or dwelling units for temporary placement, which provide housing to persons on a temporary basis  
28 for not more than four weeks;

29 2. Construction or remodeling of transitional housing facilities or dwelling units that provide housing to  
30 persons on a temporary basis for not more than 24 months, in connection with job training, self-sufficiency  
31 training and human services counseling, the purpose of which is to help persons make the transition from  
32 homelessness to placement in permanent housing; and

33 3. Any form of housing for the elderly, including nursing homes, retirement centers, and any type of housing  
34 units for persons age 55 and over, which have recorded covenants or recorded declaration of restrictions  
35 precluding school-aged children as residents in those units.

36 B. Rebuilding of legally established dwelling unit(s) destroyed or damaged by fire, flood, explosion, act of God or  
37 other accident or catastrophe, or remodeling of existing legally established dwelling unit(s); provided, that such  
38 rebuilding takes place within a period of one year after destruction, and so long as no additional dwelling units are  
39 created.

40 C. Condominium projects in which existing dwelling units are converted into condominium ownership and where no  
41 new dwelling units are created.

42 D. Any development activity that is exempt from the payment of an impact fee pursuant to RCW 82.02.100, due to  
43 mitigation of the same system improvement under the State Environmental Policy Act.

E. Any development activity for which school impacts have been mitigated pursuant to a condition of plat approval to pay fees, dedicate land or construct or improve school facilities, unless the condition of the plat approval provides otherwise; provided, that the condition of the plat approval predates the effective date of fee imposition.

F. Any development activity for which school impacts have been mitigated pursuant to a voluntary agreement entered into with the districts to pay fees, dedicate land or construct or improve school facilities, unless the terms of the voluntary agreement provide otherwise; provided, that the agreement predates the effective date of fee imposition.

**4.10.040 Interlocal agreement between the city and districts.**

As a condition of the city's authorization to implement this school impact fee chapter, the city and districts shall enter into interlocal agreements governing the operation of the school impact fee program, and describing the relationship and liabilities of the parties thereunder. The interlocal agreements shall provide for the collection of impact fees by the districts on behalf of the city.

**4.10.050 Exemptions – Low-income housing.**

For low-income housing exemptions, see Chapter 4.40 EMC.

**4.10.060 Submission of each district's capital facilities plan and data.**

A. On an annual basis, the districts shall submit the following materials to the city council:

1. Each district's capital facilities plan (as defined in EMC 4.10.020) and adopted by the school board;
2. Each district's enrollment projections over the next six years, its current enrollment and each district's enrollment projections and actual enrollment from the previous year;
3. Each district's standard of service;
4. Each district's overall capacity over the next six years, which shall take into account the available capacity from school facilities planned by each district but not yet built and be a function of each district's standard of service as measured by the number of students which can be housed in each district's facilities; and
5. An inventory of each district's existing facilities.

B. To the extent that each district's standard of service identifies a deficiency in its existing facilities, each district's capital facilities plan must identify the sources of funding other than impact fees for building or acquiring the necessary facilities to serve the existing student population in order to eliminate the deficiencies within a reasonable period of time.

C. Facilities to meet future demand shall be designed to meet the adopted standard of service. If sufficient funding is not projected to be available to fully fund a capital facilities plan which meets the adopted standard of service, each district's capital facilities plan should document the reason for the funding gap, and identify all sources of funding that the district plans to use to meet the adopted standard of service.

D. Each district shall also submit an annual report to the city council showing the capital improvements which were financed in whole or in part by the impact fees.

E. In its development of the financing plan component of the capital facilities plan, each district shall plan on a six-year horizon and shall demonstrate its best efforts by taking the following steps:

1. Establish a six-year financing plan, and propose the necessary bond issues and levies required by and consistent with that plan and as approved by the school board consistent with RCW 28A.53.020, 84.52.052 and 84.52.056, as amended; and
2. Apply to the state for funding, and comply with the state requirements for eligibility to the best of each district's ability.

**4.10.070 Annual council review.**

On at least an annual basis, the city council shall review the information submitted by each district pursuant to EMC 4.10.060(A). The review shall occur in conjunction with any update of the capital facilities plan element of the city's comprehensive plan.

**4.10.080 Impact fee program elements.**

A. The city shall impose impact fees on every development activity in the city for which a fee schedule has been established.

B. Any impact fee imposed shall be reasonably related to the impact caused by the development and shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development. The impact fee formula shall account in the fee calculation for future revenues each district will receive from the development.

C. The impact fee shall be based on the capital facilities plan developed by each district and approved by the school board, and adopted by reference by the city as part of the capital facilities element of the city's comprehensive plan for the purpose of establishing the fee program.

**4.10.090 Fee calculations.**

A. The fees set forth in this chapter ~~is~~are based on the ~~formula-calculations~~ contained in ~~the~~ Puyallup, Fife and Sumner-Bonney Lake school districts' respective adopted capital facility plans ~~“impact fee calculation” table.~~

B. ~~Fees charged for accessory dwelling units (ADUs) shall be no greater than 50% of the impact fee that would be imposed on the principal unit. Separate fees shall be calculated for single family and multifamily types of dwelling units, and separate student generation rates must be determined by each district for each type of dwelling unit. For the purpose of this chapter, mobile homes shall be treated as single family dwellings and accessory dwelling units and duplexes shall be treated as multifamily dwellings.~~

C. The fee shall be calculated on a district-wide basis using the appropriate factors and data to be supplied by each district, as required by interlocal agreements. The fee calculations shall also be made on a district-wide basis to assure maximum utilization of all school facilities in each district used currently or within the last two years for instructional purposes.

**4.10.100 Fee collection.**

At the time of application for a development activity at the city, the school impact fee shall be imposed based on the impact fee schedule. The impact fee shall be collected by each district on behalf of the city, and maintained in separate accounts.

**4.10.110 Imposition of impact fees.**

A. Impact fees shall be imposed upon development activity in the city as follows:

| SCHOOL DISTRICT | PER SINGLE-FAMILY DWELLING UNIT                    |                                                                   | PER MULTIFAMILY DWELLING UNIT                      |                                                                   |
|-----------------|----------------------------------------------------|-------------------------------------------------------------------|----------------------------------------------------|-------------------------------------------------------------------|
|                 | School District Need Fee Calculation for 2016-2017 | 2016-2017 Impact Fee (Maximum Fee Obligation Allowed by Edgewood) | School District Need Fee Calculation for 2016-2017 | 2016-2017 Impact Fee (Maximum Fee Obligation Allowed by Edgewood) |
| Fife            | \$6,670.00                                         | \$3,500.00                                                        | \$1,772.00                                         | \$1,772.00                                                        |
| Puyallup        | \$8,918.87                                         | \$3,500.00                                                        | \$2,010.57                                         | \$2,000.00                                                        |
| Sumner          | \$11,851.30                                        | \$3,500.00                                                        | \$1,946.16                                         | \$1,946.16                                                        |

1. Fees are established based on the annual calculation of impact fee need as documented in each school district's adopted capital facilities plan ~~annually, scaled to a cost per square foot of livable space.~~

2. The current adopted school impact fees shall be listed in the city of Edgewood fee schedule.

3. The impact fee adopted represents the fee calculations as presented by the Fife, Puyallup and Sumner-Bonney Lake school districts in their adopted capital facilities plans updated annually. Where recommended fees exceed the maximum amount authorized for collection by the city of Edgewood, they are shown in the fee schedule at the maximum amount allowed.

B. At the time of application for development activity, an applicant will be notified of the requirement to pay school impact fees to each district based on the fee schedule adopted by the city as a part of the impact fee program. Upon receipt of the impact fee payments or a copy of a recorded impact lien in accordance with Chapter 4.05 EMC, each district shall issue a certificate or identifying receipt to the applicant indicating that the school impact fee has been paid or payment has been properly deferred. Prior to approving or permitting any development activities subject to the impact fees adopted pursuant to this chapter, the city shall require that the applicant provide to the city the original of the certificate or receipt issued by the school district or a copy of the impact fee lien recorded pursuant to Chapter 4.05 EMC. Each school district shall develop standardized forms for this purpose, showing that impact fees have been paid to the district or payment has been properly deferred in accordance with Chapter 4.05 EMC, and that the city may proceed to issue the permit or grant the necessary approval. Impact fees may be paid to the district under protest pursuant to the procedures set forth in EMC 4.10.120(I).

C. The city shall not issue a required building permit for any development subject to the imposition of impact fees under this chapter until the impact fees set forth in the impact fee schedule have been paid or payment has been properly deferred in accordance with Chapter 4.05 EMC.

**4.10.120 Determination of the fee, adjustments, exceptions and appeals.**

A. The city shall determine a developer's impact fee, according to the schedule set forth in EMC 4.10.110(A).

B. Arrangements may be made for later payment of the impact fee with the approval of each district only if the district determines that it will be unable to use or will not need the payment until a later time; provided, that sufficient security, as defined by the district, is provided to assure payment. Security shall be made to and held by the district, which will be responsible for tracking and documenting the security interest.

C. The fee amount established in the schedule shall be reduced by the amount of any payment previously made for the lot or development activity in question, either as a condition of approval or pursuant to a voluntary agreement.

D. Whenever a developer is granted approval subject to a condition that the developer actually provide a school facility acceptable to the district, the developer shall be entitled to a credit for the actual cost of providing the facility, against the fee that would be chargeable under the formula provided by this chapter. The cost of construction shall be estimated at the time of approval, but must be documented, and the documentation confirmed after the construction is completed to assure that an accurate credit amount is provided. If construction costs are less than the calculated fee amount, the difference remaining shall be chargeable as a school impact fee.

E. The standard impact fees may be adjusted, if one of the following circumstances exist; provided, that the discount set forth in the fee formula fails to adjust for the error in the calculation or fails to ameliorate for the unfairness of the fee:

1. The developer demonstrates that an impact fee assessment was improperly calculated; or
2. Unusual circumstances identified by the developer demonstrate that if the standard impact fee amount was applied to the development, it would be unfair or unjust.

F. In cases where a developer requests an independent fee calculation, adjustment exception or a credit pursuant to RCW 82.02.060(3), the city shall consult with the districts and the districts shall advise the city prior to the city making final impact fee determinations.

G. A developer may provide studies and data to demonstrate that any particular factor used by a district may not be appropriately applied to the development proposal.

H. Any appeal of the decision of the city with regard to fee amounts shall follow the process for the appeal of the underlying development application, as set forth in the Edgewood Municipal Code. Any errors in the formula identified as a result of the appeal should be referred to the council for possible modification.

I. Impact fees may be paid under protest in order to obtain a permit or other approval of development activity.

**4.10.130 Impact fee accounts and refunds.**

A. Impact fee receipts shall be earmarked specifically and retained in a special interest-bearing account established by each district solely for the district's school impact fees. All interest shall be retained in the account and expended for the purpose or purposes for which impact fees were imposed. Annually, the districts, based in part on its report prepared pursuant to EMC 4.10.060, shall prepare a report on the impact fee account showing the source and amount of all moneys collected, earned or received, and capital or system improvements that were financed in whole or in part by impact fees. The districts shall submit a copy of their reports to the city council. The districts shall maintain separate school impact fee accounts pursuant to EMC 4.10.100, and shall prepare a report on the source and amount of all school impact fees collected by the districts on behalf of the city.

B. Impact fees for each district's system improvements shall be expended by the district only in conformance with the capital facilities plan element of the city's comprehensive plan.

