



**CITY OF EDGEWOOD
PLANNING COMMISSION MEETING AGENDA**

Monday, May 12, 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 April 14, 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. Impact Fees

b. Land Use Table Updates

5. ACTION ITEMS

a. Middle Housing Code Amendments

b. ADU Code Amendments

c. Parking Code Amendments

d. Hazardous Vegetation And Tree Preservation

6. DISCUSSION ITEMS

a. Impact Fees

b. Land Use Table Updates

c. Subdivision Amendments

d. Introduction - Sign Code Updates

7. STAFF COMMENTS

8. COMMISSIONER UPDATES

9. ADJOURN

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



CITY OF EDGEWOOD

PLANNING COMMISSION MEETING AGENDA SUMMARY

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

1 CALL TO ORDER

a. Pledge of Allegiance and Roll Call

Carly Guillory called the meeting to order at 6pm and led attendees in the Pledge of Allegiance. **Present:** Carly Guillory, JoAnn Overfield (virtually via Zoom) Jan Furey, Carly Lenoir, Sarah Wagner, Leyla Church **Absent:** Tom Greene

2 CONSENT AGENDA:

a. Agenda Approval or Modification

b. Meeting Minutes of March 10, 2025

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

3 CITIZEN COMMENT PERIOD

There were no citizen comments.

4 PUBLIC HEARINGS

a. ADU Code Updates

Commissioner Guillory called the public hearing to order at 6:04pm, followed by a staff presentation on the topic. With no public comment, Commissioner Guillory adjourned the hearing at 6:09pm.

b. Residential Parking Code Updates

Commissioner Guillory opened the public hearing at 6:09pm. Staff gave an overview of the topic, Jason Ramirez spoke, and Commissioner Guillory closed the public hearing at 6:15pm.

c. Middle Housing Code Updates

At 6:15pm, Commissioner Guillory commenced the public hearing. After staff discussion, and with no public comments made, the hearing was closed at 6:28pm.

d. Hazardous Vegetation/Tree Preservation

The public hearing was opened by Commissioner Guillory at 6:28pm. Staff presented the topic, and, as there was no public input, the hearing concluded at 6:31pm.

5 DISCUSSION ITEMS

a. Climate Planning (HB 1181)

Staff explained the city has contracted with Measure Meant to assist with the climate change and resiliency process by initiating the Climate Assessment and Comprehensive Plan Audit draft reports, explaining the draft reports are due to Commerce by June 2025.

b. ADU Code Updates

Code amendments were presented for the Commissioners to review which incorporated the guidance and discussion from their March 2025 meeting.

c. Residential Parking Code Updates

Based on the direction the Commissioners provided at their March 2025 meeting, staff introduced revised code amendments for their review.

d. Middle Housing Code Updates

Staff brought forward code amendments for consideration, informed by the Commissioners' March 2025 meeting discussion and guidance.

e. Hazardous Vegetation/Tree Preservation

The Commissioners reviewed code amendments presented by staff, which incorporated feedback from their March 2025 discussion.

f. Land Use Table Updates

This agenda item was discussed and staff explained pending any feedback provided, they will prepare to schedule a public hearing for their May meeting in order to proceed with the formal code amendment process.

g. Impact Fee Code Updates

Staff invited input from the Planning Commission on the proposed rate structures and requested feedback on the code amendments. It was noted they are prepared to schedule a public hearing for next month's meeting in order to proceed with the formal code amendment process prior to the June 20, 2025 statutory deadline.

h. Introduction - Unit Lot Subdivisions

Staff reviewed this agenda item, then asked several clarifying questions of the Commissioners in order to move forward with recommending a change to the City Council.

6 ADJOURN

Commissioner Guillory adjourned the meeting at 8:41pm.



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: May 12, 2025

Title: Impact Fees Code Updates – Public Hearing

Attachments: Draft EMC Title 4 Redlines

Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:

As introduced at the [March 10, 2024 Planning Commission Meeting](#) and discussed at the [April 14, 2025 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.

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. 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 preferred. The attached draft code amendments attempt to address all of the considerations above.

Current Discussion:

This is the Planning Commission Public Hearing for draft code amendments to address the recent Impact Fee legislation. 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 code amendments to EMC Title 4 related to the recent Impact Fee legislation.

1 **Chapter 4.10**
2 **SCHOOL IMPACT FEES**

- 3 Sections:
4 4.10.010 Authority.
5 4.10.020 Definitions.
6 4.10.030 Exemptions.
7 4.10.040 Interlocal agreement between the city and districts.
8 4.10.050 Exemptions – Low-income housing.
9 4.10.060 Submission of each district’s capital facilities plan and data.
10 4.10.070 Annual council review.
11 4.10.080 Impact fee program elements.
12 4.10.090 Fee calculations.
13 4.10.100 Fee collection.
14 4.10.110 Imposition of impact fees.
15 4.10.120 Determination of the fee, adjustments, exceptions and appeals.
16 4.10.130 Impact fee accounts and refunds.

17 **4.10.010 Authority.**

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

22 **4.10.020 Definitions.**

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

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

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

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

39 C. “City” means the city of Edgewood.

- 1 D. "Classrooms" mean educational facilities of each district required to house students for its basic educational
2 program. The classrooms are those facilities the districts determine are necessary to best serve its student population.
3 Specialized facilities as identified by the districts, including but not limited to gymnasiums, cafeterias, libraries,
4 administrative offices, and child care centers, shall not be counted as classrooms.
- 5 E. "Construction cost per student" means the estimated cost of construction of a permanent school facility in each
6 district for the grade span of school to be provided, as a function of each district's design standard per grade span.
- 7 F. "Design standard" means the space required, by grade span and taking into account the requirements of students
8 with special needs, which is needed in order to fulfill the educational goals of the districts as identified in each
9 district's capital facilities plan.
- 10 G. "District(s)" means Puyallup School District No. 3; Fife School District No. 417; and Sumner [Bonney Lake](#)
11 School District No. 320.
- 12 H. "Developer" means the person or entity who owns or holds purchase options or other development control over
13 property for which development activity is proposed.
- 14 I. "Development activity" means any residential construction or expansion of a residential building, structure or use,
15 any change in use of a residential building or structure, or any change in the use of residential land that creates
16 additional demand for school facilities.
- 17 J. "Dwelling unit" means a dwelling unit as defined in EMC Title 18.
- 18 K. "Elderly" means a person aged 62 or older.
- 19 L. "Encumbered" means impact fees identified by each district as being committed as part of the funding for a
20 school facility for which the publicly funded share has been assured or building permits sought or construction
21 contracts let.
- 22 M. "Interlocal agreement" means the agreement between each district and the city, governing the operation of the
23 school impact fee program and describing the relationship, duties and liabilities of the parties.
- 24 N. "Grade span" means the categories into which each district groups its grade of students; i.e., elementary, middle
25 or junior high school, and high school.
- 26 O. "Impact fee" means a payment of money imposed upon development as a condition of development approval to
27 pay for school facilities needed to serve new growth and development, that is reasonably related to the new
28 development that creates additional demand and need for public facilities, that is a proportionate share of the cost of
29 the public facilities, and that is used for facilities that reasonably benefit the new development. "Impact fee" does
30 not include a reasonable permit or application fee.
- 31 P. "Impact fee schedule" means the table of impact fees to be charged per unit of development, computed by the
32 formula adopted under this chapter, indicating the standard fee amount per dwelling unit that shall be paid as a
33 condition of residential development within the city.
- 34 Q. "Low-income and moderate-income housing" means housing affordable under federal standards to households
35 with annual incomes at or below 80 percent of the county median income.
- 36 R. "Permanent facilities" means facilities of the districts with a fixed foundation which are not relocatable facilities.
- 37 S. "Relocatable facilities" means any factory-built structure, transportable in one or more sections that is designed to
38 be used as an education space and is needed to prevent the overbuilding of school facilities, to meet the needs of
39 service areas within each district or to cover the gap between the time that families move into new residential
40 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.

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

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

8 **4.10.040 Interlocal agreement between the city and districts.**

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

13 **4.10.050 Exemptions – Low-income housing.**

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

15 **4.10.060 Submission of each district's capital facilities plan and data.**

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

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

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

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

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

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

- 37 1. Establish a six-year financing plan, and propose the necessary bond issues and levies required by and
38 consistent with that plan and as approved by the school board consistent with RCW 28A.53.020, 84.52.052 and
39 84.52.056, as amended; and
- 40 2. Apply to the state for funding, and comply with the state requirements for eligibility to the best of each
41 district's ability.

1 **4.10.070 Annual council review.**

2 On at least an annual basis, the city council shall review the information submitted by each district pursuant to EMC
3 4.10.060(A). The review shall occur in conjunction with any update of the capital facilities plan element of the city's
4 comprehensive plan.

5 **4.10.080 Impact fee program elements.**

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

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

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

15 **4.10.090 Fee calculations.**

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

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

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

27 **4.10.100 Fee collection.**

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

31 **4.10.110 Imposition of impact fees.**

32 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

33
34 1. Fees are established based on the annual calculation of impact fee need as documented in each school
35 district's adopted capital facilities plan ~~annually, scaled to a cost per bedroom or per square foot of livable~~
36 ~~space, pursuant to RCW 82.02.060.~~

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

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

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

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

19 **4.10.120 Determination of the fee, adjustments, exceptions and appeals.**

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

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

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

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

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

36 1. The developer demonstrates that an impact fee assessment was improperly calculated; or

37 2. Unusual circumstances identified by the developer demonstrate that if the standard impact fee amount was
38 applied to the development, it would be unfair or unjust.

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

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

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

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

5 **4.10.130 Impact fee accounts and refunds.**

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

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

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

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

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

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

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

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

46 2. No impact on the district(s) has resulted. "Impact" shall be deemed to include cases where the district(s)
47 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.

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1 **Chapter 4.20**

2 **PARK IMPACT FEES**

3 Sections:

- 4 4.20.010 Findings and purpose.
- 5 4.20.020 Definitions.
- 6 4.20.030 Fee imposed – Applicability.
- 7 4.20.040 Exemptions.
- 8 4.20.050 Park impact fee program elements.
- 9 4.20.060 Fee calculation methods.
- 10 4.20.070 Fee collection.
- 11 4.20.080 Fee adjustments.
- 12 4.20.090 Park impact fee accounts and refunds.
- 13 4.20.100 Processing.
- 14 4.20.110 Other authority.
- 15 4.20.120 Appeals.

16 **4.20.010 Findings and purpose.**

17 The city council of the city of Edgewood finds and determines that growth and development activity in the city will
18 create additional demand and need for park facilities in the city, and the council finds that growth and development
19 activity should pay a proportionate share of the cost of such facilities needed to serve the growth and development
20 activity. Therefore, pursuant to the Growth Management Act (Chapter 36.70A RCW), and RCW 82.02.050 through
21 82.02.100, which authorize cities to impose and collect impact fees to partially fund public facilities to
22 accommodate new growth, the council adopts this chapter to impose park impact fees for park and recreational
23 facilities. The provisions of this chapter shall be liberally construed in order to carry out the purposes of the council
24 in establishing park impact fees.

25 **4.20.020 Definitions.**

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

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

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

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

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

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

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

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

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

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

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

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

14 K. "Level of service (LOS)" means the relationship between park facilities and service provision within the city, as
15 specified in the city's comprehensive plan.

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

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

22 **4.20.030 Fee imposed – Applicability.**

23 A. There is imposed, and shall be collected from every person who receives a development permit, a park impact fee
24 for each dwelling unit ~~based on the average occupancy for each housing type.~~ The amount shall be calculated based
25 on a ~~unit~~ cost of \$1,089 per person; ~~and the total fee based on persons per unit (PPU) scaled to a cost per bedroom or~~
26 ~~per square foot of livable space,~~ consistent with the provisions of this chapter ~~and RCW 82.02.060. -and in-~~
27 ~~accordance with the following schedule of fees:~~

Dwelling Unit Type	PPU X \$1,089	Total PIF
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

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

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

32 **4.20.040 Exemptions.**

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

34 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.

1 **4.20.080 Fee adjustments.**

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

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

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

10 **4.20.090 Park impact fee accounts and refunds.**

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

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

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

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

27 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
28 claim the refund arises or the date that notice is given, whichever date is later. Any park impact fees that are not
29 expended or encumbered by the city in conformance with the capital facilities element within these time limitations,
30 and for which no application for a refund has been made within this one-year period, shall be retained and expended
31 consistent with the provisions of this section. Refunds of park impact fees shall include interest earned on such fees.

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

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

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

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

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

7 **4.20.100 Processing.**

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

9 **4.20.110 Other authority.**

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

12 **4.20.120 Appeals.**

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

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Chapter 4.30
TRAFFIC IMPACT FEES

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- 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.*

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4.30.010 Purpose.
This chapter is intended to:

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- 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.

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- 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.

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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.

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

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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.

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- 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.

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- 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

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

4 D. “System improvements” means transportation facilities that are included in the city’s six-year capital
5 improvement plan and are designed to provide service to the community at large, in contrast to project
6 improvements.

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

9 F. “Interest” means the interest earned by the account during the period the fees were retained.

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

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

17 I. “Traffic mitigation impact fee fund” means the fund established by the adoption of Ordinance 05-253 on August
18 23, 2005, for the public facilities for which traffic impact fees are collected, in compliance with the requirements of
19 RCW 82.02.060.

20 J. “Traffic impact fee study” means the study which determined the traffic mitigation impact fee dated October
21 2016.