C. Impact fees shall be expended or encumbered by the districts for a permissible use within 10 years of receipt by the district, unless there exists an extraordinary or compelling reason for fees to be held longer than 10 years. Such extraordinary or compelling reasons shall be identified to the city by the district in a written report. The city council shall identify the district's extraordinary and compelling reasons for the fees to be held longer than 10 years in the council's own written findings.

D. The current owner of property on which an impact fee has been paid may receive a refund of such fees if the impact fees have not been expended or encumbered within 10 years of receipt of the funds by any district on school facilities intended to benefit the development activity for which the impact fees were paid. In determining whether impact fees have been encumbered, impact fees shall be considered encumbered on a first in, first out basis. On behalf of the city, the district(s) shall notify potential claimants by first-class mail deposited with the United States Postal Service addressed to the owner of the property as shown in the county tax records.

E. An owner's request for a refund must be submitted to the appropriate district in writing within one year of the date the right to claim the refund arises or the date that notice is given, whichever date is later. Any impact fees that are not expended or encumbered by any district in conformance with the capital facilities plan within these time limitations, and for which no application for a refund has been made within this one-year period, shall be retained and expended consistent with the provisions of this section. Refunds of impact fees shall include any interest earned on the impact fees.

F. Should the city seek to terminate any or all school impact fee requirements, all unexpended or unencumbered funds, including interest earned, shall be refunded to the current owner of the property for which a school impact fee was paid. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and the availability of the refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first-class mail addressed to the owner of the property as shown in the county tax records. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the district, but must be expended by the district, consistent with the provisions of this section. The notice requirement set forth above shall not apply if there are no unexpended or unencumbered balances within the account or accounts being terminated.

G. A developer may request and shall receive a refund, including interest earned on the impact fees, when:

1. The developer has not received final plat approval, the building permit, the mobile home permit, the site plan approval, nor final approval for the development activity as required by statute or city code including the International Building Code; and

2. No impact on the district(s) has resulted. "Impact" shall be deemed to include cases where the district(s) have expended or encumbered the impact fees in good faith prior to the application for a refund. In the event

1 that the district(s) have expended or encumbered the fees in good faith, no refund shall be forthcoming.  
2 However, if within a period of three years, the same or subsequent owner of the property proceeds with the  
3 same or substantially similar development activity, the owner shall be eligible for a credit. The owner must  
4 petition the district(s) and provide receipts of impact fees paid by the owner for a development of the same or  
5 substantially similar nature on the same property or some portion thereof. The district(s) shall determine  
6 whether to grant a credit, and such determinations may be appealed by following the procedures set forth in  
7 EMC 4.10.120.

8 H. Interest due upon the refund of impact fees required by this section shall be calculated according to the average  
9 rate received by each district on invested funds throughout the period during which the fees were retained.

**Chapter 4.20**

**PARK IMPACT FEES**

Sections:

- 4.20.010 Findings and purpose.
- 4.20.020 Definitions.
- 4.20.030 Fee imposed – Applicability.
- 4.20.040 Exemptions.
- 4.20.050 Park impact fee program elements.
- 4.20.060 Fee calculation methods.
- 4.20.070 Fee collection.
- 4.20.080 Fee adjustments.
- 4.20.090 Park impact fee accounts and refunds.
- 4.20.100 Processing.
- 4.20.110 Other authority.
- 4.20.120 Appeals.

**4.20.010 Findings and purpose.**

The city council of the city of Edgewood finds and determines that growth and development activity in the city will create additional demand and need for park facilities in the city, and the council finds that growth and development activity should pay a proportionate share of the cost of such facilities needed to serve the growth and development activity. Therefore, pursuant to the Growth Management Act (Chapter 36.70A RCW), and RCW 82.02.050 through 82.02.100, which authorize cities to impose and collect impact fees to partially fund public facilities to accommodate new growth, the council adopts this chapter to impose park impact fees for park and recreational facilities. The provisions of this chapter shall be liberally construed in order to carry out the purposes of the council in establishing park impact fees.

**4.20.020 Definitions.**

A. Affordable Housing. Housing is considered “affordable” to a family if it costs no more than 30 percent of the family’s income. The income groups that are the focus of affordable housing are the low- and moderate-income families.

1. Low-income group: a family earning between zero and 50 percent of the Pierce County median household income.

2. Moderate-income group: a family earning between 50 percent and 80 percent of the Pierce County median household income. “Median income” means the median income for the Tacoma MSA (Pierce County), as most recently determined by the Secretary of Housing and Urban Development (HUD) under Section 8(f)(3) of the United States Housing Act of 1937, as amended, or if programs under said Section 8(f)(3) are terminated, median income determined under the method used by the Secretary prior to such termination.

B. “Capital facilities element” means that capital facilities plan adopted by the city council as part of the city’s comprehensive plan, and its amendments.

C. “Comprehensive plan” means the city of Edgewood comprehensive plan, including any adopted amendments.

D. “Conditions of approval,” as they apply to park impact fee evaluations, means those conditions necessary to ensure that the proposed development will not cause the level of service for parks to fall below the standards adopted in the comprehensive plan. The conditions of approval shall be binding upon the approval of any permit application for which this chapter is applicable as described in EMC 4.20.030.

E. “Development” means any construction, reconstruction or expansion of a building, structure, or use, any change in use of a building or structure or any changes in the use of land, that requires review and approval of a development permit.

F. “Development permit” includes, but is not limited to, a building permit, short plat application, preliminary plat application, or rezone application, or any written authorization from the city which authorizes the commencement of development.

G. *Repealed by Ord. 15-447.*

H. “Financial commitment” means any form of binding and enforceable financial obligation that is acceptable to the city, and provided to the city at the time of development approval.

I. “Park and recreational facilities” means those capital facilities identified as park and recreational facilities in the capital facilities element of the city of Edgewood comprehensive plan.

J. “Park impact fee” means the payment of money imposed upon development as a condition of approval of a development permit to pay for public facilities needed to serve new growth and development, and that is reasonably related to the new development that creates additional demand and need for facilities, that is a proportionate share of the costs of the facilities, and that is used for facilities that reasonably benefit the new development. “Park impact fee” does not include a reasonable permit or application fee.

K. “Level of service (LOS)” means the relationship between park facilities and service provision within the city, as specified in the city’s comprehensive plan.

L. “Proportionate share” means that portion of the cost of public facility improvements and facilities that are reasonably related to the service demands and needs of new development. The proportionate share will be calculated by the methods required by RCW 82.02.060.

M. “Service area” means the geographical area in which a defined set of park facilities provide service to development within the area. For the purposes of this chapter, the service area shall be the entire area within the city limits of Edgewood.

#### **4.20.030 Fee imposed – Applicability.**

A. There is imposed, and shall be collected from every person who receives a development permit, a park impact fee for each dwelling unit based on the average occupancy for each housing type. The amount shall be calculated based on a ~~unit cost of \$1,089 per person; and the total fee based on persons per unit (PPU) scaled to a cost per square foot of livable space~~, consistent with the provisions of this chapter. ~~and in accordance with the following schedule of fees:~~

| <b>Dwelling Unit Type</b>                         | <b>PPU X \$1,089</b> | <b>Total PIF</b> |
|---------------------------------------------------|----------------------|------------------|
| Single-Family                                     | 2.7 X \$1,089        | \$2,940          |
| Multifamily or Accessory Dwelling Unit: 1—4 units | 2.0 X \$1,089        | \$2,178          |
| Multifamily: 5+ units                             | 1.6 X \$1,089        | \$1,742          |
| Mobile Homes                                      | 2.0 X \$1,089        | \$2,178          |

B. The current park impact fees shall be listed in the city of Edgewood fee schedule.

C. Fees charged for accessory dwelling units (ADUs) shall be no greater than 50% of the impact fee that would be imposed on the principal unit.

#### **4.20.040 Exemptions.**

The following developments are exempt from the requirements of this chapter:

A. Low-Income Housing. For low-income housing exemptions, see Chapter 4.40 EMC.

1 B. Change of Use. An applicant proposing a development involving a change of use and/or structure that has no  
2 greater impact than the existing use shall not be assessed a park impact fee.

3 C. City Projects. An applicant proposing the development of a city project shall not be assessed a park impact fee.

4 D. Home Occupations. An applicant proposing the development of a home occupation shall not be assessed a park  
5 impact fee.

6 E. Pending Development Permit. An applicant shall not be assessed a park impact fee if one or more of the  
7 following has occurred:

8 1. The city and applicant have signed a park mitigation agreement for the development at issue prior to the  
9 effective date of the ordinance codified in this chapter; or

10 2. The applicant has already provided, or been required to provide as a condition of approval, park mitigation  
11 for the development at issue prior to the effective date of the ordinance codified in this chapter; or

12 3. The applicant has already been assessed a park impact fee for the same development.

13 **4.20.050 Park impact fee program elements.**

14 A. The city shall impose and collect park impact fees on every development permit within the service area, except as  
15 provided in EMC 4.20.040, Exemptions.

16 B. Any park impact fee imposed shall be reasonably related to the impact caused by the new development and shall  
17 not exceed a proportionate share of the cost of park and recreational facilities that are reasonably related to the new  
18 development.

19 C. The park impact fee imposed may include costs for park and recreational facility improvements previously  
20 incurred by the city to the extent that new development will be served by the previously constructed improvements;  
21 provided, that such fee shall not be imposed to correct any system improvement deficiencies.

22 D. The park impact fee imposed for any development shall be calculated and determined by the procedures  
23 established in this chapter. The basis for such calculation shall be the November 2012 "Technical Memorandum to  
24 Council – Preliminary Recommendations – Park Impact Fees," which is hereby adopted by reference.

25 E. In computing the fee applicable to a given development, credit shall be given for the fair market value, measured  
26 at the time of dedication, for any dedication of land for, improvements to, or new construction of any park and  
27 recreational facilities that are identified in the capital facilities element and that are required by the city as a  
28 condition of approving the development.

29 F. Park impact fees shall be used for park and recreational facilities that will reasonably benefit the new  
30 development, and only those park and recreational facilities addressed by the city's capital facilities element of the  
31 comprehensive plan.

32 **4.20.060 Fee calculation methods.**

33 All data and other information necessary to determine impact fee amounts will be made available to the public upon  
34 request. Data such as park needs, and facility improvement projects and costs, and related fee schedules will be  
35 updated as necessary. Forms and procedures will be established administratively.

36 **4.20.070 Fee collection.**

37 At the time of application for a building permit, the park impact fee shall be calculated based on the park impact fee  
38 schedule and as set forth in EMC 4.20.030. No building permit shall be issued until the impact fee has been paid in  
39 full by the applicant or payment has been properly deferred in accordance with Chapter 4.05 EMC; provided, that  
40 payment of fees may be phased if the building permits for the development are also phased. The park impact fee  
41 shall be collected by the city, and maintained in a separate account, as required by EMC 4.20.090. Park impact fees  
42 may be paid under protest in order to obtain a building permit.

**4.20.080 Fee adjustments.**

A. Fees calculated by the city may be adjusted by the mayor, in any of the following circumstances:

1. The applicant demonstrates that a park impact fee assessment was improperly calculated; or
2. The applicant provides studies and data that, when considered, suggest that adjustment of the fee would be appropriate; or
3. Unusual circumstances exist which, when considered, suggest that imposition of the standard fee would be unfair.