22 K. “Transportation improvement plan” means a schedule of intended transportation improvements.

23 **4.30.040 Applicability.**

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

27 **4.30.050 Exemptions.**

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

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

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

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

43 **4.30.055 Additional exemptions.**

44 *Reserved.*

1 **4.30.060 Service area.**

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

4 **4.30.070 Use of funds.**

5 A. Impact fees shall:

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

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

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

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

23 **4.30.075 Project list.**

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

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

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

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

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

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

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

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

13 **4.30.080 Impact fee determination and collection.**

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

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

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

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

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

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

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

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

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

29 a. Availability of other means of funding transportation facilities;

30 b. Cost of existing transportation facility improvements;

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

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

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

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

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

3 **4.30.090 Impact fee adjustments, independent calculations.**

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

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

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

16 **4.30.100 Impact fee credits.**

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

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

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

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

26 B. No credit shall be given for project improvements.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 **4.30.110 Impact fee refunds.**

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

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

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

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

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

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

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

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

33 **4.30.120 Appeals and payments under protest.**

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

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

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

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

2 **4.30.130 Council review of impact fees.**

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

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

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

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

14 **4.30.135 Funding of projects.**

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

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

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

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

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

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

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

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

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

38 **4.30.140 Administrative fees.**

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

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

3 **4.30.150 Impact fee calculations.**

4 The traffic impact fee shall be calculated using a schedule that identifies a particular fee amount for a particular type
5 of development, as supported by and consistent with the City of Edgewood Transportation Impact Fee Program
6 Report dated October 2016, and any adopted updates or amendments thereto. Accessory dwelling units (ADUs)
7 shall be calculated using ITE number 220, Apartment customer type, and the resulting fee shall be no greater than
8 50% of the impact fee that would be imposed on the principal unit.

9 **4.30.160 Schedule of fees.**

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

14 **4.30.170 Existing authority unimpaired.**

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

20 **4.30.180 Severability.**

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

24 **4.30.190 Effective date.**

25 *Repealed by Ord. 21-60*



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: May 12, 2025

Title: Land Use Table Updates – Public Hearing

Attachments: Exhibit A – DRAFT Land Use Table Amendments
Exhibit B – DRAFT EMC 18.70 Amendments
Exhibit C – DRAFT Other EMC Title 18 Amendments
Exhibit D – Current Zoning Map
Exhibit E – EDAB Recommendation

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. The Planning Commission starting reviewing draft amendments to EMC 18.70.050 at their [February 10, 2025 meeting](#) 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

Pursuant to item #2, the Planning Commission requested Economic Development Advisory Board (EDAB) input on proposed changes to commercial and industrial land uses at their [March 10, 2025 meeting](#). EDAB met on [April 7, 2025](#), performed a detailed review of the proposed land use table amendments, and made their formal recommendation to the Planning Commission at their [May 5, 2025 meeting](#).

Staff has updated Exhibit A with rows highlighted in yellow being added, removed, or modified by other pending code amendments. Redline text with strikeouts and underlines indicate other modifications being recommended herein. The far right column, Staff Notes, contains other suggestions and notes from staff resulting from our review. Also, with the effective elimination of the Single Family 5 (SF-5) zoning district (see map), these redline modifications propose deleting all references to SF-5.

Current Discussion:

This is the Planning Commission Public Hearing for draft code amendments to EMC Title 18 ensuring consistency between the Comprehensive Plan, Land Use Table, and affected regulations. 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 code amendments to EMC Title 18 ensuring consistency between the Comprehensive Plan, Land Use Table, and affected regulations.

18.70.050 Land use table.

Table 1: Land Use Table

Legend (EMC 18.70.040(A))		Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use	<u>1</u>	<u>2</u>	<u>5</u>	<u>1</u>	<u>2</u>	<u>MUR</u>	<u>TC</u>	<u>C</u>	<u>BP</u>	<u>I</u>	<u>P</u>	All Uses Subject to Conditions 1 and 6	
-	Prohibited Use													
A	Requires AUP													
CUP	Requires CUP													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6	
Residential														
<i>Accessory</i>														
Row to be removed (Middle Housing)														
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, consolidated below (Middle Housing)
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, consolidated below (Middle Housing)
Caretaker Residence	Special	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	-	-	Row to be removed (Middle Housing)
<i>Single-Family</i>														
Row to be removed (Middle Housing)														
Detached Dwelling	Special	✓	✓	✓	✓	✓	✓	-	-	-	-	-		
Cottage Court	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	Row to be removed (Middle Housing)
<i>Middle Housing</i>														
Row to be added (Middle Housing)														
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)
Cottage Housing	Special	✓	✓		✓	✓	✓	=	=	=	=	=	-	Row to be added (Middle Housing)
Courtyard Apartments	Special	✓	✓		✓	✓	✓	=	=	=	=	=	-	Row to be added (Middle Housing)
Duplex	Special	✓	✓		✓	✓	✓	=	=	=	=	=	-	Row to be added (Middle Housing)
Stacked Flats	Special	✓	✓		✓	✓	✓	=	=	=	=	=	-	Row to be added (Middle Housing)
<i>Multifamily</i>														
Row to be removed, consolidated above (Middle Housing)														
Duplex: Side by Side	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	Row to be removed, consolidated above (Middle Housing)
Duplex: Back to Back	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	Row to be removed, consolidated above (Middle Housing)
Duplex: Top and-Bottom	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	Row to be removed, consolidated above (Middle Housing)
Attached Dwelling	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	Row to be removed (Middle Housing)

Legend (EMC 18.70.040(A))		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
✓	Permitted Use													
–	Prohibited Use													
A	Requires AUP													
CUP	Requires CUP													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P		
Multi-plex (tri-, four-, five-, six-)	Special	–	–	–	✓	✓	✓	–	–	–	–	–	All Uses Subject to Conditions 1 and 6	
Townhouse	Special	–	–	–	✓	✓	✓	✓	✓	–	–	–	See Ordinance 25-0676 for TC and C zones.	Future updates pending interim zoning ordinance review
Apartment	Special	–	–	–	–	–	✓	✓	✓	✓	–	–	See Ordinance 25-0676 for TC, C and BP zones.	Future updates pending interim zoning ordinance review
<i>Other</i>														
Adult Family Home	623990, part	✓	✓	✓	✓	✓	✓	✓	–	–	–	–	In accordance with RCW 70.128.010(1), as amended	Consider only allowing in MUR and TC as an accessory use or part of a mixed-use project.
Nursing and Residential Care Facilities	6231; 6232	–	–	–	–CUP	CUP_A	✓	✓	✓	✓	–	–	Only permitted in MR-1 if located on a Arterial or Collector road. This use is considered residential for mixed use determinations.	
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.	
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.	
<u>Work/Live Unit</u>	<u>Special</u>	=	=	=	=	A	✓	✓	✓	=	=	=		Row to be added, new definition added under EMC 18.20
Permanent Supportive Housing		✓	✓	✓	✓	✓	✓	✓	✓	✓	–	–		
Transitional Housing		✓	✓	✓	✓	✓	✓	✓	✓	✓	–	–		
Agriculture and Resource (Sector 11-21)														
Agricultural Sales	Special	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
<i>Crop Production</i>														
Crop Production	111, part	A	A	A	A	–	–	–	–	A	A	–		
Marijuana Production	111; Special	–	–	–	–	–	–	–	–	–	–	–	See Condition 2	

Legend (EMC 18.70.040(A))		Single-Family Residential 1	Single-Family Residential 2	Single-Family Residential 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use													
–	Prohibited Use													
A	Requires AUP													
CUP	Requires CUP													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P		
Crop Production, All Other	111, part	✓	✓	A	–	–	–	–	–	–	✓	✓		
<i>Animal Production and Aquaculture</i>														
Animal Production, Personal	112, part	✓	✓	✓	✓	A	–	–	–	–	–	✓	Only permitted as an accessory use to a primary residential use.	
Hog and Pig Farming	112210	–	–	–	–	–	–	–	–	–	–	–	Personal animal uses are permitted in all zones per EMC 18.100.030.	
Cattle Feedlots	112112	–	–	–	–	–	–	–	–	–	CUP	–		
Animal Production and Aquaculture, All Other	112 except 112210; 112112; 112511, part	✓	CUP	–	–	–	–	–	–	–	✓	CUP		
Mining, Quarrying, and Oil and Gas Extraction	21	–	–	–	–	–	–	–	–	–	–	–	Unless otherwise authorized or permitted by the state where city of Edgewood is preempted from regulating	
Utilities (Sector 22)														
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	
<u>Solar Electric Power Generation</u>	<u>221114</u>	✓	✓		A	A	A	A	A	✓	✓	✓		Row to be added
<u>Wind Electric Power Generation</u>	<u>221115</u>	✓	✓		✓	✓	✓	✓	✓	✓	A	A		Row to be added
Potable Water Treatment	221310, part	CUP	CUP	CUP	CUP	CUP	–	–	–	–	CUP	CUP		
Sewage Collection or Treatment Facility	221320, part	CUP	CUP	CUP	CUP	CUP	–	–	–	–	CUP	CUP		
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)	

Legend (EMC 18.70.040(A))		Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6	
–	Prohibited Use													
A	Requires AUP													
CUP	Requires CUP													
Land Use Category	NAICS Code													
Manufacturing (Sector 31-33)														
Animal Slaughtering and Processing	3116	–	–	–	–	–	–	–	–	–	–	–		
Marijuana Processing	Special	–	–	–	–	–	–	–	–	–	–	–	See Condition 2	
Manufacturing, Craft	Special	–	–	–	–	–	CUP A	CUP A	CUP ✓	CUP ✓	✓	–		
Manufacturing, Light	23, part; 311 except 3116; 312; 313; 314; 315; 316; 337	–	–	–	–	–	–	–	–	CUP A	✓	–		
Manufacturing, Heavy	23, part; 321; 322; 323; 324; 325; 326; 327; 331; 332; 333; 334; 335; 336; 339	–	–	–	–	–	–	–	–	–	CUP	–		
Wholesale and Retail Trade (Sector 42, 44-45)														
Wholesale Trade	423; 424; 425	–	–	–	–	–	–	–	–	A	✓	–		
Retail Trade														
Automobile and Other Motor Vehicle Dealers	4411; 4412	–	–	–	–	–	–	–	CUP	A	A	–		EDAB recommendation to keep as-is
Gasoline Stations	447	–	–	–	–	–	CUP	CUP –	A CUP	✓	✓	–	Use is limited to 25,000 square feet of total site area per zone in the MUR and C zones (total area includes all accessory and ancillary uses associated with the gasoline station)	EDAB recommends the proposed limitations as shown, being 25,000sf total in the MUR zone and 25,000sf total in the C zone. Also need to verify if alternative liquid fuels are included, such as CNG, LPG, etc.
<u>Alternative Fueling Stations</u>	<u>Special</u>	=	=	=	=	✓	✓	✓	✓	✓	✓	✓		Row to be added, new definition added to EMC 18.20. This is intended to be for EV charging stations and non-liquid fuels.

Legend (EMC 18.70.040(A))		Single-Family 2 Residential 1	Single-Family 3 Residential 2	Single-Family 5 Residential 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use													
–	Prohibited Use													
A	Requires AUP													
CUP	Requires CUP													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P		
Pet and Pet Supplies Stores	453910	–	–	–	–	–	A✓	✓	✓	✓	✓	–	All Uses Subject to Conditions 1 and 6	
Fuel Dealers	454310	–	–	–	–	–	–	–	–	CUP	✓CUP	–		
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	Fixing Scrivener's Error in Notes
Sexually Oriented Retail Businesses	Special	–	–	–	–	–	–	–	–A	CUP A	–A	–	Subject to standards provided in EMC 18.100.100	EDAB recommends these changes as proposed.
Retail Trade, All Other	All Other 44; 45	–	–	–	–	–A	✓	✓	✓	✓	✓	CUP		
Transportation and Warehousing (Sector 48-49)														
<i>Transportation</i>														
Pipeline Transportation	486	See Note											Activities must follow city of Edgewood permitting requirements and are subject to Condition 3	
Transportation, All Other	48 except 486	See Note											See Condition 4	
<i>Warehousing and Storage</i>														
Mini-Warehouses and Self-Storage Units	53113	–	–	–	–	–	–	–	–	✓	✓	–		
Warehousing and Storage, All Other	-	–	–	–	–	–	–	–	–	CUP	✓	–	-	Row to be removed, redefined below
<u>Warehousing and Storage, All Other up to 50,000 sq. ft.</u>	<u>-</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>✓</u>	<u>✓</u>	<u>=</u>	<u>-</u>	Row to be added
<u>Warehousing and Storage, All Other 50,001 sq. ft and greater</u>	<u>-</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>=</u>	<u>✓</u>	<u>=</u>	<u>-</u>	Row to be added
Business and Professional Services (Sector 51-56)														
General	All Office Use, plus:	–	–	–	–	–	✓	✓	✓	✓	A	–		

Legend (EMC 18.70.040(A))		Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use	<u>1</u>	<u>2</u>	<u>5</u>	<u>1</u>	<u>2</u>	<u>MUR</u>	<u>TC</u>	<u>C</u>	<u>BP</u>	<u>I</u>	<u>P</u>		
–	Prohibited Use													
A	Requires AUP													
CUP	Requires CUP													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	Notes	Staff Notes
	51 except 517; 52; 531 ; 533; 54 except 541940; 55; 561; 813												All Uses Subject to Conditions 1 and 6	
<u>Wedding and Special Occasion Venues and Events</u>	<u>Special</u>	<u>A</u>	<u>A</u>		<u>A</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>A</u>	<u>A</u>	<u>A</u>		Row to be added, new definition added to EMC 18.20
<i>Rental and Leasing</i>														
Passenger Car Rental and Leasing	53211	–	–	–	–	–	<u>✓</u> –	<u>✓</u> –	<u>✓</u> <u>A</u>	<u>✓</u>	<u>✓</u>	–		EDAB recommends restricting this use to the more auto-oriented zones, as proposed.
Truck, Utility Trailer, and RV Rental and Leasing	53212	–	–	–	–	–	<u>CUP</u> –	<u>CUP</u> –	– <u>A</u>	<u>✓</u>	<u>✓</u>	–	<u>Use is limited to no more than four (4) rental units per site in the C zone</u>	EDAB recommends allowing this use in the C zone with a cap, as proposed.
Consumer Goods Rental	5322; 5323, part	–	–	–	–	–	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	–		
Commercial and Industrial Equipment Rentals	5323, part; 5324	–	–	–	–	–	–	–	–	<u>✓</u>	<u>✓</u>	–		EDAB recommends keeping this as-is
<i>Waste Management and Remediation Services</i>														
Waste Management and Remediation Services, All Other	5622, part; 5629	–	–	–	–	–	–	–	–	– <u>CUP</u>	<u>CUP</u>	– <u>CUP</u>		
Educational Services (Sector 61)														
Elementary and Secondary Schools	6111	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>CUP</u>	<u>A</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>CUP</u>	<u>A</u>		
Junior Colleges, Colleges, Universities, and Professional Schools	6112; 6113; 6114	–	–	–	–	– <u>CUP</u>	<u>A</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>CUP</u>	<u>A</u>		
Technical and Trade Schools	6115	–	–	–	–	– <u>CUP</u>	<u>A</u>	<u>✓</u>	<u>✓</u>	<u>✓</u>	<u>CUP</u> <u>A</u>	<u>A</u>		