B. Any appeal of the decision of the city with regard to park impact fee amounts shall follow the process for the appeal of the underlying development permit.

**4.20.090 Park impact fee accounts and refunds.**

A. Park impact fee receipts shall be earmarked specifically and retained in a special interest-bearing account established by the city solely for park impact fees. All interest shall be retained in the account and expended for the purpose or purposes for which said fees were imposed. Annually, the city shall prepare a report on the source and amount of all park impact fees collected, interest earned, and the park and recreational facilities that were financed in whole or in part by said fees.

B. Park impact fees shall be expended by the city only in conformance with the capital facilities element of the comprehensive plan.

C. Park impact fees shall be expended or encumbered by the city for a permissible use within 10 years of receipt by the city, unless there exists an extraordinary or compelling reason for fees to be held longer than 10 years. Such extraordinary or compelling reasons shall be identified in written findings by the city.

D. The current owner of property on which a park impact fee has been paid may receive a refund of such fees if the city fails to expend or encumber the fees within 10 years of receipt of the fees by the city on park facilities intended to benefit the development for which said fees were paid. In determining whether park impact fees have been encumbered, such fees shall be considered encumbered on a first-in, first-out basis. The city shall notify potential claimants by first-class mail deposited with the United States Postal Service at the last known address of the claimants.

E. An owner's request for a refund must be submitted to the city in writing within one year of the date the right to claim the refund arises or the date that notice is given, whichever date is later. Any park impact fees that are not expended or encumbered by the city in conformance with the capital facilities element within these time limitations, and for which no application for a refund has been made within this one-year period, shall be retained and expended consistent with the provisions of this section. Refunds of park impact fees shall include interest earned on such fees.

F. Should the city seek to terminate any or all park impact fee requirements, all unexpended or unencumbered funds, including interest earned, shall be refunded pursuant to this section. Upon the finding that any or all fee requirements are to be terminated, the city shall place notice of such termination and availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first-class mail to the last known address of claimants. All funds available for refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the city, and must be expended by the city consistent with the provisions of this chapter. The notice requirements set forth above shall not apply if there are no unexpended or unencumbered balances within the account or accounts being terminated.

G. An applicant may request and shall receive a refund, including interest earned on the park impact fees, when:

1. The applicant does not proceed to finalize the development; and
2. No impact on the city has resulted. "Impact" shall be deemed to include cases where the city has expended or encumbered the park impact fees in good faith prior to the application for refund. In the event that the city has expended or encumbered the fees in good faith, no refund shall be forthcoming. However, within a period of three years, if the same or subsequent owner of the property proceeds with the same or substantially similar

development activity, the owner shall be eligible for a credit. The owner must petition the city and provide receipts of park impact fees paid by the owner for a development of the same or substantially similar nature on the same property or some portion thereof. The city shall determine whether to grant a credit, and such determinations may be appealed by following the procedures set forth in EMC 4.20.120.

H. Interest due upon the refund of park impact fees required by this chapter shall be calculated according to the average rate received by the city on invested funds throughout the period during which the fees were retained.

**4.20.100 Processing.**

The city shall determine any applicable park impact fees as a normal part of processing a development permit.

**4.20.110 Other authority.**

Nothing in this chapter is intended to limit the city's authority under the State Environmental Policy Act or any other source.

**4.20.120 Appeals.**

Any determination of the park impact fee amount, decision to approve, condition or deny a development proposal based on the requirements of this chapter may be appealed according to the appeal procedure for the underlying development permit or approval involved, as set forth in the Edgewood Municipal Code. An applicant for a development permit may pay the park impact fees imposed by this chapter under protest in order to obtain the approval for the development and/or development permit. No appeal shall be permitted unless and until the park impact fees at issue have been paid.

**Chapter 4.30**

**TRAFFIC IMPACT FEES**

Sections:

- 4.30.010 Purpose.
- 4.30.020 Authority.
- 4.30.030 Definitions.
- 4.30.040 Applicability.
- 4.30.050 Exemptions.
- 4.30.055 Additional exemptions.
- 4.30.060 Service area.
- 4.30.070 Use of funds.
- 4.30.075 Project list.
- 4.30.080 Impact fee determination and collection.
- 4.30.090 Impact fee adjustments, independent calculations.
- 4.30.100 Impact fee credits.
- 4.30.110 Impact fee refunds.
- 4.30.120 Appeals and payments under protest.
- 4.30.130 Council review of impact fees.
- 4.30.135 Funding of projects.
- 4.30.140 Administrative fees.
- 4.30.150 Impact fee calculations.
- 4.30.160 Schedule of fees.
- 4.30.170 Existing authority unimpaired.
- 4.30.180 Severability.
- 4.30.190 *Repealed.*

**4.30.010 Purpose.**

This chapter is intended to:

- A. Assist in the implementation of the comprehensive plan for the city of Edgewood.
- B. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use, or shortly thereafter, without decreasing current service levels below established minimum standards for the city.
- C. Establish standards and procedures so that new development pays a proportionate share of costs for new facilities and services and does not pay arbitrary or duplicative fees for the same impact.

**4.30.020 Authority.**

A. This chapter is enacted pursuant to the Washington State Growth Management Act codified at Chapter 36.70A RCW and RCW 82.02.050 through 82.02.100.

B. The city has conducted studies documenting cost and demand for new facilities and services.

**4.30.030 Definitions.**

A. “Dwelling unit” means one or more rooms designed for or occupied by one family for living or sleeping purposes and containing kitchen, sleeping, and sanitary facilities for use solely by one family.

B. “Encumber” means to transfer impact fee dollars from the traffic mitigation impact fee fund to a fund for a particular system improvement that is fully in the current year’s budget. Funds may only be encumbered by an action of the city council.

C. “Project improvements” means site improvements and facilities that are planned and designed to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of

the project, and are not system improvements. No improvement or facility included in the city's capital improvement plan or transportation improvement program approved by the city council shall be considered a project improvement.

D. "System improvements" means transportation facilities that are included in the city's six-year capital improvement plan and are designed to provide service to the community at large, in contrast to project improvements.

E. "Applicant" means a person, individual, or organization seeking permission to develop land within the city of Edgewood by applying for a building permit.

F. "Interest" means the interest earned by the account during the period the fees were retained.

G. "Traffic mitigation impact fee" means payment of money imposed by the city of Edgewood upon development activity pursuant to this chapter as a condition of granting development approval and/or a building permit in order to pay for the public facilities needed to serve new growth and development. Traffic mitigation impact fees do not include permit fees, an application fee, the administrative fee for collecting and handling impact fees, the cost of reviewing independent fee calculations or the administrative fee required for an appeal.

H. "Peak hour" means the consecutive 60-minute period during the 4:00 p.m. to 6:00 p.m. peak period during which the highest volume occurs.

I. "Traffic mitigation impact fee fund" means the fund established by the adoption of Ordinance 05-253 on August 23, 2005, for the public facilities for which traffic impact fees are collected, in compliance with the requirements of RCW 82.02.060.

J. "Traffic impact fee study" means the study which determined the traffic mitigation impact fee dated October 2016.

K. "Transportation improvement plan" means a schedule of intended transportation improvements.

#### **4.30.040 Applicability.**

All persons receiving building permits, including remodels or expansions, within the city of Edgewood after the effective date of the ordinance codified in this chapter shall be required to pay traffic mitigation impact fees in an amount and manner set forth in this chapter.

#### **4.30.050 Exemptions.**

The following development activities are exempt from paying traffic mitigation impact fees because they do not have a measurable impact on the city's transportation facilities, or because the city has chosen to exempt them, pursuant to RCW 82.02.060(2), as development with broad public purposes:

A. Existing Dwelling Unit. Any alteration, expansion, reconstruction, remodeling, replacement, or demolition/removal of an existing single-family or multifamily dwelling unit that does not result in the generation of additional peak hour trips with the exception that any building permit for replacement must be approved within 12 months of removal of the previous structure.

B. Existing Nonresidential Building. Any alteration, reconstruction, remodeling, replacement, or demolition/removal of an existing nonresidential building that does not result in the generation of any new peak hour trips with the exception that any building permit for replacement must be approved within 12 months of removal of the previous structure.

C. The mayor or designee shall be authorized to determine whether a particular development activity falls within an exemption from traffic mitigation impact fees identified in this section or under other applicable law. Determinations of the mayor or designee shall be in writing and shall be subject to appeal to the hearing examiner as provided in Chapter 2.40 EMC.

#### **4.30.055 Additional exemptions.**

*Reserved.*

**4.30.060 Service area.**

This section establishes one service area which shall be consistent with the city limits of the city of Edgewood, in accordance with RCW 82.02.060(7).

**4.30.070 Use of funds.**

A. Impact fees shall:

1. Be used for system improvements; and
2. Not be imposed to make up for deficiencies in the facilities serving existing development; and
3. Not be used for maintenance or operation.

B. Impact fees may be spent for improvements listed in the six-year transportation improvement program and identified as being funded in part by impact fees. Expenditures may include, but are not limited to, facility planning, land acquisition, site improvements, necessary off-site improvements, construction, engineering, permitting, financing, grant match funds and administrative expenses, applicable impact fees or mitigation costs, capital equipment pertaining to public facilities, and any other capital cost related to a particular system improvement.

C. Impact fees may also be used to recoup transportation facility improvement costs previously incurred by the city to the extent that new growth and development will be served by the previously acquired or constructed improvements resulting in such costs.

D. In the event that bonds or similar debt instruments are or have been issued for the construction of a public facility or system improvement for which impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this chapter and are used to serve new development. The transportation improvement program should distinguish between facilities and funds needed to serve new development and those facilities and funds needed to correct existing deficiencies.

**4.30.075 Project list.**

A. The director shall annually review the city's six-year road plan and shall:

1. Identify each project in the comprehensive plan that is growth-related and the proportion of each such project that is growth-related;
2. Forecast the total money available from taxes and other public sources for transportation improvements for the next six years;
3. Update the population, building activity and demand and supply data for transportation facilities and the impact fee schedule for the next six-year period;
4. Calculate the amount of impact fees already paid;
5. Identify those comprehensive plan projects that have been or are being built but whose performance capacity has not been fully utilized.

B. The director shall use this information to prepare an annual draft amendment to the project list and to the fee schedule adopted pursuant to this chapter, which shall comprise:

1. The projects in the comprehensive plan that are growth-related and that should be funded with forecast public monies and the impact fees already paid; and
2. The projects in the comprehensive plan that are growth-related and that should be funded with forecast public monies and the impact fees already paid; and
3. The projects already built or funded pursuant to this chapter whose performance capacity has not been fully utilized.

C. The city council, at the same time that it adopts the annual budget and appropriates funds for capital improvement projects, shall, by separate ordinance, establish the annual project list by adopting, with or without modification, the director's draft amendment.

D. Once a project is integrated into the project list and fee schedule, a fee shall be imposed on every development until the project is removed from the project list by one of the following means:

1. The city council by ordinance removes the project from the project list, in which case the fees already collected will be refunded if necessary to ensure that impact fees remain reasonably related to transportation impacts of development that have paid an impact fee; provided, that a refund shall not be necessary if the council transfers the fees to the budget of another project that the council determines will mitigate essentially the same transportation impacts; or

2. The capacity created by the project has been fully utilized, in which case the director shall remove the project from the project list.