Legend (EMC 18.70.040(A))		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
✓	Permitted Use													
–	Prohibited Use													
A	Requires AUP													
CUP	Requires CUP													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P		
Educational Services, All Other	6116; 6117	–	–	–	–	–A	A	✓	✓	✓	CUP	–A		
Health Care and Social Assistance (Sector 62)														
Ambulatory Health Care Services, All Other	All Other 621	–	–	–	–	CUP	✓	✓	✓	✓	CUP	CUP		
Hospitals	622	–	–	–	–	–	–	✓	✓	✓	CUP	–		
<u>Community Care & Walk-in Clinics</u>	<u>Special</u>	=	=	=	=	A	✓	✓	✓	✓	✓	✓		Row to be added, new definition added to EMC 18.20.
Social Assistance														
Services for the Elderly and Persons with Disabilities	624120	–	–	–	–A	CUP A	✓	✓	✓	✓	CUP	CUP ✓		
Vocational Rehabilitation Services	624310	–	–	–	–CUP	CUP A	✓	✓	✓	✓	CUP	CUP ✓		
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.	
Child Daycare Services, All Other	624410, part	–	–	–	–A	CUP A	✓	✓	✓	✓	CUP A	–✓	Subject to standards provided in EMC 18.100.040	
Social Assistance, All Other	All Other 624	–	–	–	–CUP	CUP A	✓	✓	✓	✓	CUP	CUP ✓		
Emergency Housing		–	–	–	–	–	CUP A	✓	✓	CUP A	✓	–✓		
Emergency Shelter		–	–	–	–	–	CUP A	✓	✓	CUP A	✓	–✓		
Arts, Entertainment, and Recreation (Sector 71)														
Libraries	Special	–	–	–	A	A	✓	✓	✓	✓	A	✓		
Museums and Art Galleries	712 except 712130	–	–	–	A	A	✓	✓	✓	✓	A	✓		
Zoos, Aquariums, and Botanical Gardens	712130	–	–	–	–	–	A	✓	✓	✓	✓	A		

Legend (EMC 18.70.040(A))		Single-Family 2 Residential 1	Single-Family 3 Residential 2	Single-Family 5 Residential 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes	
✓	Permitted Use														
–	Prohibited Use														
A	Requires AUP														
CUP	Requires CUP														
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P			
													All Uses Subject to Conditions 1 and 6		
Golf Courses and Country Clubs	713910	A	A	–	–A	–A	A	✓	✓	✓	✓	A			
Sexually Oriented Entertainment	Special	–	–	–	–	–	–	–	–	CUP	–CUP	–	Subject to standards provided in EMC 18.100.100		
Gambling Industries	7132	–	–	–	–	–	–	CUP A	A	A	✓	–			
Indoor Arts, Entertainment, and Recreation Activities, Other	Special	–	–	–	–CUP	–A	CUP ✓	✓	✓	✓	A	✓			
Outdoor Arts, Entertainment, and Recreation Activities, Other	Special	–A	–A	–	–A	–A	CUP ✓	A	A	A	–	✓			
Accommodation (Sector 721)															
Hotels (except Casino Hotels) and Motels	721110	–	–	–	–	–A	CUP ✓	✓	✓	CUP	✓	–			
Bed-and-Breakfast Inns	721191	–A	–A	–	CUP A	CUP A	CUP ✓	✓	✓	CUP A	–	–			
<u>Short-term Rentals</u>	<u>Special</u>	✓	✓		✓	✓	✓	✓	✓	=	=	=	Row to be added, new definition added to EMC 18.20.		
RV Parks and Recreational Camps	7212	–A	–A	–	–A	–	–	–	–	–	–A	–	EDAB recommends allowing for this use in low density zones with open spaces		
Food Service and Drinking Places (Sector 722)															
Special Food Services	7223 except 722330	See Note					✓	✓	✓	✓	–✓	–✓		Allowed as incidental use in residential districts	
Mobile Vendors	722330	–A	–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.		
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-	Consider use, setback, and buffering standards. May need use-specific update for mitigating impacts in more residential areas.	

Legend (EMC 18.70.040(A))		Single-Family 2 Residential 1	Single-Family 3 Residential 2	Single-Family 5 Residential 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use													
–	Prohibited Use													
A	Requires AUP													
CUP	Requires CUP													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P		
													All Uses Subject to Conditions 1 and 6	
													<u>1, only permitted within 600 feet of a street corner and fronting on a Collector or Arterial road.</u>	
Restaurants, Full Service	722511	-A	-A	-	-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>	Consider use, setback, and buffering standards. May need use-specific update for mitigating impacts in more residential areas.
Restaurants, Limited Service	722513; 722514	-A	-A	-	-A	-✓	✓	✓	✓	✓	✓	✓	Subject to compliance with drive-up windows (special) use, if also applicable. <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.
Snack and Nonalcoholic Beverage Bars	722515	-A	-A	-	-A	-✓	✓	✓	✓	✓	✓	✓	Subject to compliance with drive-up windows (special) use, if also applicable. <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.
Services (Sector 811-812)														
<i>Automotive Repair and Maintenance</i>														
Automotive Oil Change and Lubrication Shops	811191	-	-	-	-	-	-	-	CUP A	A	✓	-		
Car Washes	811192	-	-	-	-	-	CUP A	✓	✓	✓	✓	-		
Automotive Repair and Maintenance, All Other	All Other 8111	-	-	-	-	-	-	-	CUP A	CUP A	✓	-		
Personal Care Services	8121; 812310; 8123200	-A	-A	-	-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>	
<i>Other Repair and Maintenance</i>														
Other Repair and Maintenance, Consumer	811 except 8111	-	-	-	-	-	-	-	CUP A	CUP A	✓	-		

Legend (EMC 18.70.040(A))		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
✓	Permitted Use													
–	Prohibited Use													
A	Requires AUP													
CUP	Requires CUP													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P		
Other Repair and Maintenance, Commercial/Industrial	811 except 8111	–	–	–	–	–	–	–	–	CUP A	✓	–		
Funeral Homes and Funeral Services	812210	–A	–A	–	–A	–A	–A	–	CUP A	CUP 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.	
Crematoria	812220, part	–	–	–	–	–	–	–	–	CUP	CUP	–		
<i>Pet Care Services</i>														
Kennels	Special	–	–	–	–	–	A	–	A	A	A	CUP		
Veterinary Services	541940	A	A	A	A	A	✓	✓	✓	✓	A	A	Only permitted in residential zones and MR-1 as an accessory use to a primary residential use.	
Pet Care Services, All Other	812910, part	A	A	A	A	A	✓	✓	✓	✓	A	–	Only permitted in residential zones and MR-1 as an accessory use to a primary residential use.	
Civic and Public Uses (Sector 813)														
Cemeteries	812220, part	–A	–A	–	–A	–	–	–	–	–	–	CUP		
<u>Correctional Institutions</u>	<u>922140</u>	=	=	=	=	=	=	=	=	CUP	CUP	CUP	-	Relocated from below, removed from C zone, added CUP to I zone
<u>Administrative Public Facility</u>	<u>92 except 922140</u>	=	=	=	=	=	✓	✓	✓	✓	✓	✓	-	Relocated from below
<u>Nonadministrative Public Facility</u>	<u>Special</u>	=	=	=	=	=	=	=	=	=	=	A	-	Activities with Outside Storage also subject to EMC 18.90.120
<u>Parks, Open Space, and Public Recreation</u>	<u>Special</u>	✓	✓	✓	✓	✓	✓	✓	✓	✓	A	✓	-	Relocated from below
<i>Religious Assembly</i>														
Up to 10,000 sq. ft.	813110, Assembly Only	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		

Legend (EMC 18.70.040(A))		Single-Family 2 Residential 1	Single-Family 3 Residential 2	Single-Family 5 Residential 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use													
–	Prohibited Use													
A	Requires AUP													
CUP	Requires CUP													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P		
													All Uses Subject to Conditions 1 and 6	
10,000 to 19,999 sq. ft.	813110, Assembly Only	✓	✓	✓	A	A	CUP A	CUP A	✓	✓	–	CUP		
20,000 to 29,999 sq. ft.	813110, Assembly Only	A	A	A	A	A	CUP	CUP	✓	✓	–	CUP		
30,000 to 39,999 sq. ft.	813110, Assembly Only	CUP	CUP	CUP	A	A	CUP	CUP	✓	✓	–	CUP		
40,000 sq. ft. or greater	813110, Assembly Only	–	–	–	–	–	–	–	✓ CUP	✓	–	CUP		
Correctional Institutions	922140	–	–	–	–	–	–	–	CUP	CUP	–	CUP	–	Relocated above Religious Assembly
Administrative Public Facility	92 except 922140	–	–	–	–	–	✓	✓	✓	✓	✓	✓	–	Relocated above Religious Assembly
Nonadministrative Public Facility	Special	–	–	–	–	–	–	–	–	–	–	A	Activities with Outside Storage also subject to EMC 18.90.120	Relocated above Religious Assembly
Parks, Open Space, and Public Recreation	Special	✓	✓	✓	✓	✓	✓	✓	✓	✓	A	✓	–	Relocated above Religious Assembly
Other Uses														
Parking Lots	812930, part	–	–	–	–	–	– A	–	CUP A	–	– CUP	– CUP	As a principal use, no more than 25,000 square feet of total parking area per lot or contiguous ownership in MUR or C zoning districts, except for Transit agency park-and-rides or public parks and services. Permitted as an accessory use in all zones.	
Parking Structures	812930, part	–	–	–	–	–	– A	CUP –	CUP A	–	– A	– A	Permitted as an accessory use without an AUP in all zones	
Drive-Up Windows	Special	–	–	–	–	–	CUP A	CUP A	CUP ✓	CUP A	CUP ✓	CUP –	Window shall not face a public ROW and facility must be screened from ROW	
Outside Displays	Special	–	–	–	–	–	✓	✓	✓	✓	✓	✓ =	Activities also subject to EMC 18.95.030(I)	

Legend (EMC 18.70.040(A))		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
✓	Permitted Use													
–	Prohibited Use													
A	Requires AUP													
CUP	Requires CUP													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6	
Outside Storage	Special	–	–	–	–	–	–	CUP –	–	CUP	A	See Note	Allowed as incidental use in Public district. Activities also subject to EMC 18.90.120	

Conditions:

- (1) Operations shall not disseminate dust, fumes, gas, noxious odor, smoke, glare, or other atmospheric influence beyond the boundaries of the site, property, or parcel on which such use is located.
- (2) Subject to regulation and classification by the Washington State Liquor and Cannabis Board, where applicable and must comply with Edgewood City Ordinance Nos. [11-356, 13-410](#), 14-425 and/or 17-502; plus any regulations regarding cannabis in Chapter 69.51A RCW or I-502.
- (3) Subject to Washington Utilities and Transportation Commission regulations and the federal Pipeline and Hazardous Materials Safety Administration (PHMSA). As allowed under state or federal regulations, any use(s) or appurtenances subject to local municipal control will require a CUP in all zoning districts.
- (4) NAICS Subsector Codes 481-485 and 487 (Air Transportation; Rail Transportation; Water Transportation; Truck Transportation; Transit and Ground Passenger Transportation; and Scenic and Sightseeing Transportation) permitted as services or systems, to include necessary support activities. The physical location of facilities, maintenance grounds, offices, or other structures incidental to the service or system is subject to the use regulations for said structure.
- (5) Essential public facilities are subject to EMC 18.50.060, Essential public facilities permit.
- (6) Subject to EMC 18.100.030, Animals.

**Chapter 18.70
PERMITTED LAND USES**

Sections:

- 18.70.010 Purpose of provisions.**
- 18.70.020 Characterization of use and organization.**
- 18.70.040 Establishing use.**
- 18.70.050 Land use table. [see Exhibit A]**

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

18.70.010 Purpose of provisions.

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

18.70.020 Characterization of use and organization.

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

Commented [JM1]: Revision pending with Middle Housing ordinance

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

Commented [JM2]: Considering a reference update

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

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

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

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

1. The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic and other impacts, and hours of operation;
2. Whether or not the use complements or is compatible with other uses permitted in the zone; and
3. The NAICS classification, if any, assigned to the business or other entity that will carry on the primary activities of the proposed use. (Ord. 20-579 § 2 (Exh. B)).

1 **18.70.040 Establishing use.**

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

✓	Designates use <u>is</u> permitted in the zoning district indicated
–	Designates use <u>is</u> prohibited in <u>the zoning</u> district indicated
A	Designates use may be approved by <u>a</u> Administrative <u>u</u> se <u>p</u> ermit (<u>AUP</u>)
CUP	Designates use may be approved by <u>e</u> Conditional <u>u</u> se <u>p</u> ermit (<u>CUP</u>)

5
6 B. If a use is identified as requiring a temporary use permit (TUP), then the use is only allowed if ~~the~~ a TUP is
7 obtained in accordance with EMC 18.50.070.