**4.30.080 Impact fee determination and collection.**

A. At the time of building permit issuance, city staff shall determine the total impact fee owed based on the fee schedule in effect at the time of such issuance, in accordance with EMC 4.30.160.

B. Factors Used in Impact Fee Calculations. The calculation of impact fees shall include the factors identified in RCW 82.02.040 through 82.02.070 and shall:

1. Determine the standard fee for similar types of development, which shall be reasonably related to each development's proportionate share of the cost of projects described in the project list for each type of impact fee.

2. Reduce the proportionate share by applying the benefit factors described in EMC 4.30.100.

C. Proportionate Share. In calculating proportionate share, the following factors shall be considered:

1. Identification of all transportation facilities that will be impacted by users from development;

2. Identification of the point at which the capacity of a transportation facility has been fully utilized;

3. Updating of the data as often as practicable, but at least annually;

4. Estimation of the cost of construction of the projects in the transportation improvement program (TIP) for roads at the time they are placed on the list and to then update the cost estimates at least annually, considering the:

a. Availability of other means of funding transportation facilities;

b. Cost of existing transportation facility improvements;

c. Methods by which transportation facility improvements were financed; and

d. An adjustment to the cost of the transportation facilities for past or future payments or reasonably anticipated to be made by new development to pay for particular system improvements in the form of user fees, debt service payments, taxes or other payments earmarked for or proratable to the particular system improvement.

D. Impact fee collection shall also occur at the time of building permit issuance unless payment has been properly deferred in accordance with Chapter 4.05 EMC.

E. An applicant may request that the impact fee be calculated in advance of building permit issuance, but any such advance calculation shall not be binding upon the city and should only be used as guidance by the applicant. If the city council revises the impact fee formula or the impact fees prior to the time that a building permit is issued for a

particular development, the formula or fee amount in effect at the time of building permit issuance shall apply to the development.

**4.30.090 Impact fee adjustments, independent calculations.**

An applicant may request an adjustment to the impact fees determined, in accordance with RCW 82.02.060(6), according to the fee schedule adopted pursuant to this chapter, by preparing and submitting to the mayor or designee an independent fee calculation for the development activity for which a building permit is sought. The documentation submitted shall show the basis upon which the independent fee calculation was made. Independent fee calculations for traffic impact fees shall use the same formulas and methodology used to establish the impact fees in this chapter and shall be limited to adjustments in trip generation rates used in the traffic impact fee study, and shall not include travel demand forecasts, trip distribution, traffic assignment, transportation service areas, costs of road projects, or cost allocation procedures.

A. If the mayor or designee agrees with the independent fee calculation, a written agreement to accept such amount shall be transmitted to the applicant who shall, in turn, present it to the city upon impact fee collection.

B. If the mayor or designee does not agree with the independent fee calculation, the fee payer may appeal this decision to the hearing examiner through procedures outlined in Chapter 2.40 EMC.

**4.30.100 Impact fee credits.**

A. An applicant shall be entitled to a credit against the applicable traffic impact fee collected, in accordance with RCW 82.02.060(4), under the fee schedule adopted pursuant to this chapter for the value of any dedication of land for, improvement to, or new construction of, any system improvements provided by the applicant, to facilities that are:

1. Included within the six-year transportation improvement program and identified as system improvements that are to be funded in part by traffic impact fees; and

2. At suitable sites and constructed at an acceptable quality as determined by the city; and

3. Completed, dedicated, or otherwise transferred to the city prior to the determination and award of a credit as set forth in this section.

B. No credit shall be given for project improvements.

C. The value of a credit for improvements shall be established by original receipts provided by the applicant for one or more of the same system improvements for which the impact fee is charged.

D. The value of a credit for land shall be established on a case-by-case basis by an appraiser selected by, or acceptable to, the city. The appraiser must be licensed and in good standing with the state of Washington for the category of the property appraised. The appraisal shall be in accordance with the most recent version of the Uniform Standards of Professional Appraisal Practice and shall be subject to review and acceptance by the city. The appraisal and review shall be at the expense of the applicant.

E. Whenever a development is granted approval subject to a condition the system improvements that are identified in the six-year transportation improvement program be constructed or provided, or whenever the applicant has agreed, pursuant to the terms of a voluntary agreement with the city of Edgewood, to donate or dedicate land for road facilities that are identified in the six-year transportation improvement program, and which are included in the list of road projects that are used to determine the traffic impact fee, as listed in the traffic impact fee study, the applicant shall be entitled to a credit for the value of the land or actual costs of capital facility construction against the fee that would be chargeable under the formula provided. The land value or costs of construction shall be determined pursuant to this section.

F. This subsection applies only to residential developments and the residential portion of a mixed use development. In cases where a developer would be entitled to a credit under this section, but the amount of the credit has yet to be determined on a per dwelling unit basis, the city shall take the total credit amount available to the entire plat or project, calculated by applying subsections (A) through (E) of this section, and divide that amount by the number of

dwelling units approved for that plat or project. The impact fee and credit may then be calculated and collected on a per dwelling unit basis as building permits are issued for those dwelling units. Where building permits for some, but not all, of the dwelling units within a plat or project have already been obtained at the time the ordinance codified in this chapter becomes effective, the credit for the unpermitted dwelling units will be calculated to arrive at a per dwelling unit amount in the same manner. For example, if a plat has been approved for 20 dwelling units, and building permits have only been issued for 10 of those units, the per dwelling unit credit for the remaining 10 units will equal the total credit amount divided by 20 dwelling units.

G. This subsection applies to nonresidential developments, or the nonresidential portion of a mixed use development. In cases where a developer would be entitled to a credit under this section, but the amount of the credit has yet to be determined on a per square foot basis, the city shall take the total credit amount available to the entire plat or project, calculated by applying subsections (A) through (C) of this section, and divide that amount by the number of square feet approved for that plat or project. The impact fee and credit may then be calculated and collected on a per square foot basis as building permits are issued for that square footage. Where building permits for some, but not all, of the dwelling units within a plat or project have already been obtained at the time the ordinance codified in this chapter becomes effective, the credit for the unpermitted square footage will be calculated to arrive at a per square footage amount in the same manner. For example, if a 20,000 square foot commercial project has been approved, and building permits have only been issued for 10,000 square feet of the project, the per square foot credit for the remaining 10,000 square feet will equal the total credit amount divided by 20,000 square feet.

H. Pursuant to and consistent with the requirements of RCW 82.02.060(1)(b), impact fee schedules have been adjusted for future taxes and other revenue sources to be paid by the new development which are earmarked or proratable to the same new public facilities which will serve the new development.

I. After receiving the receipts for improvements, the appraisal of land value, the receipts and calculations of prior payments earmarked or pro-ratable to the same system improvements for which the impact fee is imposed, the mayor or designee shall provide the applicant with a letter setting forth the dollar amount of the credit, the reason for the credit, the legal description of the site donated where applicable, and the legal description or other adequate description of the project or development to which the credit may be applied. The applicant must sign and date a duplicate copy of such letter indicating their agreement to the terms of the letter and return such signed document to the city before the impact fee credit will be awarded. The failure of the applicant to sign, date, and return such document within 60 calendar days shall nullify the credit.

J. If the amount of the credit is less than the calculated fee amount, the difference remaining shall be chargeable as an impact fee and paid at the time of application for the building permit. In the event the amount of the credit is calculated to be greater than the amount of the impact fee due, no further sums shall be due from the applicant.

K. A claim for credit will be processed by the city using whichever of the following options is selected by the applicant:

1. Claims for credits that are submitted prior to, or with, an application for a building permit for which an impact fee will be due will be processed by the city before payment of the impact fee is due in order to allow any credit authorized by the city to reduce the amount of the impact fee; or

2. Claims for credits that are submitted no later than 30 days after the issuance of a building permit for which an impact fee is due shall be processed by the city after the impact fee is paid in full, and any credit authorized by the city will be refunded to the applicant within 90 days of receipt of the claim for credit.

L. Claims for credits that are submitted more than six months after the issuance of a building permit for which an impact fee is due are deemed to be waived and shall be denied.

M. Determinations made by the mayor or designee pursuant to this section shall be subject to appeal to the examiner subject to the procedures set forth in Chapter 2.40 EMC.

**4.30.110 Impact fee refunds.**

A. The current owner of property on which impact fees have been paid may receive a refund of such fees if the impact fees have not been expended or encumbered within 10 years of their receipt by the city. In determining whether impact fees have been expended or encumbered, impact fees shall be considered expended or encumbered on a first in, first out basis.

B. The city shall provide for the refund of fees according to the requirements of this section and RCW 82.02.080. An owner's request for a refund must be submitted to the mayor or designee in writing within one year of the date the right to claim the refund arises or the date that notice is given, whichever date is later.

C. Any impact fees that are not expended or encumbered within 10 years of their receipt by the city, and for which no application for a refund has been made within this one-year period, shall be retained by the city and expended consistent with the provisions of this chapter.

D. Refunds of impact fees shall include any interest earned on the impact fees.

E. Should the city seek to terminate all impact fee requirements, all unexpended or unencumbered funds, including interest earned, shall be refunded to the current owner of the property for which an impact fee was paid. Upon the finding that all fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two times and shall notify all potential claimants by first-class mail addressed to the owner of the property as shown in the Pierce County tax records. All funds available for refund shall be retained for a period of one year. At the end of the one-year period, any remaining funds shall be retained by the city, but must be expended for the original purposes, consistent with the provisions of this section. The notice requirement set forth above shall not apply if there are no unexpended or unencumbered balances within the account or accounts being terminated.

F. An applicant may request and receive a refund, including interest earned on the impact fee, when:

1. The applicant does not proceed to finalize the development activity as required by statute or city code or the International Building Code; and

2. The city has not expended or encumbered the impact fees prior to the application for a refund. In the event that the city has expended or encumbered the fees in good faith, no refund shall be forthcoming. However, if, within a period of three years, the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner shall be eligible for a credit against any then-existing traffic impact fee requirement. The owner must petition the city in writing and provide receipts of impact fees paid by the owner for a development of the same or substantially similar nature on the same property or some portion thereof. The city shall determine whether to grant a credit and such determinations may be appealed by following the procedures set forth in this chapter.

**4.30.120 Appeals and payments under protest.**

A. This subsection applies when an applicant seeks a building permit to construct a portion of a development that has already been reviewed and approved, in other respects, pursuant to procedures that comply with Chapter 2.40 EMC. An example of this circumstance would be an application for a permit to build one house in a large subdivision that was previously approved. In this case, any appeal of the decision of the city with regard to the imposition of an impact fee or the amount of any impact fees, impact fee credit, or impact fee refund may be taken before the hearing examiner pursuant to Chapter 2.40 EMC in conjunction with an appeal of the underlying building permit.

B. This subsection applies when an applicant seeks a building permit in conjunction with other development approvals that may be subject to an open record hearing and closed record appeal pursuant to procedures that comply with Chapter 2.40 EMC. An example of this circumstance would be an application for a short plat and building permit to build a new office park. In this case, any appeal of the decision of the city with regard to the imposition of an impact fee or the amount of any impact fees, impact fee credit, or impact fee refund must be made according to the process outlined for and in conjunction with the underlying development approval.

C. Any applicant may pay the impact fees imposed by this chapter under protest in order to obtain a building permit.

D. Only the applicant has standing to appeal impact fee matters.

**4.30.130 Council review of impact fees.**

A. The impact fee schedule adopted pursuant to this chapter shall be reviewed by the city council, as it deems necessary and appropriate, in conjunction with the update of the city's transportation improvement program. Amendments or updates to the impact fee schedule shall be adopted by ordinance.