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

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

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

Chapter 18.20
DEFINITIONS

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18.20.040 A definitions.

“Alternative fueling stations” means fueling or charging facilities that offer non-liquid fuels for vehicles, such as hydrogen and electric vehicle charging, and do not meet the definition of “Gasoline stations”. Locations may include accessories and repair services as incidental, and no storage or parking space is offered for rent.

18.20.060 C definitions.

“Community Care & Walk-in Clinics” means human health services such as primary care, preventative, care, mental health, dental, pharmacy, and social services for case management. A walk-in clinic (also known as a walk-in center) is a medical facility that accepts patients on a walk-in basis and with no appointment required.

18.20.100 G definitions.

“Gasoline stations” means a building or lot having pumps and storage tanks where liquid fuels, oils or accessories for motor vehicles are dispensed, sold or offered for sale at retail prices only, repair service is incidental and no storage or parking space is offered for rent. Further described in NAICS 447.

18.20.120 I definitions.

“Interior landscaping area” means any area of a lot that is not within a required perimeter landscaping or landscape buffer area. In the case of ~~single family~~ residences in residential zones (R-1, R-2, MR-1, MR-2), the entire lot shall be considered the interior landscaping area. Interior landscaping areas are required within large parking lot areas to provide aesthetic visual relief and provide for some shading of parking spaces.

18.20.150 L definitions.

“Live/work unit” means a dwelling unit consisting of both a commercial/office and a residential component that is occupied by the ~~business owners~~same resident. The commercial space must be a single unit that is no more than 50 percent of the live/work unit¹, built and designed to accommodate office/professional use ~~by accountants; architects; artists and artisans; attorneys; computer software and multimedia related professionals; consultants; engineers; fashion, graphic, interior and other designers; hair stylists; home based office workers; insurance, real estate and travel agents; one on one instructors; photographers; and similar occupations~~. The live/work unit shall be defined as a residential occupancy and is the occupant’s primary residence ~~of the occupant~~.

18.20.220 S definitions.

“Short-term Rentals” means a type of lodging sometimes called vacation rentals. A house, condo, or apartment (or a part of one) or other residential use/structure that is rented for a fee for fewer than 30 consecutive nights is a short-term rental. Examples of short-term rentals are those rented through platforms such as Airbnb and VRBO.

1 ...

2 **18.20.260 W definitions.**

3 ...

4 “Wedding and Special Occasion Venues and Events” means indoor or outdoor spaces primarily engaged in hosting
5 events for ceremonies and celebrations such as weddings, reunions, parties, fairs, festivals, banquets, and business
6 events.

7 ...

8 “Work/live unit” means a dwelling unit consisting of both a commercial/office and a residential component that is
9 occupied by the business owner. The commercial space must be a single unit that is 50 percent or more of the
10 work/live unit, built and designed to accommodate office/professional use. The live/work unit shall be defined as a
11 commercial occupancy and is the occupant’s primary residence.¹

12 ...

13 **Chapter 18.30**
14 **GENERAL ADMINISTRATION**

15 ...

16 **18.30.120 Security mechanisms.**

17 A. The purpose of this section is to provide the city with financial mechanisms to ensure that conditions,
18 requirements and all applicable provisions of this title associated with permit approvals are met. The city may
19 require a cash set-aside, assignment of funds, guarantee, letter of credit or the posting of a performance, ~~completion,~~
20 or maintenance bond, or its equivalent, with the city to ensure the subsequent completion and continued
21 maintenance of all permit conditions. Permits for single-family detached dwellings and middle housing residences,
22 except related stormwater facility or road improvements, are exempt from this requirement.

23 ...

24 **Chapter 18.40**
25 **PROCEDURES FOR LAND USE PERMITS AND DECISIONS**

26 ...

27 **18.40.030 Exclusions from permit requirements.**

28 Except as indicated otherwise, an activity, development or use listed below is excluded from the requirement for a
29 project permit, discretionary land use review, or zoning decision under this title. Exclusion from ~~thesaid~~
30 requirements ~~of a permit under this title~~ does not exempt the activity, development, or ~~its~~ use from applicable
31 requirements of this or other titles of EMC, or other applicable federal, state and local regulations.

32 A. Landscaping of a ~~single family~~ detached dwelling or middle housing residence that does not involve a structure,
33 grading, fill, excavation, or otherwise requires a permit to complete.

34 ...

35 **Chapter 18.50**
36 **DISCRETIONARY PERMITS AND ADMINISTRATIVE DECISIONS – REVIEW CRITERIA**

37 ...

38 **18.50.035 Residential cluster development.**

39 ...

40 B. General Provisions.

¹ <https://cms.cityoftacoma.org/planning/LiveWork/L-104%20Live-Work%20and%20Work-Live%20Uses.pdf>

1. A RCD may be approved for development containing residential uses located within the ~~Single Family Low (SF 2), Single Family Moderate (SF 3), Single Family High (SF 5) Residential (R-1 and R-2)~~, Mixed Residential (MR-1 and MR-2), Mixed Use Residential (MUR), Commercial (C), and Town Center (TC) zoning districts.

...

C. Density and Dimensional Standards.

...

2. The modifications to development standards allowed pursuant to subsection (B)(7)(a) of this section shall be subject to the following limitations:

a. The maximum building height shall be the same as that set forth in the underlying zoning district where the building is located and the provision in subsection (B)(6)(c) of this section shall not apply.

b. Each lot shall have a minimum net buildable area in accordance with EMC 18.80.040(~~CE~~)(2) or the following Table 1.

Table 1: Minimum Net Buildable Area Lot Size

Zoning District	Land Use Type	Net Buildable Area (square feet)
SF-5/MR-1	Single-Family Detached Dwellings and Middle Housing	5,000
	All Other Allowed Uses	3,000
MR-2	All Allowed Uses	3,000
MUR	Single-Family Detached Dwellings and Middle Housing	4,000
	All Other Allowed Uses	2,000
TC	All Allowed Uses	None
C	All Allowed Uses	None

c. The following development standards shall be applied to the entire RCD rather than to individual lots:

i. Maximum impervious surface (not to include surface areas for roads, sidewalks, bicycle and pedestrian pathways, utilities such as stormwater and sewers, and similar infrastructure); and

ii. Maximum lot coverage (not to include structures that house utilities and similar infrastructure); and

iii. The minimum number of required off-street parking spaces.

d. The setbacks of the underlying zoning district shall apply to the perimeter of the RCD, except ~~when adjacent to single family zoned property where~~ the minimum setback shall be 25 feet from all property lines abutting ~~the single family residential~~ zoning districts (R-1, R-2).

e. Buildings containing residential uses shall maintain a minimum 10-foot distance separation between the buildings as measured from the outdoor side of the exterior walls.

...

E. Design Standards for Common Open Space.

1. A percentage of the total gross land area within the RCD shall be preserved as common open space in accordance with the following standards:

- 1 a. ~~Single Family Five (SF-5) and~~ Mixed Residential One (MR-1) zones: at least 30 percent.
- 2 b. Mixed Residential Two (MR-2) zone: at least 15 percent.
- 3 c. Mixed Use Residential (MUR), Town Center (TC) and Commercial (C) zones: at least 15 percent.

4 2. Common open space shall be classified as active or passive. Passive open space includes natural features and
 5 environmentally constrained lands where disruptions to the natural environment are subject to the regulations
 6 set forth in EMC Title 14 (Critical Areas). Active open space includes recreational activities such as sport
 7 fields, pea patches, picnic areas, playgrounds, athletic courts and similar types of facilities. ~~A trail that is
 8 improved to city standards set forth in Chapter 12.12 EMC, whether public or private, shall be included as
 9 active open space.~~

10 ...

11 **Chapter 18.100**
 12 **DEVELOPMENT STANDARDS – USE SPECIFIC**

13 ...

14 **18.100.040 Daycare facilities.**

15 ...

16 C. The community development director or designee, or hearing examiner, as appropriate, shall approve applications
 17 for family daycare homes and daycare centers subject to the following general requirements and the requirements of
 18 RCW 36.70A.450(2)(a) through (e):

- 19 1. Washington State daycare licensure and all applicable state and local licensure and land use permits shall be
 20 obtained prior to operation and shall be maintained.
- 21 2. The facility shall comply with all building, fire safety, health code, and business licensing requirements.
- 22 3. A safe passenger loading area shall be provided and certified by the department of early learning licensuror.
- 23 4. Signage, if any, shall conform to the requirements of Chapter 18.97 EMC, Sign Code.
- 24 5. Parking shall conform to the requirements of EMC 18.90.130, Parking.
- 25 6. No structural or decorative alteration shall be made to the dwelling, which will alter the ~~single family~~
 26 residential character of an existing or proposed residential structure, or which is incompatible with surrounding
 27 residences.

28 ...

29 **18.100.070 Home business.**

30 The purpose of this section is to provide standards which allow residents ~~of single or multifamily dwellings~~ to
 31 operate businesses or conduct commercial activity from their principal residence or from a permitted accessory
 32 structure while achieving the goals of retaining the residential character of the dwelling and the neighborhood.

33 A. Home businesses are limited to an accessory use in conjunction with a ~~residential single family~~ detached dwelling
 34 use type. Obtaining a home business permit is required in addition to the general business license required by
 35 Chapter 5.05 EMC. The home business permit is administered through the city clerk’s office.

36 ...

37 E. One or more home business may be conducted in a ~~single family~~ residential detached dwelling use type as an
 38 accessory use, except as prohibited in subsection (C) of this section, Prohibited Activities; provided, that the home
 39 business shall:

40 ...

18.100.080 Limited home business.

A. The purpose of this section is to provide standards which allow residents ~~of single or multifamily dwellings~~ to operate businesses or conduct commercial activity from their principal residence or from a permitted accessory structure while achieving the goals of retaining the residential character of the dwelling and the neighborhood.

B. Limited home businesses are permitted as an accessory use in conjunction with ~~residential single family detached dwelling, single family attached dwelling, and multifamily attached dwelling middle housing~~ use types.

18.100.110 Wireless communications facilities.

E. Standards – Towers.

Table 2

New Wireless Communication Tower Criteria

Allowed by Conditional Use Permit

Zoning District	Maximum Tower Height [2]	Stealth Design	Setback from Property Lines (does not apply within ROW)
SFR-1, R-2, MR-1 [3]	60'	Required	20'
MR-2, C, MUR, TC, Public [3]	70' [4]	Optional See [3]	20'

[3] Stealth design is required if an applicant constructs a tower in or within 50 feet of a residential zone.

[4] An additional 20 feet in height in ~~these nonresidential~~ zones is allowed if applicant uses stealth design.

4. Preferred Tower Locations.

a. Facilities are strongly preferred to be sited within the public rights-of-way, on main corridors and arterials to the extent feasible. Facilities in the rights-of-way shall maintain at least a 200-foot separation from other wireless facilities; except when collocated or on opposite sides of the same street.

Facilities outside of the public rights-of-way shall be subject to the following siting preferences, ordered from most preferred to least preferred:

- i. City owned or operated property and facilities ~~in public zones (P) that are not in residential zones or located within 150 feet of residential zones;~~
- ii. Industrial zones and business park zones (I and BP);
- iii. Nonresidential (not ~~SFR~~ or MR) zones;
- iv. City owned or operated property and facilities in any other zone;
- v. Commercial, mixed use residential, town center and public zones (C, MUR, TC and Public);
- vi. Residential zones (~~SFR~~, MR).

**Chapter 18.105
CONCURRENCY MANAGEMENT**

1
2
3 ...

18.105.030 Exempt development.

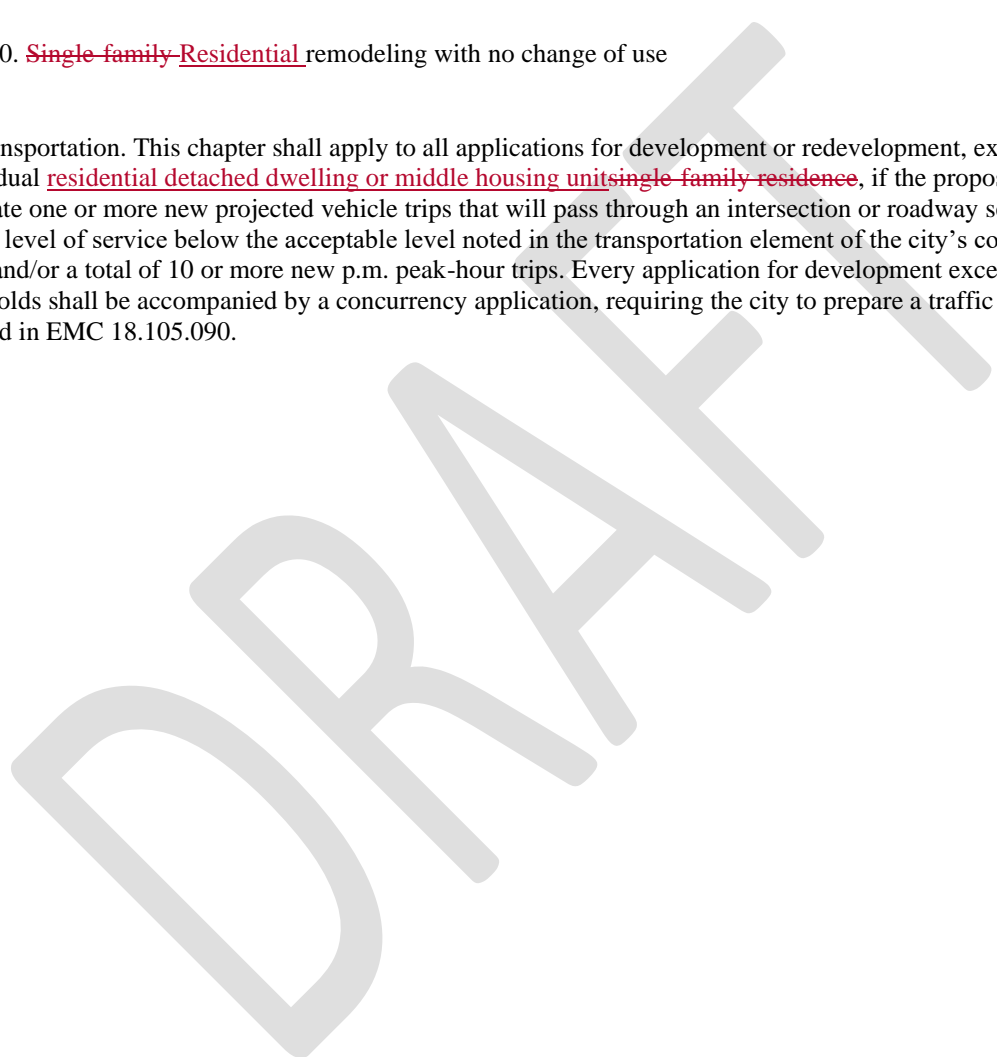
A. No development activity (as defined in EMC 18.20.070) shall be exempt from the requirements of this chapter, unless the permit is listed below. The following types of permits are not subject to the capacity reservation certificate (CRC) process because they do not create additional long-term impacts on transportation facilities:

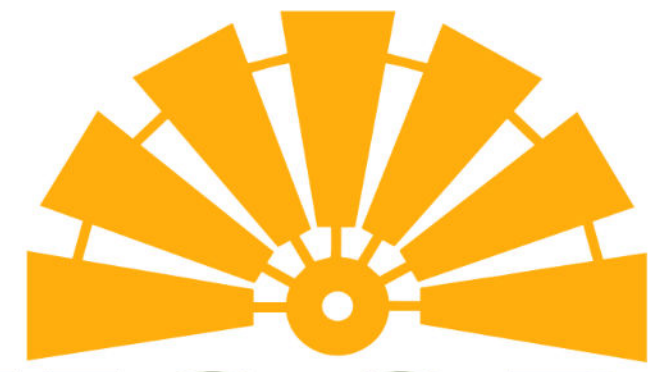
8 ...

9 10. ~~Single-family Residential~~ remodeling with no change of use

10 ...

B. Transportation. This chapter shall apply to all applications for development or redevelopment, excluding an individual ~~residential detached dwelling or middle housing units~~ ~~single-family residence~~, if the proposal or use will generate one or more new projected vehicle trips that will pass through an intersection or roadway section identified with a level of service below the acceptable level noted in the transportation element of the city’s comprehensive plan, and/or a total of 10 or more new p.m. peak-hour trips. Every application for development exceeding these thresholds shall be accompanied by a concurrency application, requiring the city to prepare a traffic report as defined in EMC 18.105.090.



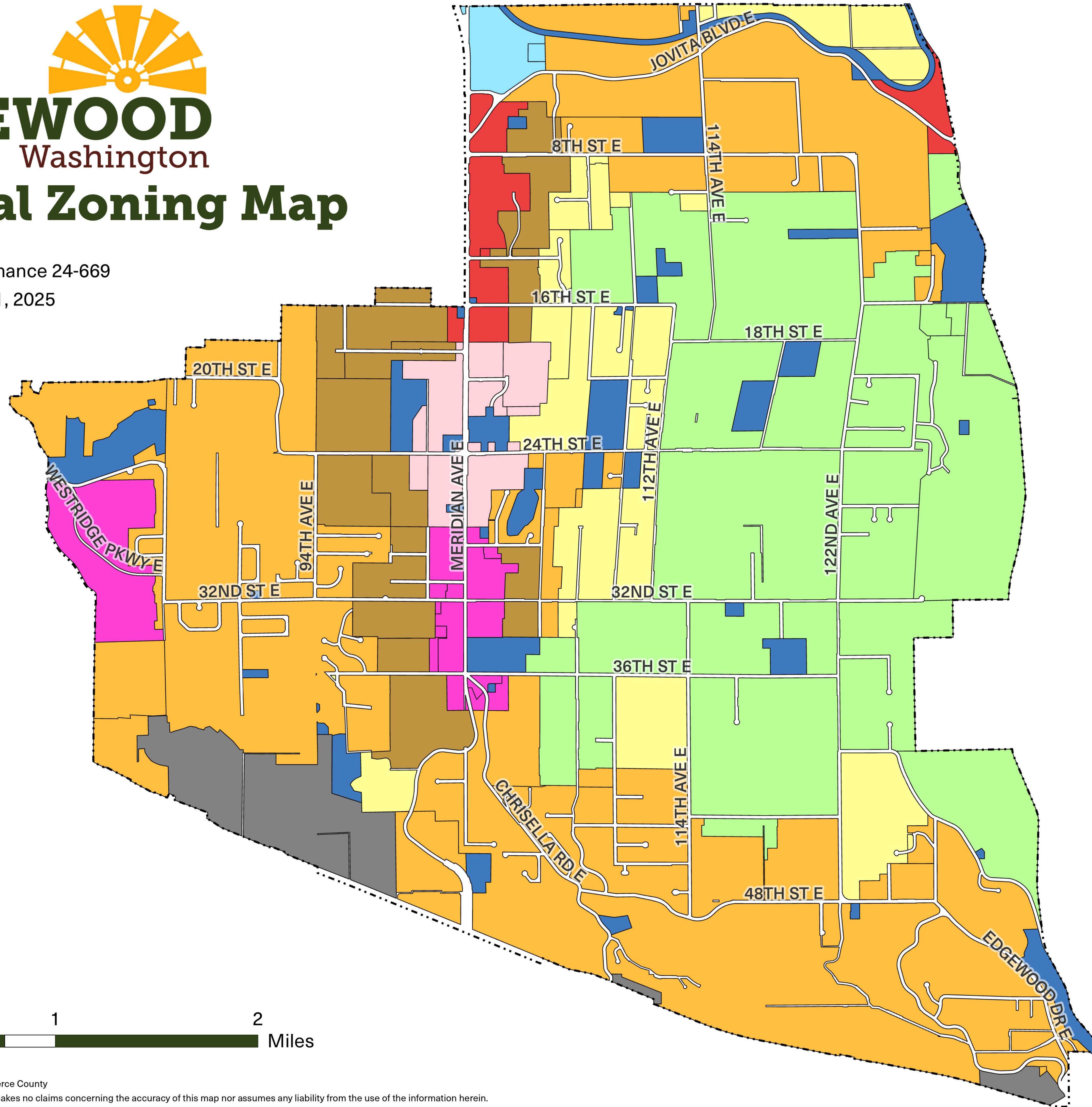


EDGEWOOD Washington

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.



CITY OF EDGEWOOD
ECONOMIC DEVELOPMENT ADVISORY BOARD
RECOMMENDATION

The Economic Development Advisory Board voted 4-0 to recommend that the Planning Commission include the attached Land Use Table redline amendments as they prepare the associated code amendments for consideration by the City Council.

RECOMMENDED BY THE CITY OF EDGEWOOD ECONOMIC DEVELOPMENT ADVISORY
BOARD ON THE 5TH DAY OF MAY 2025.

A handwritten signature in purple ink, which appears to read "Andrew Wiesenfeld", is written over a horizontal line. To the right of the signature, the date "5/5/25" is written in the same ink.

Andrew Wiesenfeld

Economic Development Advisory Board Chair

Attest by:

A handwritten signature in blue ink, which appears to read "Jeremy Metzler", is written over a horizontal line.

Jeremy Metzler, PE

Community Development Director

18.70.050 Land use table.

Table 1: Land Use Table

Legend		Single-Family Residential 2	Single-Family Residential 3	Single-Family Residential 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)													
A	Requires Administrative Use Permit (AUP)													
-	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6	
Residential														
<i>Accessory</i>														
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, consolidated below (Middle Housing)
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, consolidated below (Middle Housing)
Caretaker Residence	Special	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	-	-	Row to be removed (Middle Housing)
<i>Single-Family</i>														
Detached Dwelling	Special	✓	✓	✓	✓	✓	✓	-	-	-	-	-		
Cottage Court	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	Row to be removed (Middle Housing)
<i>Middle Housing</i>														
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)
Cottage Housing	Special	✓	✓		✓	✓	✓	=	=	=	=	=	-	Row to be added (Middle Housing)
Courtyard Apartments	Special	✓	✓		✓	✓	✓	=	=	=	=	=	-	Row to be added (Middle Housing)
Duplex	Special	✓	✓		✓	✓	✓	=	=	=	=	=	-	Row to be added (Middle Housing)
Stacked Flats	Special	✓	✓		✓	✓	✓	=	=	=	=	=	-	Row to be added (Middle Housing)
<i>Multifamily</i>														
Duplex: Side-by-Side	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	Row to be removed, consolidated above (Middle Housing)
Duplex: Back-to-Back	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	Row to be removed, consolidated above (Middle Housing)

Legend														
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)	Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5 Residential	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public		
A	Requires Administrative Use Permit (AUP)	<u>1</u>	<u>2</u>	<u>5</u>	<u>1</u>	<u>2</u>								
-	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	Notes	Staff Notes
Duplex: Top and Bottom	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	Row to be removed, consolidated above (Middle Housing)
Attached Dwelling	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-	Row to be removed (Middle Housing)
Multi-plex (tri-, four-, five-, six-)	Special	-	-	-	✓	✓	✓	-	-	-	-	-		
Townhouse	Special	-	-	-	✓	✓	✓	✓	✓	-	-	-	See Ordinance 25-0676 for TC and C zones.	Future updates pending interim zoning ordinance review
Apartment	Special	-	-	-	-	-	✓	✓	✓	✓	-	-	See Ordinance 25-0676 for TC, C and BP zones.	Future updates pending interim zoning ordinance review
<i>Other</i>														
Adult Family Home	623990, part	✓	✓	✓	✓	✓	✓	✓	✓	✓	-	-	In accordance with RCW 70.128.010(1), as amended	Consider only allowing in MUR and TC as an accessory use or part of a mixed-use project.
Nursing and Residential Care Facilities	6231; 6232	-	-	-	-CUP	CUP A	✓	✓	✓	✓	-	-	Only permitted in MR-1 if located on a Arterial or Collector road. This use is considered residential for mixed use determinations.	
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.	
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.	
Work/Live Unit	Special	=	=		=	A	✓	✓	✓	=	=	=		Row to be added, also need to add a definition under EMC 18.20
Permanent Supportive Housing		✓	✓	✓	✓	✓	✓	✓	✓	✓	-	-		
Transitional Housing		✓	✓	✓	✓	✓	✓	✓	✓	✓	-	-		

<u>Legend</u>														
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)	Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public		
A	Requires Administrative Use Permit (AUP)	<u>1</u>	<u>2</u>	<u>5</u>	1	2								
–	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	Notes	Staff Notes
Agriculture and Resource (Sector 11-21)														
Agricultural Sales	Special	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓	✓		
<i>Crop Production</i>														
Crop Production	111, part	A	A	A	A	–	–	–	–	A	A	–		
Marijuana Production	111; Special	–	–	–	–	–	–	–	–	–	–	–	See Condition 2	
Crop Production, All Other	111, part	✓	✓	A	–	–	–	–	–	–	✓	✓		
<i>Animal Production and Aquaculture</i>														
Animal Production, Personal	112, part	✓	✓	✗	✓	A	–	–	–	–	–	✓	Only permitted as an accessory use to a primary residential use.	
Hog and Pig Farming	112210	–	–	–	–	–	–	–	–	–	–	–	Personal animal uses are permitted in all zones per EMC 18.100.030.	
Cattle Feedlots	112112	–	–	–	–	–	–	–	–	–	CUP	–		
Animal Production and Aquaculture, All Other	112 except 112210; 112112; 112511, part	✓	CUP	–	–	–	–	–	–	–	✓	CUP		
Mining, Quarrying, and Oil and Gas Extraction	21	–	–	–	–	–	–	–	–	–	–	–	Unless otherwise authorized or permitted by the state where city of Edgewood is preempted from regulating	
Utilities (Sector 22)														
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	

Legend		Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5 Residential	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)													
A	Requires Administrative Use Permit (AUP)													
–	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6	
Solar Electric Power Generation	221114	✓	✓		A	A	A	A	A	✓	✓	✓		Row to be added
Wind Electric Power Generation	221115	✓	✓		✓	✓	✓	✓	✓	✓	A	A		Row to be added
Potable Water Treatment	221310, part	CUP	CUP	CUP	CUP	CUP	–	–	–	–	CUP	CUP		
Sewage Collection or Treatment Facility	221320, part	CUP	CUP	CUP	CUP	CUP	–	–	–	–	CUP	CUP		
Wireless Communication Facilities	517312; 517919, part	See Note											Activities subject to Edgewood Ord. No. 18-526 and any successors, as modified (EMC 18.100.110)	
Manufacturing (Sector 31-33)														
Animal Slaughtering and Processing	3116	–	–	–	–	–	–	–	–	–	–	–		
Marijuana Processing	Special	–	–	–	–	–	–	–	–	–	–	–	See Condition 2	
Manufacturing, Craft	Special	–	–	–	–	–	CUP A	CUP A	CUP ✓	CUP ✓	✓	–		
Manufacturing, Light	23, part; 311 except 3116; 312; 313; 314; 315; 316; 337	–	–	–	–	–	–	–	–	CUP A	✓	–		
Manufacturing, Heavy	23, part; 321; 322; 323; 324; 325; 326; 327; 331; 332; 333; 334; 335; 336; 339	–	–	–	–	–	–	–	–	–	CUP	–		
Wholesale and Retail Trade (Sector 42, 44-45)														