B. Notwithstanding subsection (A) of this section, the impact fee schedule shall be automatically updated for inflation annually using the following procedures:

1. The public works director shall use the Construction Cost Index for Seattle (June-June) published by the Engineering News-Record to calculate annual inflation adjustments in the impact fee schedule. The impact fee schedule shall not be adjusted for inflation if the index remains unchanged.

2. The indexed impact fee schedule shall be effective January 1st beginning in 2023, and on January 1st of each year thereafter. A copy of the indexed impact fee schedule shall be provided to the city council each October, but the indexed impact fee schedule shall become effective without further council action.

**4.30.135 Funding of projects.**

A. An impact fee fund is hereby created for transportation impact fees. Separate accounts shall be established for each fee type. The city's finance director shall be the manager of the city's fund. The city shall place transportation impact fees in appropriate deposit accounts within the impact fee fund.

B. The transportation impact fees paid to the city shall be held and disbursed as follows:

1. The fees collected for each project shall be placed in a deposit account within the impact fee fund, with the exception of school impact fees, which shall be collected by the school district;

2. When the council appropriates TIP funds for a transportation project on the project list, the transportation fees held in the impact fee fund shall be transferred to the TIP fund. The nonimpact fee monies appropriated for the project shall comprise both the public share of the project cost and an advancement of that portion of the private share that has not yet been collected in transportation impact fees;

3. The first money spent by the director on a project after a council appropriation shall be deemed to be the fees from the impact fee fund;

4. Fees collected after a project has been fully funded by means of one or more council appropriations shall constitute reimbursement to the city of the funds advanced for the private share of the project. The public monies made available by such reimbursement shall be used to pay the public share of other projects;

5. All interest earned on impact fees paid shall be retained in the account and expended for the purpose or purposes for which the impact fees were imposed.

C. Projects shall be funded by a balance between impact fees and public funds, and shall not be funded solely by impact fees.

D. Impact fees shall be expended or encumbered for a permissible use for 10 years after receipt, unless there exists an extraordinary or compelling reason for fees to be held longer than 10 years. The director may recommend to the council that the city hold transportation fees beyond 10 years in cases where extraordinary or compelling reasons exist. Such reasons shall be identified in written findings by the council.

**4.30.140 Administrative fees.**

A. The cost of administering the traffic impact fee program shall also include an amount equal to five percent of the amount of the total traffic impact fee determined from the fee schedules. The administrative fee shall be deposited into an administrative fee account within the traffic mitigation impact fee fund. Administrative fees shall be used to defray the cost incurred by the city in the administration and update of the traffic impact fee program, including, but not limited to, review of independent fee calculations and the value of credits. The administrative fee is not creditable or refundable.

B. The administrative fee, in addition to the actual impact fees, shall be paid by the applicant to the city at the same time as the impact fee.

**4.30.150 Impact fee calculations.**

The traffic impact fee shall be calculated using a schedule that identifies a particular fee amount for a particular type of development, as supported by and consistent with the City of Edgewood Transportation Impact Fee Program Report dated October 2016, and any adopted updates or amendments thereto. Accessory dwelling units (ADUs) shall be calculated using ITE number 220, Apartment customer type, and the resulting fee shall be no greater than 50% of the impact fee that would be imposed on the principal unit.

**4.30.160 Schedule of fees.**

A traffic impact fee shall be assessed against all new development in the Transportation Impact Fee Schedule, adopted pursuant to this chapter. This fee schedule represents the city's determination of the appropriate share of system improvement costs to be paid by new growth and development. The current transportation impact fees, based on a single PM Peak Hour trip generated by the project, shall be listed in the city of Edgewood fee schedule.

**4.30.170 Existing authority unimpaired.**

Nothing in this chapter shall preclude the city from requiring the applicant to mitigate adverse environmental impacts of a specific development pursuant to the State Environmental Policy Act, Chapter 43.21C RCW, based on the environmental documents accompanying the underlying development approval process, and/or Chapter 58.17 RCW governing plats and subdivisions; provided, that the exercise of this authority is consistent with the provisions of Chapters 43.21C and 82.02 RCW.

**4.30.180 Severability.**

If any section, sentence, clause or phrase of this chapter 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 chapter.

**4.30.190 Effective date.**

*Repealed by Ord. 21-608.*

**Chapter 4.40**

**IMPACT FEE EXEMPTIONS FOR LOW-INCOME HOUSING**

Sections:

4.40.010 Applicability.

4.40.020 Low-income housing exempted.

**4.40.010 Applicability.**

This chapter shall apply to all impact fees charged by the city of Edgewood, without restriction as to type (i.e., school, transportation, fire, or park).

**4.40.020 Low-income housing exempted.**

A. For the purposes of this section, “low-income housing” shall have the same meaning as that provided within RCW 82.02.060 or as hereafter amended.

B. The city hereby exempts low-income housing from 80 percent of the impact fees that would ordinarily be due. In order to qualify for this exemption, the developer must record a covenant that, except as provided otherwise by this subsection, prohibits using the property for any purpose other than for low-income housing. At a minimum, the covenant must address price restrictions and household income limits for the low-income housing, and that if the property is converted to a use other than for low-income housing, the property owner must pay the applicable impact fees in effect at the time of conversion. Such covenant must be in a form acceptable to the city attorney.

C. Any claim or request for an exemption under this section shall be made no later than the time of application for a building permit. If a building permit is not required for the development, then the claim shall be made when the first development permit is applied for. Any claim not made when required by this section shall be deemed waived.

## Recommendations

Avg Dwelling Unit Size (all types, 2023-2024): 2323 sf

2024 Average no. of persons per household: 2.57

Avg Occupancy per 1,000 sf: 1.11

Recommended PIF per capita (occupant): \$ 1,295.29

Proposed PIF per square foot: \$ 1.43

Minimum Recommended PIF (1 occupant): \$ 1,295.29

Maximum Equivalent Occupancy: 3.46

### Comparison to Existing Rate Structure (reference only):

| <i>Type of Dwelling Unit</i> | Household Size<br>(per OFM and<br>EMC 4.20) | Existing PIF per<br>Dwelling Unit | Recommended<br>PIF per Dwelling<br>Unit | Avg Unit Size, sf<br>(2023-2024<br>permit data) | Recommended<br>PIF based on Avg<br>Unit Size |
|------------------------------|---------------------------------------------|-----------------------------------|-----------------------------------------|-------------------------------------------------|----------------------------------------------|
| Single Family Detached       | 2.78                                        | \$ 2,940.00                       | \$ 3,600.90                             | 3069                                            | \$ 4,397.92                                  |
| Multi-Family: 1 to 4 units   | 2.26                                        | \$ 2,178.00                       | \$ 2,927.35                             | No Data                                         |                                              |
| Multi-Family: 5+ units       | 1.96                                        | \$ 2,178.00                       | \$ 2,538.76                             | 897                                             | \$ 1,285.41                                  |
| Accessory Dwelling Unit      | 1.96                                        | \$ 1,742.00                       | \$ 2,538.76                             | 1120                                            | \$ 1,604.97                                  |
| Mobile Homes                 | 2.42                                        | \$ 2,178.00                       | \$ 3,134.60                             | 600                                             | \$ 859.81                                    |

Date: April 14, 2025

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

Attachments:  
A. Draft Unit Lot Subdivision Amendments  
B. Unit Lot Subdivision Fact Sheet

Submitted By: Josh Kubitz, AICP – Planning Manager

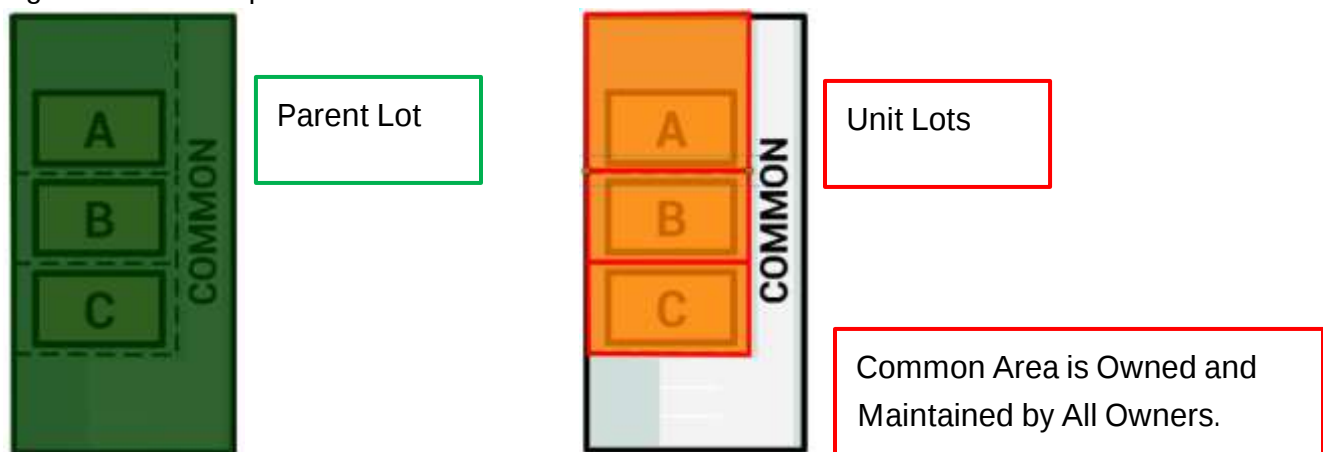
Introduction:

The 2023 Washington State Legislature adopted [Engrossed Second Substitute Senate Bill 5258](#) (SB 5258), and codified under RCW 58.17.060(3), to require unit lot subdivisions. While the SB 5258 effective date is May 10, 2023, Washington State Department of Commerce (Commerce) Fact Sheet (see Exhibit B) states that cities must adopt the unit lot subdivision 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 58.17.060(3).

Background Information:

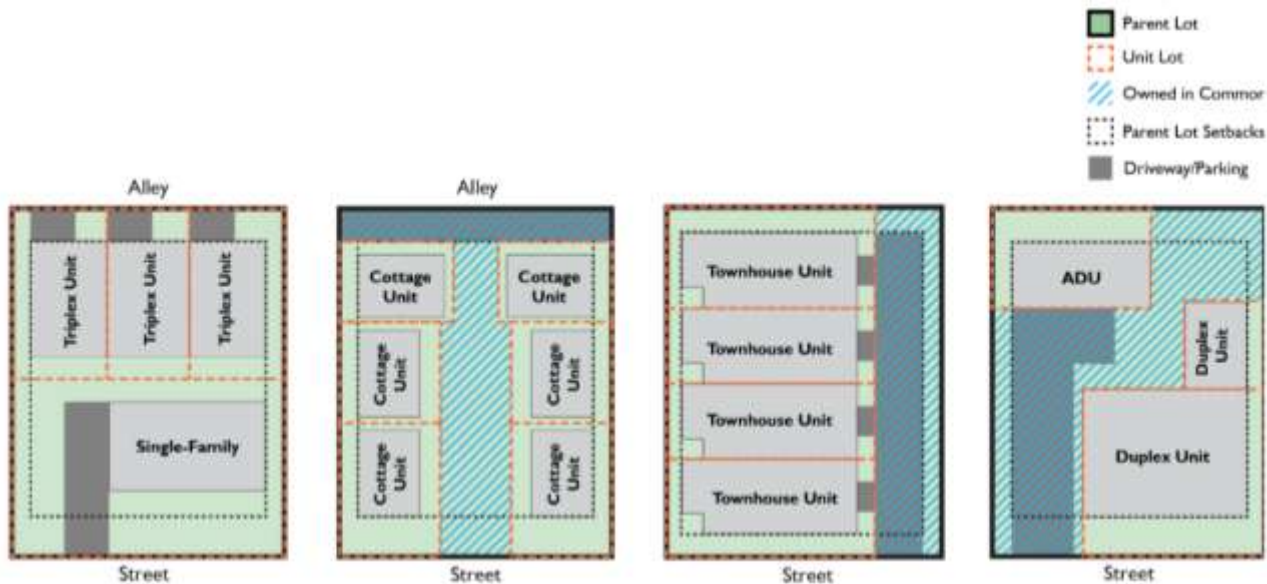
A Unit Lot Subdivision (ULS) creates new lots, like a typical subdivision, except that ULS allows flexibility in the application of dimension standards (setbacks, lot coverage, etc.). In a ULS development, the main lot(s) be subdivided is considered the "parent lot." The individual lots created are called "unit lots" which are also called "child lots". These unit lots are legal lots of record and get their own tax parcels. The parent lot is required to comply with setbacks, max impervious, lot coverage, etc., while the unit lots do not.

Figure 1: ULS Examples



A ULS proposal may include a lot with existing structures, a vacant lot, or a combination thereof. The following image provides the various ways a unit lot subdivision can be proposed.

Unit Lot Subdivision Examples:



#### Discussion Items:

##### 1. Unit Lot Subdivision Applicability

SB 5258 requires that all cities allow unit lot subdivision to be included in short plat regulations. The legislation does not require that unit lot subdivision to be included in full subdivisions. A short subdivision in Edgewood, is a subdivision of six or fewer lots, tract, or parcels while a full subdivision is seven or more lots, tract, or parcels. The draft amendments included with this packet has ULS applying subdivision of 6 or fewer lots, tracts, or parcels (short plats). However, a number of cities that have already adopted unit lot subdivision standards do allow them for full subdivisions.

Planning Commission Question: Should unit lot subdivision be allowed for subdivisions of 7 or more lots, tract, or parcels?

##### 2. Building and Fire Code Concerns

Structures located on, over, or across proposed unit lot boundaries make it critical that the proposed building is approvable and correctly located on the site or major issues may arise. Specifically, if the foundation is off by just an inch the whole plat might off by thousands of square feet. As such, staff has drafted the following general requirement:

*For subdivisions where any structures are proposed on, over, or across unit lot boundaries, each unit lot shall have an approved and issued building permit with a completed and inspected foundation prior to final plat application to ensure that each unit lot conforms with applicable building and fire codes, unless otherwise approved by the Building Official and Fire Official.*

Planning Commission Question: Does the Planning Commission have any input on the above recommended language?

3. General Subdivision Code

Due to State required code updates and the timing of the last full review (2006ish), Title 16 is outdated and needs review and revision. If staff availability permits, staff would like to complete a full Title 16 update with the Unit Lot Subdivision updates. As staff is considering this Title update, staff would like additional input on a few items from the Planning Commission.

Planning Commission Questions:

- A. Title 16 Update – Would Planning Commission support a complete Title 16 revision, and should it be prioritized by staff?
- B. Short Plat Threshold – Short plats are currently limited to up to 6 lots, tracts, or parcels. The Department of Commerce recommends that short plat should be allowed for up to 9 lots, tract, or parcels. Is Planning Commission interested in increasing the number of lots allowed for a short plat?
- C. Subdivision Final Plat Approval – Final Plat approval currently requires City Council review following staff verification of its consistency with the Hearing Examiner's decision. However, this process often delays approval, as adding an item to the City Council agenda can take two weeks or more. Once on the agenda, the City Council is limited to reviewing the project for alignment with the Hearing Examiner's conditions—an assessment already completed by staff.

To streamline the process, the Department of Commerce has recommended treating Final Plat approval in the same manner as Final Short Plats, by handling it as an administrative approval. Would the Planning Commission be interested in recommending this change to the City Council?

4. General:

Planning Commission Question: Is there anything else that Planning Commission would like to discuss regarding unit lot subdivision or the draft revisions?

## EXHIBIT A

### **Chapter 18.20**

### **DEFINITIONS**

#### **16.01.070 Definitions.**

...

“Lot, parent” means a lot which is subdivided into unit lots through the unit lot subdivision process.

“Lot, unit” means a lot created from a parent lot and approved through the unit lot subdivision process.

“Unit lot subdivision” means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.

....

### **New Chapter:**

### **Chapter XX.XX**

### **UNIT LOT SUBDIVISION**

#### Sections:

16.XX.010 Purpose.

16.XX.020 Applicability.

16.XX.030 Application

16.XX.040 Review Procedures.

16.XX.050 Plat Notes.

16.XX.060 General Requirements

16.XX.070 Final approval and recording

16.XX.080 Expiration

16.XX.090 Conflicts

#### **16.50.010 Purpose.**

The purpose of these provisions is to allow an alternative method of subdividing individual middle housing, multiple detached single-family residences, and townhouses, while applying

only those development standards applicable to the parent lot as a whole, rather than to individual unit lots resulting from the subdivision.

#### **16.50.020 Applicability.**

An applicant may apply for a unit lot subdivision under the following proposals:

A. The proposed unit lot subdivision shall include no more than the number of lots, tracts, and parcels allowed for short subdivision as provided in EMC 16.30.020.

B. Only sites developed with or proposed to be developed with middle housing types, multiple detached single-family residences, or townhouses in which no dwelling units are stacked on another dwelling unit or other use, may be subdivided into individual, separately owned unit lots and common areas.

C. For previously developed lots, eligibility for unit lot subdivision shall be subject to compliance with all standards applicable to the parent lot and proposed unit lots. Inconsistency of existing development with the provisions of this section shall not constitute justification for a variance.

#### **16.50.030 Application**

An application for a unit lot subdivision shall include:

A. Application Form and/or Checklist provided and maintained by the Department; and

B. All documentation and information required by EMC 16.30.040.

#### **16.50.040 Review Procedures.**

Unit lot subdivisions shall be processed and review in the same manner as EMC 16.30, Short Subdivisions and EMC 18.40.090, Process II.

#### **16.50.050 Plat Notes.**

The following plat notes shall be placed on the face of the unit lot subdivision drawings:

A. The title of the plat shall include the phrase “Unit Lot Subdivision-.”

B. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot as a whole, and shall conform to the approved development plan.

C. If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved development plan.

D. The individual unit lots are not separate building sites and additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot.

**16.50.060 General Requirements.**

In addition to any other standards and approval criteria applicable to the unit lot subdivision, including EMC 16.30, proposals shall be subject to the following:

A. Development as a whole on the parent lot, rather than individual unit lots, shall comply with applicable development standards provided in EMC 18.80. This includes, but not limited to, setbacks, lot coverage, impervious surfaces, etc.

B. Each dwelling unit shall be subject to the appropriate design standards provided in EMC 18.95, except where they conflict with the provisions of this section.

C. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots located within the parent lot.

D. Parking shall be calculated and designed for each lot in compliance with EMC 18.90.130. However, required residential parking may be provided on a different lot or tract than the parent lot as long as the right to use that parking is formalized by an easement declared on the plat, pursuant to EMC 18.90.130. All off-street parking is subject to EMC 18.90.090 landscaping requirements.

E. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association shall be executed and recorded with the county auditor for use and maintenance of common garage, parking, and vehicle access areas; bike parking; solid waste collection areas; underground utilities; common open space; shared interior walls; exterior building facades and roofs; and other similar features.

F. Each unit lot shall have individual utility services and meters that are specific to that dwelling unit. This includes utilities such as water, sanitary sewer / septic, power, gas, etc.

G. For subdivisions where any structures are proposed on, over, or across unit lot boundaries, each unit lot shall have an approved and issued building permit with a completed and inspected foundation prior to final plat application to ensure that each unit lot conforms with applicable building and fire codes, unless otherwise approved by the Building Official and Fire Official.

**16.50.080 Final approval and recording.**

The final unit lot subdivision shall be prepared in accordance with the short subdivision final approval and recording requirements provided in EMC 16.30.

**16.50.090 Expiration.**

Time limitations on final unit lot subdivisions shall be in accordance with EMC 16.30.

**16.50.100 Conflicts.**

Any conflicts between the provisions of this section and the text of other sections in this title shall be resolved in favor of the text of this section.



UNIT LOT SUBDIVISIONS FACT SHEET | JANUARY 2025

# Unit Lot Subdivisions

## State Law Requirements

In 2023, Washington state law changed to require unit lot subdivisions be included in **short plat regulations** for all cities, towns, and counties. [RCW 58.17.060](#)(3), established by Engrossed Second Substitute Senate Bill (ESSSB) 5258 (Chapter 337, 2023 Laws), states:

*"All cities, towns, and counties shall include in their short plat regulations procedures for unit lot subdivisions allowing division of a parent lot into separately owned unit lots. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots."*

This fact sheet provides information and recommendations for jurisdictions to consider in adopting code that implements RCW 58.17.060(3). The Resources section at the end of this Fact Sheet provides links to several cities' adopted codes, a model code, and other references. Jurisdictions are encouraged to review different approaches and adopt what works best for their local context and to implement their land use and housing policies.

## Adoption Deadlines

All cities, towns, and counties in the state must adopt procedures for unit lot short subdivisions by their next periodic update of comprehensive plans and development regulations. See RCW 36.70A.130 and Commerce's [periodic update](#) page for more information on deadlines.

Agency contact

**Lilith Vespier**  
INFILL HOUSING MANAGER

Local Government Division

[Lilith.Vespier@commerce.wa.gov](mailto:Lilith.Vespier@commerce.wa.gov)

Phone: 360.890.5100

**GROWTH MANAGEMENT  
SERVICES**

# About Unit Lot Subdivisions

A unit lot subdivision (ULS) creates new lots much like a typical subdivision, except a ULS allows flexible application of dimensional standards. In a ULS, the development as a whole is on the “parent lot” which conforms to the zoning dimensional standards while individual “unit lots” are not required to. Unit lots (also called child lots) are individual, sellable, legal lots of record with their own tax or parcel identification number.

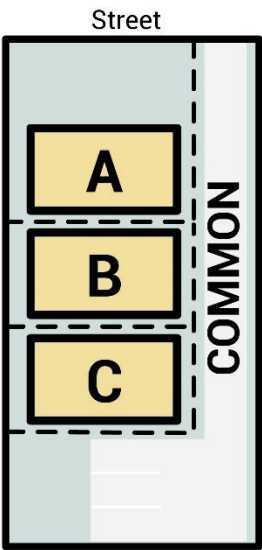
## Options for Ownership

The unit lot subdivision bill included an intent statement to “[increase] the supply and affordability of condominium units and townhouses as an option for homeownership.” Unit lot subdivisions are one method for dividing multiple housing units on a parcel into individual unit lots for sale to individual owners, providing fee simple homeownership opportunities. This is important to allow smaller units on smaller lots, allowing for a more attainable ownership unit. Homeowners can then gain equity on the home.