Legend		Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5 Residential	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)													
A	Requires Administrative Use Permit (AUP)													
–	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6	
Wholesale Trade	423; 424; 425	–	–	–	–	–	–	–	–	A	✓	–		
<i>Retail Trade</i>														
Automobile and Other Motor Vehicle Dealers	4411; 4412	–	–	–	–	–	–	–	CUP	A	A	–		EDAB recommendation to keep as-is
Gasoline Stations	447	–	–	–	–	–	CUP	CUP	A CUP	✓	✓	–	Use is limited to 25,000 square feet of total site area per zone in the MUR and C zones (total area includes all accessory and ancillary uses associated with the gasoline station)	EDAB recommends the proposed limitations as shown, being 25,000sf total in the MUR zone and 25,000sf total in the C zone. Also need to verify if alternative liquid fuels are included, such as CNG, LPG, etc.
<u>Alternative Fueling Stations</u>	<u>Special</u>	=	=	=	✓	✓	✓	✓	✓	✓	✓	✓		Row to be added, new definition needed in EMC 18.20. This is intended to be for EV charging stations and non-liquid fuels.
Pet and Pet Supplies Stores	453910	–	–	–	–	–	A✓	✓	✓	✓	✓	–		
Fuel Dealers	454310	–	–	–	–	–	–	–	–	CUP	✓ CUP	–		
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	Fixing Scrivener's Error in Notes
Sexually Oriented Retail Businesses	Special	–	–	–	–	–	–	–	–A	CUP A	–A	–	Subject to standards provided in EMC 18.100.100	EDAB recommends these changes as proposed.
Retail Trade, All Other	All Other 44; 45	–	–	–	–	–A	✓	✓	✓	✓	✓	CUP		
Transportation and Warehousing (Sector 48-49)														
<i>Transportation</i>														
Pipeline Transportation	486	See Note											Activities must follow city of Edgewood permitting requirements and are subject to Condition 3	
Transportation, All Other	48 except 486	See Note											See Condition 4	

<u>Legend</u>														
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)	Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public		
A	Requires Administrative Use Permit (AUP)	<u>1</u>	<u>2</u>	<u>5</u>	<u>1</u>	<u>2</u>								
-	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	Notes	Staff Notes
All Uses Subject to Conditions 1 and 6														
<i>Warehousing and Storage</i>														
Mini-Warehouses and Self-Storage Units	53113	-	-	-	-	-	-	-	-	✓	✓	-		
Warehousing and Storage, All Other	-	-	-	-	-	-	-	-	-	CUP	✓	-	-	Row to be removed, redefined below
Warehousing and Storage, All Other up to 50,000 sq. ft.	-	=	=	=	=	=	=	=	=	✓	✓	=	-	Row to be added
Warehousing and Storage, All Other 50,001 sq. ft and greater	-	=	=	=	=	=	=	=	=	=	✓	=	-	Row to be added
Business and Professional Services (Sector 51-56)														
General	All Office Use, plus: 51 except 517; 52; 531 ; 533; 54 except 541940; 55; 561; 813	-	-	-	-	-	✓	✓	✓	✓	A	-		
Wedding and Special Occasion Venues and Events	Special	A	A		A	✓	✓	✓	✓	A	A	A		Row to be added, new definition needed in EMC 18.20
<i>Rental and Leasing</i>														
Passenger Car Rental and Leasing	53211	-	-	-	-	-	✓=	✓=	✓A	✓	✓	-		EDAB recommends restricting this use to the more auto-oriented zones, as proposed.
Truck, Utility Trailer, and RV Rental and Leasing	53212	-	-	-	-	-	CUP=	CUP=	-A	✓	✓	-	Use is limited to no more than four (4) rental units per site in the C zone	EDAB recommends allowing this use in the C zone with a cap, as proposed.

Legend														
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)	Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5 Residential	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public		
A	Requires Administrative Use Permit (AUP)	<u>1</u>	<u>2</u>	<u>5</u>	<u>1</u>	<u>2</u>								
–	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	Notes	Staff Notes
Consumer Goods Rental	5322; 5323, part	–	–	–	–	–	✓	✓	✓	✓	✓	–	All Uses Subject to Conditions 1 and 6	
Commercial and Industrial Equipment Rentals	5323, part; 5324	–	–	–	–	–	–	–	–	✓	✓	–		EDAB recommends keeping this as-is
Waste Management and Remediation Services														
Waste Management and Remediation Services, All Other	5622, part; 5629	–	–	–	–	–	–	–	–	–CUP	CUP	–CUP		
Educational Services (Sector 61)														
Elementary and Secondary Schools	6111	CUP	CUP	CUP	CUP	CUP	A	✓	✓	✓	CUP	A		
Junior Colleges, Colleges, Universities, and Professional Schools	6112; 6113; 6114	–	–	–	–	–CUP	A	✓	✓	✓	CUP	A		
Technical and Trade Schools	6115	–	–	–	–	–CUP	A	✓	✓	✓	CUP A	A		
Educational Services, All Other	6116; 6117	–	–	–	–	–A	A	✓	✓	✓	CUP	–A		
Health Care and Social Assistance (Sector 62)														
Ambulatory Health Care Services, All Other	All Other 621	–	–	–	–	CUP	✓	✓	✓	✓	CUP	CUP		
Hospitals	622	–	–	–	–	–	–	✓	✓	✓	CUP	–		
<u>Community Care & Walk-in Clinics</u>	<u>Special</u>	=	=	=	=	A	✓	✓	✓	✓	✓	✓		Row to be added, new definition needed in EMC 18.20.

<u>Legend</u>														
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)	Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public		
A	Requires Administrative Use Permit (AUP)	<u>1</u>	<u>2</u>	<u>5</u>	<u>1</u>	<u>2</u>								
-	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	Notes	Staff Notes
<i>Social Assistance</i>														
Services for the Elderly and Persons with Disabilities	624120	-	-	-	-A	CUP A	✓	✓	✓	✓	CUP	CUP ✓		
Vocational Rehabilitation Services	624310	-	-	-	-CUP	CUP A	✓	✓	✓	✓	CUP	CUP ✓		
Child Daycare Services, Home-Based	624410, part	A ✓	A ✓	A	A ✓	A ✓	✓	✓	✓	✓ -	-	-	Subject to standards provided in EMC 18.100.040, <u>and requires an applicable Home Business Permit.</u>	
Child Daycare Services, All Other	624410, part	-	-	-	-A	CUP A	✓	✓	✓	✓	CUP A	- ✓	Subject to standards provided in EMC 18.100.040	
Social Assistance, All Other	All Other 624	-	-	-	-CUP	CUP A	✓	✓	✓	✓	CUP	CUP ✓		
Emergency Housing		-	-	-	-	-	CUP A	✓	✓	CUP A	✓	- ✓		
Emergency Shelter		-	-	-	-	-	CUP A	✓	✓	CUP A	✓	- ✓		
Arts, Entertainment, and Recreation (Sector 71)														
Libraries	Special	-	-	-	A	A	✓	✓	✓	✓	A	✓		
Museums and Art Galleries	712 except 712130	-	-	-	A	A	✓	✓	✓	✓	A	✓		
Zoos, Aquariums, and Botanical Gardens	712130	-	-	-	-	-	A	✓	✓	✓	✓	A		
Golf Courses and Country Clubs	713910	A	A	-	-A	-A	A	✓	✓	✓	✓	A		
Sexually Oriented Entertainment	Special	-	-	-	-	-	-	-	-	CUP	-CUP	-	Subject to standards provided in EMC 18.100.100	
Gambling Industries	7132	-	-	-	-	-	-	CUP A	A	A	✓	-		
Indoor Arts, Entertainment, and	Special	-	-	-	-CUP	-A	CUP ✓	✓	✓	✓	A	✓		

Legend		Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5 Residential	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes	
✓	Permitted Use														
CUP	Requires Conditional Use Permit (CUP)														
A	Requires Administrative Use Permit (AUP)														
–	Prohibited Use														
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6		
Recreation Activities, Other															
Outdoor Arts, Entertainment, and Recreation Activities, Other	Special	-A	-A	-	-A	-A	CUP ✓	A	A	A	-	✓			
Accommodation (Sector 721)															
Hotels (except Casino Hotels) and Motels	721110	-	-	-	-	-A	CUP ✓	✓	✓	CUP	✓	-			
Bed-and-Breakfast Inns	721191	-A	-A	-	CUP A	CUP A	CUP ✓	✓	✓	CUP A	-	-			
<u>Short-term Rentals</u>	<u>Special</u>	✓	✓		✓	✓	✓	✓	✓	=	=	=		Row to be added, new definition needed in EMC 18.20.	
RV Parks and Recreational Camps	7212	-A	-A	-	-A	-	-	-	-	-	-A	-		EDAB recommends allowing for this use in low density zones with open spaces	
Food Service and Drinking Places (Sector 722)															
Special Food Services	7223 except 722330	See Note					✓	✓	✓	✓	✓	-✓	-✓	Allowed as incidental use in residential districts	
Mobile Vendors	722330	-A	-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.	
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.	

Legend		Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5 Residential	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)													
A	Requires Administrative Use Permit (AUP)													
-	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P		
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.
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.
Snack and Nonalcoholic Beverage Bars	722515	-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.
Services (Sector 811-812)														
<i>Automotive Repair and Maintenance</i>														
Automotive Oil Change and Lubrication Shops	811191	-	-	-	-	-	-	-	CUP A	A	✓	-		
Car Washes	811192	-	-	-	-	-	CUP A	✓	✓	✓	✓	-		
Automotive Repair and Maintenance, All Other	All Other 8111	-	-	-	-	-	-	-	CUP A	CUP A	✓	-		
Personal Care Services	8121; 812310; 8123200	-A	-A	-	-A	-✓	CUP ✓	✓	✓	✓	✓	-	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.	
<i>Other Repair and Maintenance</i>														
Other Repair and Maintenance, Consumer	811 except 8111	-	-	-	-	-	-	-	CUP A	CUP A	✓	-		

<u>Legend</u>		Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5 Residential	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)													
A	Requires Administrative Use Permit (AUP)													
–	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P		
Other Repair and Maintenance, Commercial/Industrial	811 except 8111	–	–	–	–	–	–	–	–	CUP A	✓	–		
Funeral Homes and Funeral Services	812210	–A	–A	–	–A	–A	–A	–	CUP A	CUP 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.	
Crematoria	812220, part	–	–	–	–	–	–	–	–	CUP	CUP	–		
<i>Pet Care Services</i>														
Kennels	Special	–	–	–	–	–	A	–	A	A	A	CUP		
Veterinary Services	541940	A	A	A	A	A	✓	✓	✓	✓	A	A	Only permitted in residential zones and MR-1 as an accessory use to a primary residential use.	
Pet Care Services, All Other	812910, part	A	A	A	A	A	✓	✓	✓	✓	A	–	Only permitted in residential zones and MR-1 as an accessory use to a primary residential use.	
Civic and Public Uses (Sector 813)														
Cemeteries	812220, part	–A	–A	–	–A	–	–	–	–	–	–	CUP		
<u>Correctional Institutions</u>	922140	=	=	=	=	=	=	=	=	CUP	CUP	CUP	-	Relocated from below, removed from C zone, added CUP to I zone
<u>Administrative Public Facility</u>	92 except 922140	=	=	=	=	=	✓	✓	✓	✓	✓	✓	-	Relocated from below
<u>Nonadministrative Public Facility</u>	Special	=	=	=	=	=	=	=	=	=	=	A	-	Activities with Outside Storage also subject to EMC 18.90.120
<u>Parks, Open Space, and Public Recreation</u>	Special	✓	✓	✓	✓	✓	✓	✓	✓	✓	A	✓	-	Relocated from below
<i>Religious Assembly</i>														

<u>Legend</u>		Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5 Residential	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)													
A	Requires Administrative Use Permit (AUP)													
–	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6	
Up to 10,000 sq. ft.	813110, Assembly Only	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
10,000 to 19,999 sq. ft.	813110, Assembly Only	✓	✓	✓	A	A	CUP A	CUP A	✓	✓	–	CUP		
20,000 to 29,999 sq. ft.	813110, Assembly Only	A	A	A	A	A	CUP	CUP	✓	✓	–	CUP		
30,000 to 39,999 sq. ft.	813110, Assembly Only	CUP	CUP	CUP	A	A	CUP	CUP	✓	✓	–	CUP		
40,000 sq. ft. or greater	813110, Assembly Only	–	–	–	–	–	–	–	✓ CUP	✓	–	CUP		
Correctional Institutions	922140	–	–	–	–	–	–	–	CUP	CUP	–	CUP	–	Relocated above Religious Assembly
Administrative Public Facility	92 except 922140	–	–	–	–	–	✓	✓	✓	✓	✓	✓	–	Relocated above Religious Assembly
Nonadministrative Public Facility	Special	–	–	–	–	–	–	–	–	–	–	A	Activities with Outside Storage also subject to EMC 18.90.120	Relocated above Religious Assembly
Parks, Open Space, and Public Recreation	Special	✓	✓	✓	✓	✓	✓	✓	✓	✓	A	✓	–	Relocated above Religious Assembly
Other Uses														
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.	
Parking Structures	812930, part	–	–	–	–	–	–A	CUP A	CUP A	–	–A	–A	Permitted as an accessory use without an AUP in all zones	

<u>Legend</u>		Single-Family 2 Residential	Single-Family 3 Residential	Single-Family 5 Residential	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes	Staff Notes
✓	Permitted Use													
CUP	Requires Conditional Use Permit (CUP)													
A	Requires Administrative Use Permit (AUP)													
–	Prohibited Use													
Land Use Category	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6	
Drive-Up Windows	Special	–	–	–	–	–	CUP_A	CUP_A	CUP_✓	CUP_A	CUP_✓	CUP_–	Window shall not face a public ROW and facility must be screened from ROW	
Outside Displays	Special	–	–	–	–	–	✓	✓	✓	✓	✓	✓=	Activities also subject to EMC 18.95.030(I)	
Outside Storage	Special	–	–	–	–	–	–	CUP_–	–	CUP	A	See Note	Allowed as incidental use in Public district. Activities also subject to EMC 18.90.120	

Conditions:

- (1) Operations shall not disseminate dust, fumes, gas, noxious odor, smoke, glare, or other atmospheric influence beyond the boundaries of the site, property, or parcel on which such use is located.
- (2) Subject to regulation and classification by the Washington State Liquor and Cannabis Board, where applicable and must comply with Edgewood City Ordinance Nos. [11-356](#), [13-410](#), 14-425 and/or 17-502; plus any regulations regarding cannabis in Chapter 69.51A RCW or I-502.
- (3) Subject to Washington Utilities and Transportation Commission regulations and the federal Pipeline and Hazardous Materials Safety Administration (PHMSA). As allowed under state or federal regulations, any use(s) or appurtenances subject to local municipal control will require a CUP in all zoning districts.
- (4) NAICS Subsector Codes 481-485 and 487 (Air Transportation; Rail Transportation; Water Transportation; Truck Transportation; Transit and Ground Passenger Transportation; and Scenic and Sightseeing Transportation) permitted as services or systems, to include necessary support activities. The physical location of facilities, maintenance grounds, offices, or other structures incidental to the service or system is subject to the use regulations for said structure.
- (5) Essential public facilities are subject to EMC 18.50.060, Essential public facilities permit.
- (6) Subject to EMC 18.100.030, Animals.



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: May 12, 2025

Title: Middle Housing Code Amendments

Attachments: A. Draft Middle Housing Code Amendments
B. Draft Planning Commission Recommendation

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](#)¹.

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

Additional Updates:

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

¹ <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 principal units, 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 permit 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](#).

Current Discussion:

Planning Commission held a public hearing on the draft parking amendments at the Planning Commission meeting held on April 14, 2025. The city received no public comments and there was no other discussion at the Planning Commission Meeting.

Staff Recommendation:

Following further discussion on the matter, the Planning Commission is invited to make a formal recommendation to the City Council on the adoption of the proposed amendments to Title 18 of the Edgewood Municipal Code provided in Exhibits A. A draft recommendation has been prepared by staff, included as Exhibit B for consideration.

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.

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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.

...

“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.

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“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.

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18.20.240 U definitions.

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

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Chapter 18.70
PERMITTED LAND USES

...

18.70.020 Characterization of use and organization.

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

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18.70.050 Land use table.

Table 1: Land Use Table

Land Use Table	NAICS Code	Single-Family 2	Single-Family 3	Single-Family 5	Mixed Residential 1	Mixed Residential 2	Mixed Use Residential	Town Center	Commercial	Business Park	Industrial	Public	Notes
Residential													
✓ – Permitted Use CUP – Use may be approved via CUP – Prohibited Use A – Approval Requires AUP	NAICS Code	SF2	SF3	SF5	MR1	MR2	MUR	TC	C	BP	I	P	All Uses Subject to Conditions 1 and 6
<u>Accessory</u>	-												
<u>Accessory Dwelling Unit (ADU), Attached</u>	Special	✓	✓	✓	✓	✓	✓	-	-	-	-	-	See EMC 18.90.190 for ADU requirements for both attached and detached (backyard cottage) ADUs
<u>ADU, Detached (Backyard Cottage)</u>	Special	✓	✓	✓	✓	✓	✓	A	A	-	-	-	Detached ADU allowed secondarily in TC and C zones only when paired with townhouse use
<u>Caretaker Residence</u>	Special	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	-	
<u>Single Family</u>	-												
<u>Detached Dwelling</u>	Special	✓	✓	✓	✓	✓	✓	-	-	-	-	-	
<u>Cottage Court</u>	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-
<u>Middle Housing</u>	-												
<u>Accessory Dwelling Unit (ADU)</u>	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.
<u>Cottage Housing</u>	Special	✓	✓	✓	✓	✓	✓	=	=	=	=	=	
<u>Courtyard Apartments</u>	Special	✓	✓	✓	✓	✓	✓	=	=	=	=	=	
<u>Duplex</u>	Special	✓	✓	✓	✓	✓	✓	=	=	=	=	=	
<u>Stacked Flats</u>	Special	✓	✓	✓	✓	✓	✓	=	=	=	=	=	
<u>Duplex: Side by Side</u>	Special	✗	✓	✓	✓	✓	✓	-	-	-	-	-	See Condition 7.
<u>Duplex: Back to Back</u>	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-
<u>Duplex: Top and Bottom</u>	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-
<u>Attached Dwelling</u>	Special	-	✓	✓	✓	✓	✓	-	-	-	-	-	-

<u>Multifamily</u>													
Multi-plex (tri-, four-, five-, six-)	Special	-	-	-	✓	✓	✓	-	-	-	-	-	-
Townhouse	Special	-	-	-	✓	✓	✓	✓	✓	-	-	-	-
Apartment	Special	-	-	-	-	-	✓	✓	✓	✓	-	-	-
Other													
Adult Family Home	623990, part	✓	✓	✓	✓	✓	✓	✓	✓	✓	-	-	In accordance with RCW <u>70.128.010(1)</u> , 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		✓	✓	✓	✓	✓	✓	✓	✓	✓	-	-	-

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Chapter 18.80
LAND USE ZONES

18.80.020 Establishment of zones.

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Table 2: Comprehensive Plan/Zoning District Matrix

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

...

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

A. Purpose.

1. The ~~Single Family Residential~~ Low (~~SF-2R-1~~) zoning district provides for a continuation of large residential lots in specific areas where a pattern of large lots and extensive tree coverage exists. These zoning districts seek to preserve the identity of these residential areas, preserve significant tree stands, and reduce traffic volumes in the east-west arterial corridors.
2. The ~~Single Family Residential~~ Moderate (~~SF-3R-2~~) and ~~Single Family High (SF-5)~~ zoning districts ~~are~~ the city’s primary residential zones, which provides for ~~single family residential~~ dwellings in established residential neighborhoods.

B. For permitted uses within these ~~Single Family~~ zoning districts, see EMC 18.70.050 Table 1, Land Use Table.

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

1. ~~Density. The 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:~~

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

2. Lot Size. ~~The~~ 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:

	Minimum
a. SF-2-R-1 zoning district:	18,500 square feet
b. SF-3-R-2 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.

~~e. 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.~~

- ~~ia.~~ 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.

~~ve. 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.~~

~~iib. 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: See EMC 18.90.100.

~~ixb. 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

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18.90.020 Accessory buildings.

...

B. In the ~~single-family residential~~ (SF-2/3/5R-1/R-2) and mixed residential (MR-1/MR-2) zoning districts, garages, or other accessory buildings greater than 120 square feet but not exceeding 1,000 square feet, and which do not exceed 14 feet in height, may be placed within the rear or interior yard.

1. The structure must maintain a minimum five-foot setback, unless the zoning district allows a lesser setback; and
2. Be located at least six feet from a primary structure located on an adjacent property.

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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.

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18.90.090 Landscaping.

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H. Landscaping Regulations by Zoning Districts.

1. Type II, streetscapes, shall apply to all zones and shall be applied to all proposed developments, ~~other than a single family~~ except residential detached dwellings.

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	Zones	Minimum Landscaping Requirements
1.	SF 2/3/5 (Single Family) <u>R-1/R-2 (Residential)</u> zones that abut:	

	Zones	Minimum Landscaping Requirements
	Single-family Residential zones	Exempt from perimeter landscaping standards
	All other zones	Type I, vegetative buffer, 10-foot landscape strip
2.	MR-1 (Mixed Residential Low) zone that abut:	
	Single-family Residential zones	Type I, vegetative buffer, 10 5-foot landscape strip
	Public zones	Type I, vegetative buffer, 15-foot landscape strip
3.	MR-2 (Mixed Residential Moderate) zones that abut:	
	Single-family Residential zones	Type IV, solid barrier, 2 15-foot landscape strip
	All other zones	Type IV, solid barrier, 15-foot landscape strip
4.	MUR (Mixed Use Residential) zone that abut:	
	Single-family Residential zones	Type IV, solid barrier, 20-foot landscape strip
	Public zones	Type IV, solid barrier, 10 5-foot landscape strip
	All other zones	Type I, vegetative buffer, 15-foot landscape strip
5.	TC (Town Center) zones that abut:	
	Single-family Residential zones	Type IV, solid barrier, 2 15-foot landscape strip
	All other zones	Type I, vegetative buffer, 15-foot landscape strip
6.	C (Commercial) zones that abut:	
	Single-family Residential zones	Type IV, solid barrier, 2 15-foot landscape strip
	All other zones	Type I, vegetative buffer, 15-foot landscape strip
7.	BP (Business Park) zones that abut:	
	Single-family Residential zones	Type IV, solid barrier, 25-foot landscape strip
	All other zones	Type I, vegetative buffer, 15-foot landscape strip
8.	I (Industrial) zones that abut:	
	Single-family Residential zones	Type IV, solid barrier, 25-foot landscape strip
9.	P (Public) zones that abut:	
	Single-family Residential zones	Type IV, solid barrier, 20 5-foot landscape strip
	All other zones	Type I, vegetative buffer, 15-foot landscape strip
10.	Parking lots within the following zones:	
	Commercial	Type I, vegetative buffer and Type III, parking areas
	Industrial	Type I, vegetative buffer and Type III, parking areas
11.	Storage space:	

	Zones	Minimum Landscaping Requirements
	Under 150 gross square feet	Type V, area screening
	Over 150 gross square feet	Type IV, solid barrier
	Industrial and outdoor	Type IV, solid barrier
	Substation	Type IV, solid barrier
12.	Wireless telecommunications facilities	See EMC 18.100.110 , Personal wireless communications facilities

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18.90.100 Lot standards.

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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-5R-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> <u>Commercial</u> <u>Mixed-Use</u> <u>Multifamily</u>
<u>Building Design (18.95.040)</u>	<u>Industrial</u> <u>Commercial</u> <u>Mixed-Use</u> <u>Multifamily</u>
<u>Residential Design (18.95.050)</u>	<u>Detached Single-Family</u> <u>Middle Housing</u> <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.~~

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~~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 fifty (50) 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.

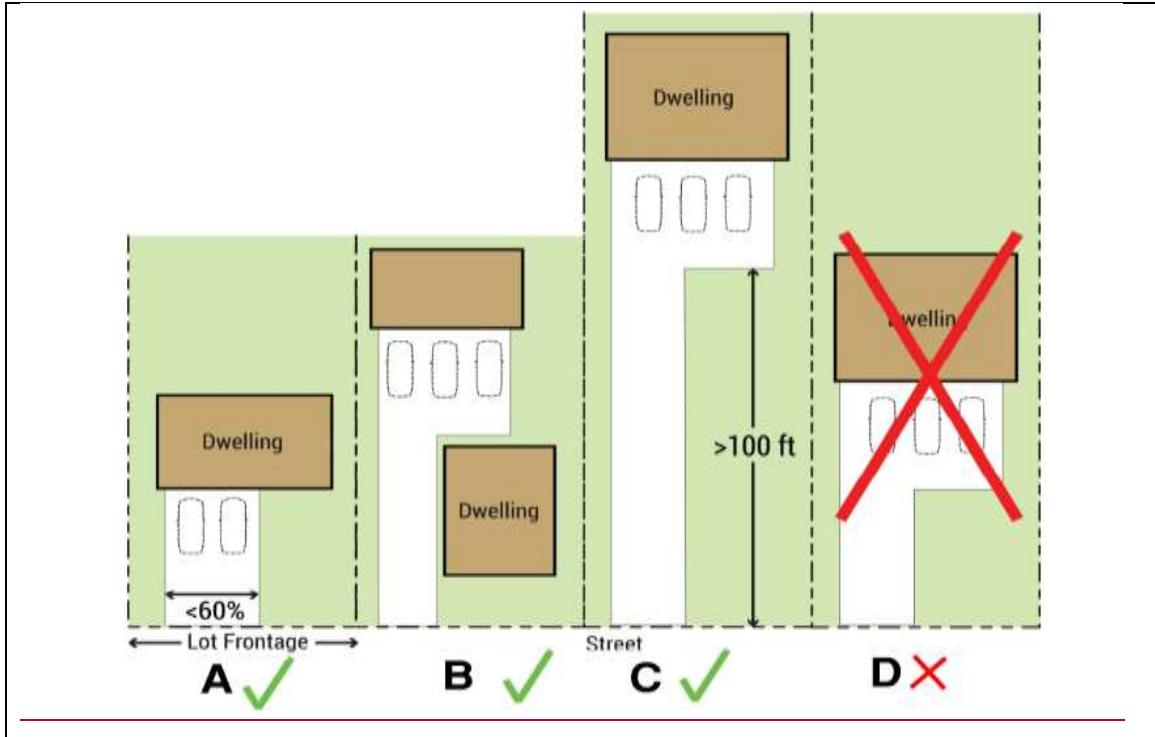
2. Garages, driveways, and off-street parking areas shall not be located between a building and a street, except when either of the following conditions are met:

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.