## Standards

State law provides that ULS shall be included as a short plat process. This means a maximum of 4-9 unit lots may be developed, depending on how many lots the jurisdiction allows in a short plat process and the number of housing units zoning permits on the parent lot. See the “Number of Unit Lots” section below for more information.

State law also provides that portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners’ association. See the “Common Areas” section below for more information. While state law does not provide any additional ULS guidance, a key benefit of the unit lot subdivision concept is the flexible application of zoning dimensional standards. See the “Dimensional Standards” section below for details.



Example unit lot subdivision with three unit lots and a tract held in common.

# Comparison of condominium and ULS

Unit lot subdivision is different from or an alternative to condominium ownership. The primary differences between ULS and condominium creation are described in the following table:

|                                          | Unit Lot Subdivision                                                                                             | Condominium                                                     |
|------------------------------------------|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| Options for ownership of underlying land | <ul style="list-style-type: none"><li>Individual</li><li>Combination of individual and common interest</li></ul> | <ul style="list-style-type: none"><li>Common interest</li></ul> |
| Options for management of common area(s) | <ul style="list-style-type: none"><li>HOA</li><li>Other formal common agreement, including plat notes</li></ul>  | <ul style="list-style-type: none"><li>HOA</li></ul>             |

|                                                     | Unit Lot Subdivision                                                                                                                                                                                          | Condominium                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Allows separate ownership of stacked unit(s)</b> | No                                                                                                                                                                                                            | Yes                                                                                                                                                                                                                                                                                                                                                         |
| <b>Allows separate ownership of ADUs</b>            | Yes                                                                                                                                                                                                           | Yes                                                                                                                                                                                                                                                                                                                                                         |
| <b>Warranty</b>                                     | Not required                                                                                                                                                                                                  | Four year-implied warranty of quality                                                                                                                                                                                                                                                                                                                       |
| <b>Processing</b>                                   | Short plat through jurisdiction                                                                                                                                                                               | State process with notice to county auditor<br>May require jurisdiction process*                                                                                                                                                                                                                                                                            |
| <b>Typical Processing Steps</b>                     | City/county platting process: <ul style="list-style-type: none"> <li>• Application</li> <li>• Notice, if applicable</li> <li>• Preliminary approval</li> <li>• Final approval</li> <li>• Recording</li> </ul> | <ul style="list-style-type: none"> <li>• Check with local jurisdiction for any processing requirements</li> <li>• Housing code inspection</li> <li>• Issuance of a Notice of Condominium Conversion</li> <li>• Public offering statement</li> <li>• Selling units to individual buyers</li> <li>• Filing a declaration with the local government</li> </ul> |

\* Some jurisdictions require condominium conversions to be reviewed through a local process, such as a binding site plan. The application and review processes should be clearly defined in a jurisdiction's code.

A condominium and ULS can also be combined in cases where a unit lot has stacked units and separate unit ownership is desired.

## Considerations for ULS Development Regulations

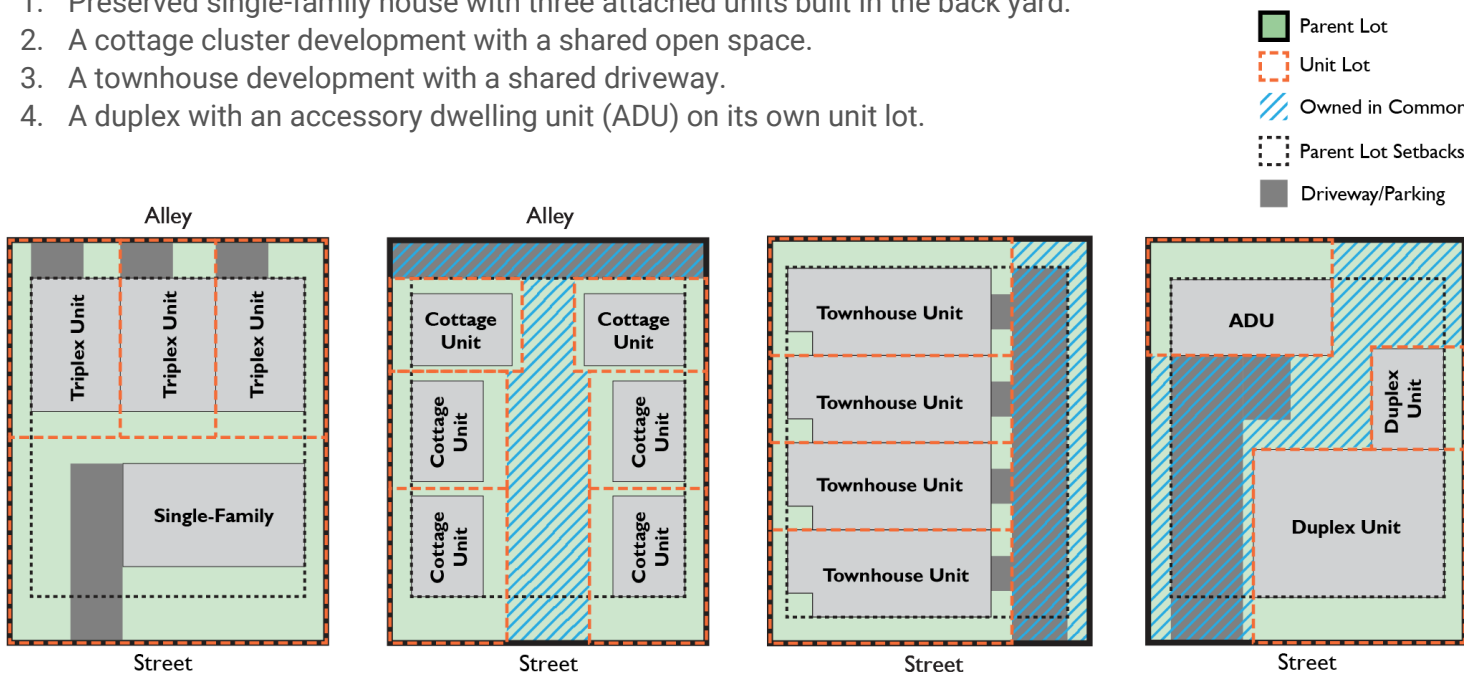
Unit lot subdivision can be used with any type of attached or detached housing. If the goal is individual ownership of each dwelling, the housing units cannot be stacked, as a ULS divides the land. Where units are stacked, a condominium arrangement is the tool that can provide for separate sale.



Left to right: Townhouses in Spokane, cottage housing in Kirkland, and a fourplex built behind an existing single-family residence in Seattle

The following examples illustrate how setbacks apply to a parent lot and unit lots.

1. Preserved single-family house with three attached units built in the back yard.
2. A cottage cluster development with a shared open space.
3. A townhouse development with a shared driveway.
4. A duplex with an accessory dwelling unit (ADU) on its own unit lot.



Special considerations for ULS with specific housing types are discussed below.

## Middle Housing

For jurisdictions required to allow [middle housing](#) under [RCW 36.70A.635](#), and those seeking to promote middle housing and homeownership, ULS is a valuable tool. While ULS's have been popular in Washington for townhomes and cottage housing, jurisdictions must allow a zero-lot line short subdivision where the number of lots created is equal to the unit density for middle housing. ULS is the tool for separating middle housing types including, but not limited to, townhomes, cottage housing, duplexes, triplexes, fourplexes, fiveplexes, and sixplexes.

## Accessory Dwelling Units

Unit lot subdivisions may also be used to create individual unit lots for accessory dwelling units, in attached or detached forms. Note that [RCW 36.70A.681\(1\)\(c\)](#) requires cities and counties to allow at least two accessory dwelling units (ADUs) on all "lots" that are located in all zoning districts within an urban growth area that allow for single-family homes. The reference to "lots" in RCW 36.70A.681(1)(c) means parent lots that meet the minimum lot size, and not unit lots, as RCW 36.70A.681(1)(e) states that the ADU provisions apply to lots that meet the minimum lot size required for a principal housing unit.

RCW 36.70A.681(1)(k) also states that a city or county may not prohibit the sale or other conveyance of a condominium unit independently of a principal unit solely on the grounds that the condominium unit was originally built as an accessory dwelling unit. This is clear that ADUs are intended for separate sale as condominiums, and by extension, unit lot subdivisions.

## Detached Houses

Unit lot subdivisions can also be used for detached single-family residences. This could come in multiple forms to provide ownership opportunities, including:

- Preserving an existing home and adding infill housing (new middle housing and/or ADUs depending on zoning provisions of the jurisdiction) elsewhere on the parent lot.
- Developing a new detached home together with new middle housing and/or ADUs on the parent lot.
- Developing multiple detached units, such as cottage housing, on a parent lot, if allowed by a jurisdiction.

## Dimensional Standards

A key benefit of a ULS is the flexible application of zoning dimensional standards. In a ULS, the development as a whole on the parent lot must comply with applicable dimensional standards. However, individual unit lots are not subject to dimensional standards that apply to the parent lot, such as (if applicable):

- Lot area, depth, and width
- Setbacks (front, side, rear, etc.) and setback projections
- Floor area ratio (FAR)
- Lot coverage (or building coverage)
- Impervious surface coverage
- Landscaped area minimum
- Any other standard based on the size or dimensions of the lot or distance from lot lines

Other dimensional standards, such as maximum building height, not related to the lot size and lot lines continue to apply to individual unit lots. Also, note that ULS is not intended to permit land uses or densities that are not otherwise allowed in the zone in which a ULS is proposed.

Example: A cottage housing development uses ULS to accommodate ownership of individual cottage lots. The zone allows 60% maximum impervious surface coverage. The development as a whole is constructed with 55% impervious coverage on the parent lot, but some individual unit lots have impervious surface coverage of 80% or more (balanced by a large landscaped open space in the common area). Owners of individual unit lots may increase their impervious surface coverage further (for example, by expanding the unit or creating a paved patio) as long as the development's entire impervious surface coverage does not exceed 60%. **Commerce recommends that jurisdictions require notes on that plat stating subsequent additions or modifications to structure(s) shall not create a nonconformity of the parent lot.** Covenants, conditions and restrictions (CC&Rs) and/or ULS bylaws should clearly identify procedures for property owners to address changes affecting the conformity of the parent lot.

While unit lots do not have minimum area or dimensions, some jurisdictions provide guardrails. The City of Everett requires unit lots be "large enough" to contain a dwelling unit and accessory improvements such as decks, fences, driveways and parking, and private yard areas. The City of Spokane allows a unit lot to be as small as the footprint of the building situated upon it, subject to the requirements of the building and fire code.

# Common Areas

RCW 58.17.060(3) provides a standard for ownership and management of common areas: “Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners’ association comprised of the owners of the individual unit lots.” Common area lots, parcels, or tracts are also legal lots of record. Management topics for common areas include how they are used by residents, procedures for maintenance and repairs, and responsibilities for utility bills and property taxes.

## Homeowners’ Associations

Homeowners’ associations (HOAs) organize decision-making around common areas with formal processes. The HOA may also provide guidance on new development or changes within the parent lot/plat. They are most often associated with larger residential developments or projects with common maintenance needs. Typically, an HOA requires owners to pay monthly or yearly dues to cover upkeep and insurance costs. HOAs are regulated by RCW 64.38 where the community is made up of homeowners owning individual lots and regulated by RCW 64.90 where there are condominium units on a single lot.

## Common Ownership

State law requires that “owned in common” arrangements be permitted as an alternative to HOAs for managing common areas. This can include condominiums (RCW 64.34), common interest communities (RCW 64.90), associations of apartment owners (RCW 64.32), retirement communities, co-ops, and timeshares. It can also mean there is no formal organization of owners and that matters of common interest are managed informally, which can be a risky arrangement when one or more owners are resistant to make decisions or pay their share of common costs.

## Agreements

Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identify the rights and responsibilities of property owners and/or the bylaws of an ownership association may be executed for the use and maintenance of common areas and features. These may cover topics such as:

- Garages, automobile and bicycle parking, and vehicle access areas
- Common yards, courts, landscaping, and recreational elements
- Shared interior walls
- Exterior building facades and roofs
- Sheds and other accessory structures
- Solid waste collection areas
- Mailboxes
- Utility infrastructure and payments

Commerce recommends that jurisdictions require ULS to record agreements for the ownership and management of common areas to be recorded with the county auditor, along with the ULS.



*A common area in Cully Green, a courtyard apartment development in Portland, OR. Source: MAKERS.*

## Off-Street Parking

Within the parent lot, commerce recommends providing the flexibility for required off-street vehicle parking to be located in a common area or on a different unit lot than the lot with the associated dwelling unit. This arrangement can be formalized with an easement. This option provides greater design flexibility, especially for infill development on small lots where it may be impractical for every dwelling unit to have an adjacent private parking space or garage. Removing off-street parking requirements for residential development can also increase design flexibility and streamline the administration of unit lot subdivisions.

## Administration

### Parent Lot Size

Unit lot subdivisions should not have a minimum parent lot size separate from the zoning minimum lot size. ULS is primarily intended for smaller site developments and individual ownership of infill housing opportunities, such as middle housing, which cannot be accomplished by another process due to site size, building configurations, or development regulations. However, ULS can also be used on large sites. It is not intended to replace land division processes or function as a type of planned unit development. These examples are when a unit lot subdivision is ideal:

- Existing lot, meeting the minimum lot size, with more than one dwelling unit attached or detached
- Existing lot, larger than the minimum lot size, but not large enough to short plat
- Existing lot, larger than the minimum lot size, but not able to short plat without removal of an existing dwelling(s)
- Existing lot, regardless of size, developed with cottage housing or townhomes meeting the local development regulations

### Number of Unit Lots

RCW 58.17.060(3) requires that ULS regulations be adopted within “short plat” procedures. Under [RCW 58.17.020](#) “short plat” is the map or representation of a short subdivision. A “short subdivision” is defined as:

*“Short subdivision” is the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership. However, the legislative authority of any city or town may by local ordinance increase the number of lots, tracts, or parcels to be regulated as short subdivisions to a maximum of nine. The legislative authority of any county planning under RCW [36.70A.040](#) that has adopted a comprehensive plan and development regulations in compliance with chapter [36.70A](#) RCW may by ordinance increase the number of lots, tracts, or parcels to be regulated as short subdivisions to a maximum of nine in any urban growth area.*

Setting the number of lots, tracts, or parcels to be regulated as short subdivisions to a maximum of nine, as allowed by the RCW, has the benefit of allowing more lots for residential development to approved administratively and promoting infill development in urban growth areas. Note that “Tier 1” middle housing cities subject to RCW 36.70A.635(1)(b) should allow unit lot short subdivisions of at least six unit lots to be consistent with the number of middle housing units that must be allowed. See more information in Commerce’s [User Guide for Middle Housing Model Ordinances](#).

The requirement in RCW 58.17.060(3) is specific to including ULS procedures in short plat regulations. However, cities, towns, and counties may also, if they choose, adopt ULS procedures in their subdivision

procedures, sometimes referred to as regular, major, or long subdivisions. For example, see [Wenatchee Municipal Code 11.32.080\(3\)](#) and [Anacortes Municipal Code 19.32.050\(D\)\(1\)](#).

## Utilities

Utility purveyors (cities, special districts, and private purveyors) should have flexible requirements for the design of water, sewer, electrical, and other connections to buildings in unit lot subdivisions. There are advantages and disadvantages to centralized and shared lateral connections and metering, and there may be different ownership arrangements, cost implications, and other reasons that require a variety of approaches.

When developing ULS criteria, utility purveyors should be consulted for best or preferred practices. These practices may vary if a ULS is proposed for a new development or an existing or older developed lot; regardless, it may be beneficial to include an administrative option to deviate from the preferred practice. For example:

- A single-family dwelling with one or two accessory dwelling units should have the flexibility to record a unit lot subdivision without changing the existing utilities.
- A townhouse developer could have an option to choose between a private master meter maintained by a homeowner's association and having separate meters for each unit.

## Permit Application and Approval

Commerce recommends that ULSs follow the same application, review, and approval procedures as a short subdivision. Using the same application, review and approval procedures can help make review times comparable to standard short subdivisions and encourage the creation of unit lot subdivisions. Jurisdictions using existing short subdivision regulations as a template for ULS should adopt separate criteria for review, such as those provided at the end of this document, or carefully review existing regulations for barriers to ULS applicability to various housing types such as middle housing.

## Timing

Commerce recommends considering opportunities to streamline permit approval processes, consistent with the Local Project Review Act ([RCW 36.70B](#)). The local code should be clear about what documents are required for a unit lot subdivision and the standard or review for the ULS.

Flexibility in timing relative to ULS and the development of structures can benefit a variety of development scenarios. For example, the owner of an existing detached single-family residence could use a ULS to sell their backyard to a developer who then builds an accessory dwelling unit or duplex on one unit lot, while the owner retains ownership of the existing residence on another unit lot. In another example, a townhouse development might first be developed as rental housing under single ownership, and later converted to ownership units with each townhouse unit sitting on its own unit lot.

## Applications

Additional items to consider requiring for ULS applications and with the final plat recording may include:

- A site plan where each unit lot is uniquely labeled on the plat (such as Unit Lot A, Unit Lot B, etc.), showing access, utilities, parking, setbacks, as would be required for a short subdivision
- The legal description, parcel number, and/or street address (existing and modified, if applicable) of the original parent lot and for the new unit lots

- Access easements and easements for existing or new utility connections
- Joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or an ownership association for use and maintenance of common areas and features

## Finalizing and Recording

Unit lot subdivisions, being a type of short plat, will follow the same approval procedures (including the same decision-maker) and recording procedures as subdivisions. Any access easements, joint use and maintenance agreements, and CC&Rs should be recorded with the county auditor. Notes on the face of the plat should be required to identify the development as a unit lot subdivision. Examples of required notes:

- *The title of the plat shall include the phrase "Unit Lot Subdivision"*
- *Approval of the development on each unit lot was granted by review of the development, as a whole, on the parent lot.*
- *Subsequent platting actions and additions or modifications to structure(s) shall not create a nonconformity of the parent lot.*
- *Unit lots are not separate buildable lots independent of the overall development on the parent lot; and additional development of individual unit lots may be limited as a result of the application of development standards to the parent lot.*

## Resources

### Code Examples

The below list links to adopted ULS standards from Washington cities. The list is ordered roughly from least complex codes to more complex codes.

- [Shoreline Municipal Code 20.30.410\(B\)\(4\)](#) (adopted 2020) – ULS may be used for “mixed single-family attached” development.
- Seattle Municipal Code [23.24.045 for short subdivision](#) and [23.22.062 for subdivisions](#) (adopted 2020) – ULS may be used for detached single-family residences, townhouses, rowhouses, and cottage housing.
- [Spokane Municipal Code 17G.080.065](#) (adopted 2023) – ULS may be used in any development with two or more dwelling units (including accessory dwelling units) and where the parent lot is two acres or less. Accessory dwelling units have special standards for utilities and recording. The general recording requirements provide more plat note requirements than most jurisdictions.
- Snohomish County Code [30.41B.205 for short subdivision](#) and [30.41A.205 for subdivision](#) (adopted 2017) – ULS may be used for townhouses, mixed townhouses, and cottage housing. Two separate codes depending on the number of unit lots proposed.
- [Wenatchee Municipal Code 11.32.080](#) (adopted 2023) – ULS may be used for duplexes, courtyard housing, townhouses, and cottage housing. There are clear references to short subdivisions and major subdivisions depending on the number of unit lots proposed. There are special requirements for final approval.
- [Snohomish Municipal Code 14.215.125](#) (adopted 2024) – ULS may be used for detached single-family residences, accessory dwelling units, duplexes, townhouses, cottage housing, and manufactured home parks. There are specific requirements for minimum open space and utility connections.
- [Everett Municipal Code 19.27](#) (adopted 2020) – ULS may be used for detached single-family residences, cottage housing, and townhouses. Provides special procedures for existing condominium buildings to subdivide into unit lots. Common areas may be owned in common or by a homeowner’s association.

# Informational Resources

Example of ULS information provided by Washington cities:

- [Tacoma – Unit Lot Subdivision Summary Sheet](#)
- [Snohomish – Unit Lot Subdivision Handout](#)
- [Seattle – Land Use / Master User Permit – Plat \(see Tip 213A\)](#)
- [Bellevue – Unit Lot Subdivision amendment information page](#)

Examples of ULS short plats for a variety of cities and housing types are [available here](#).

## Model Code

This model code is from Commerce’s [User Guide for Middle Housing Model Ordinances](#). It provides an example of basic provisions for unit lot subdivisions. Modifications of this model code will be needed depending on each jurisdiction’s existing code organization, land division regulations, and desired approach to unit lot subdivisions.

- X. Unit lot subdivisions. A lot may be divided into separately owned unit lots and common areas, provided the following standards are met.
1. *Process*. Unit lot subdivisions shall follow the application, review, and approval procedures for a short subdivision or subdivision, depending on the number of lots.
  2. *Applicability*. A lot to be developed with middle housing or multiple detached single-family residences, in which no dwelling units are stacked on another dwelling unit or other use, may be subdivided into individual unit lots as provided herein.
  3. *Development as a whole on the parent lot, rather than individual unit lots, shall comply with applicable design and development standards.*
  4. *Subsequent platting actions and additions or modifications to structure(s) may not create or increase any nonconformity of the parent lot.*
  5. *Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners’ association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; bike parking; solid waste collection areas; underground utilities; common open space; shared interior walls; exterior building facades and roofs; and other similar features shall be recorded with the county auditor.*
  6. *Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners’ association comprised of the owners of the individual unit lots.*
  7. *Notes shall be placed on the face of the plat or short plat as recorded with the county auditor to state the following:*
    - a. *The title of the plat shall include the phrase “Unit Lot Subdivision.”*
    - b. *Approval of the development on each unit lot was granted by the review of the development, as a whole, on the parent lot.*

8. *Effect of Preliminary Approval. Preliminary approval constitutes authorization for the applicant to develop the required facilities and improvements, upon review and approval of construction drawings by the public works department. All development shall be subject to any conditions imposed by the city on the preliminary approval.*
9. *Revision and Expiration. Unit lot subdivisions follow the revision and expiration procedures for a short subdivision.*
10. *Definitions.*
  - a. *"Lot, parent" means a lot which is subdivided into unit lots through the unit lot subdivision process.*
  - b. *"Lot, unit" means a lot created from a parent lot and approved through the unit lot subdivision process.*
  - c. *"Unit lot subdivision" means the division of a parent lot into two or more unit lots within a development and approved through the unit lot subdivision process.*