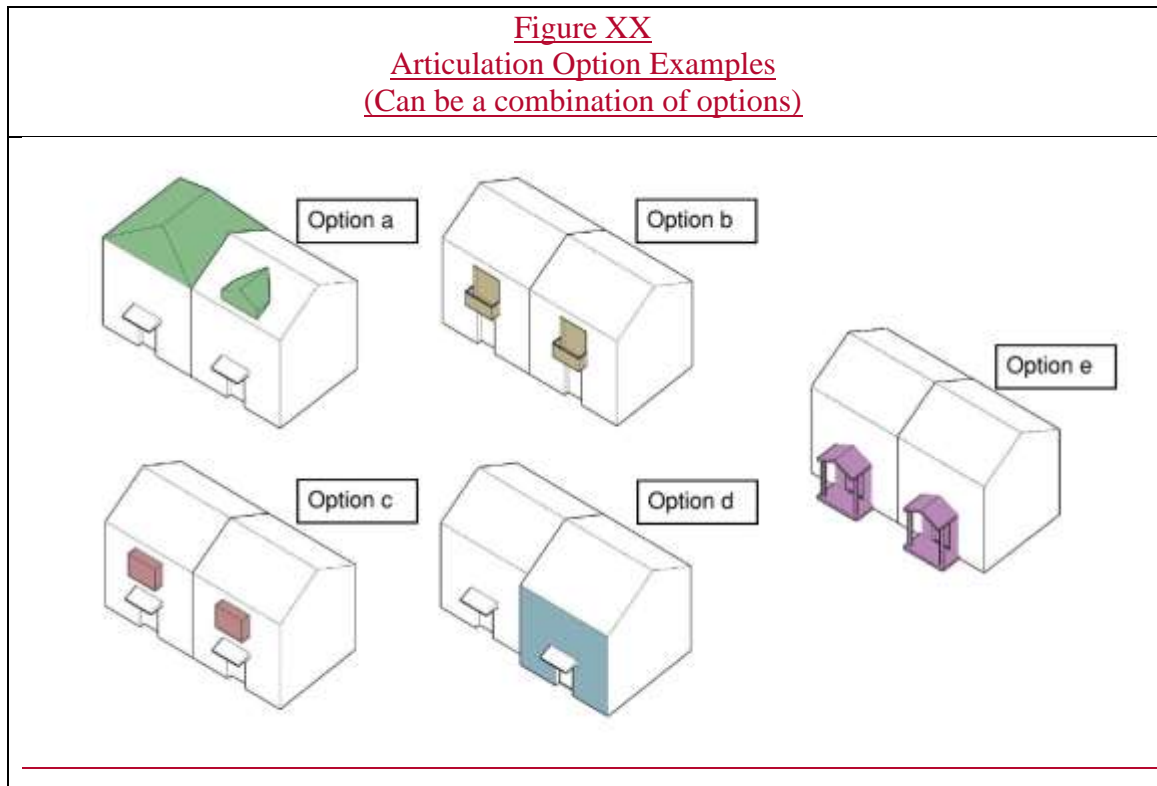
a. Each attached unit featuring a separate ground level entrance in a multi-unit building facing the street shall include at least one of the articulation options listed in subsection F.2 below.

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.

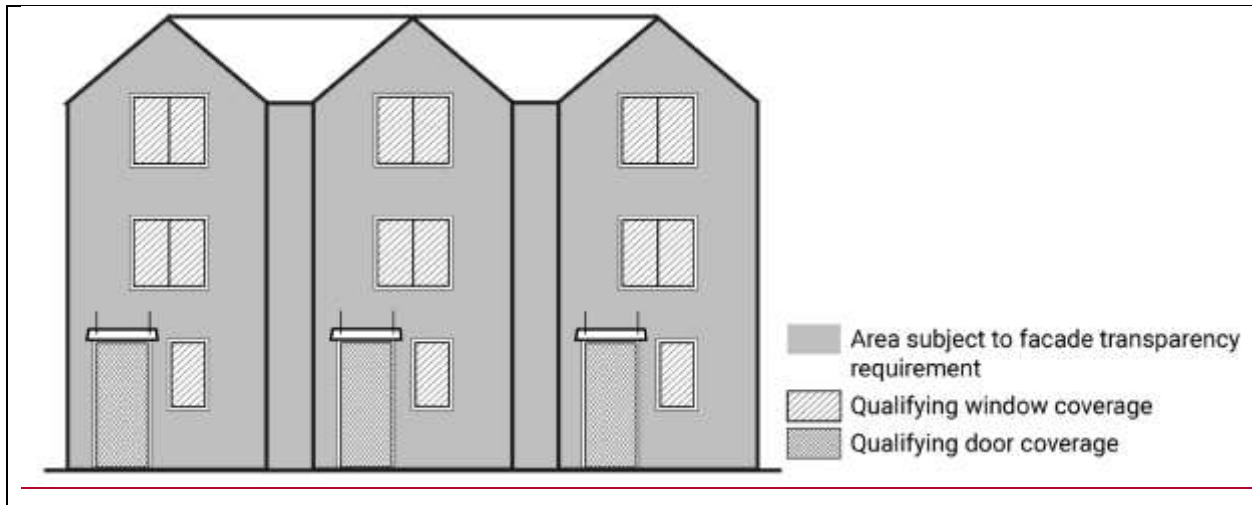
- b. A balcony a minimum of two feet in depth and four feet in width and accessible from an interior room.
- c. A bay window that extends from the façade a minimum of two feet.
- d. An offset of the façade of a minimum of two feet in depth from the neighboring unit.
- e. A roofed porch at least 50 square 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.



CITY OF EDGEWOOD
PLANNING COMMISSION
RECOMMENDATION

The Planning Commission voted _____ to recommend that the City Council adopt the proposed amendments to Edgewood Municipal Code (EMC) Title 18 relating to Middle Housing Regulations, as presented herewith.

RECOMMENDED BY THE CITY OF EDGEWOOD PLANNING COMMISSION
ON THE 12TH DAY OF MAY 2025.

JoAnn Overfield
Planning Commission Chair

Attest by:

Jeremy Metzler, PE
Community Development Director



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: May 12, 2025

Title: Accessory Dwelling Units Code Amendments

Attachments: A. Draft Accessory Dwelling Units Code Amendments
B. Draft Planning Commission Recommendation

Submitted By: Josh Kubitz, 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](#).

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 the 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 discussing these amendments on the following dates:

- February 10, 2025
- March 10, 2025

- April 14, 2025 (Public Hearing and Discussion)

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

Current Discussion:

Planning Commission held a public hearing on the draft parking amendments at the Planning Commission meeting held on April 14, 2025. The city received no public comments and there was no other discussion at the Planning Commission Meeting.

Staff Recommendation:

Following further discussion on the matter, the Planning Commission is invited to make a formal recommendation to the City Council on the adoption of the proposed amendments to Title 18 of the Edgewood Municipal Code provided in Exhibits A. A draft recommendation has been prepared by staff, included as Exhibit B for consideration.

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 compliant with EMC 18.90.190 that is located on the same lot as another dwelling unit (aka, the principal 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 of 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 density 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.~~

~~3. 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 EMC 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 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 ~~not~~ counted in site net density calculations pursuant to EMC 18.90.040. ADUs shall count toward unit density.

2. Type of 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 living space~~ habitable floor area of an ADU shall be no greater than 1,000 square feet or 80% of the principal unit's total living space ~~habitable floor area, whichever is greater, up to a maximum of 1,600 square feet. Living space is considered those areas within a dwelling unit utilized for living, sleeping, eating, cooking, bathing, washing, and sanitation purposes (2021 IRC). 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.

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.

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.~~

~~e. 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 in order 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.~~

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



CITY OF EDGEWOOD
PLANNING COMMISSION
RECOMMENDATION

The Planning Commission voted _____ to recommend that the City Council adopt the proposed amendments to Edgewood Municipal Code (EMC) Title 18 relating to Accessory Dwelling Units (ADUs), as presented herewith.

RECOMMENDED BY THE CITY OF EDGEWOOD PLANNING COMMISSION
ON THE 12TH DAY OF MAY 2025.

JoAnn Overfield
Planning Commission Chair

Attest by:

Jeremy Metzler, PE
Community Development Director



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: May 12, 2025

Title: Parking Code Amendments

Attachments: A. Draft Parking Code Amendments
B. Draft Planning Commission Recommendation

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 the key items that have been revised:

- Minimum residential parking dimensions be no greater than eight (8) feet by twenty-four (24) 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 discussing these amendments on the following dates:

- February 10, 2025
- March 10, 2025
- April 14, 2025 (Public Hearing and Discussion)

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

Current Discussion:

Planning Commission held a public hearing on the draft parking amendments at the Planning Commission meeting held on April 14, 2025. The city received one public comment. The public comment was a request that the city sets a requirement for multifamily residential to provide a percentage of large vehicle parking spots to ensure that residents with large vehicles are not discriminated against. Staff reviewed the request with legal and it was determined that SB 6015 doesn't allow the city to require residential parking that is any larger than eight (8) feet by twenty-four (24) feet. As such, staff has recommended no additional change to the draft amendments.

Staff Recommendation:

Following further discussion on the matter, the Planning Commission is invited to make a formal recommendation to the City Council on the adoption of the proposed amendments to Title 18 of the Edgewood Municipal Code provided in Exhibits A. A draft recommendation has been prepared by staff, included as Exhibit B for consideration.



CITY OF EDGEWOOD
PLANNING COMMISSION
RECOMMENDATION

The Planning Commission voted _____ to recommend that the City Council adopt the proposed amendments to Edgewood Municipal Code (EMC) Title 18 relating to Parking Regulations, as presented herewith.

RECOMMENDED BY THE CITY OF EDGEWOOD PLANNING COMMISSION
ON THE 12TH DAY OF MAY 2025.

JoAnn Overfield
Planning Commission Chair

Attest by:

Jeremy Metzler, PE
Community Development Director

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. whenever a 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.

3. Exemption: Additional dwelling or living units added within an existing building shall be exempt from requiring additional on-site parking.

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. Single-family homes, ADU's and Middle Housing are not required to pave their parking and circulation areas, provided these areas are surfaced with no less than three (3) inches of crushed gravel and is maintained in a dust-free condition.

b. Multi-family and all non-residential uses are required to pave their parking and circulation areas. 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 may be used to the maximum extent feasible (per Minimum Requirement No. 5 of the PCM). may be Refer to the PCM and associated guidance documents for additional information, restrictions, and standards for alternative paving materials.

c. 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 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 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.

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

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

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

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

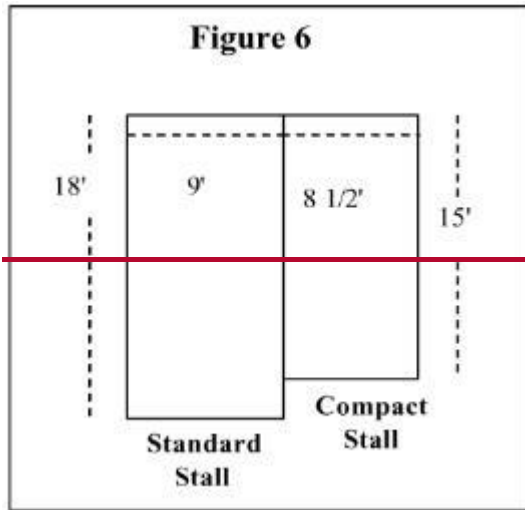


Table 3

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

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

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

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

5. Tandem Parking. For residential uses only, parking spaces in tandem must count towards meeting vehicle minimum vehicle parking requirements at a rate of one space for every eighteen (20) linear feet for standard stalls and fifteen (15) for compact stalls, 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.

6.g. 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~~ii~~. Where the parking stall abuts a building or where vehicles may overhang a property line;
- b~~iii~~. Where the parking stall abuts a raised pedestrian walkway of less than eight feet in width;
- c~~iiii~~. 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~~v~~. 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:

- 1~~a~~. Location and dimensions of LID systems (if applicable);
- 2~~b~~. Delineation and dimensions of individual parking spaces, both regular and compact spaces, and loading and unloading areas;
- 3~~e~~. Dimensions of circulation and maneuvering areas necessary to serve spaces;
- 4~~d~~. 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.

HE. 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 d~~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.

IG. 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 parking spaces required. 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

Residential	
<i>Accessory</i>	
Accessory Dwelling Unit (ADU), Attached	One per dwelling unit
ADU, Detached (Backyard Cottage)	One per dwelling unit
Caretaker Residence	One per dwelling unit
<i>Single-Family</i>	
Detached Dwelling	Two per dwelling unit
Cottage Court	Two per dwelling unit
<i>Middle Housing</i>	
Accessory Dwelling Unit (ADU) ^{1&2}	One per lot that is no greater than 6,000 square feet, or Two per lot that is greater than 6,000 square feet.
Duplex ²	One per lot that is no greater than 6,000 square feet, or Two per lot that is greater than 6,000 square feet.
Stacked Flat ²	One per lot that is no greater than 6,000 square feet, or Two per lot that is greater than 6,000 square feet.

Cottage Housing²	One per lot that is no greater than 6,000 square feet, or Two per lot that is greater than 6,000 square feet.
Courtyard Apartments²	One per lot that is no greater than 6,000 square feet, or Two per lot that is greater than 6,000 square feet.
<i>Multifamily</i>	
Duplex: Side by Side	Two per dwelling unit
Duplex: Back to Back	Two per dwelling unit
Duplex: Top and Bottom	Two per dwelling unit
Attached Dwelling	Two per dwelling unit
Multi-Plex ³	1.5 per dwelling unit
Townhouse ³	1.5 per dwelling unit
Apartment ³	1.5 per dwelling unit
<i>Other</i>	
Adult Family Home ⁴	One per three beds plus one per employee
Nursing and Residential Care Facilities ⁶	One per four beds
Assisted Living Facilities ⁶	One per three beds plus one per employee
Live/Work Unit	One per business use in addition to the residential use
Agriculture and Resource	
Family Farm	Parking study required
Agricultural Sales	One per 300 gross square feet
<i>Crop Production</i>	
Marijuana Production	Parking study required
Crop Production, All Other	Parking study required
<i>Animal Production and Aquaculture</i>	
Hog and Pig Farming	Parking study required
Cattle Feedlots	Parking study required
Animal Production and Aquaculture, All Other	Parking study required
Mining, Quarrying, and Oil and Gas Extraction	Parking study required
Utilities	
Electric Power Generation	NA
Potable Water Treatment	Parking study required
Sewage Collection or Treatment Facility	NA
Wireless Communication Facilities	Parking study required
Manufacturing	
Animal Slaughtering and Processing	Parking study required

Marijuana Processing	See city Ordinance Nos. 11-0356, 13-0410, 14-0425, and/or 17-0502
Manufacturing, Craft (special)	One per 1,000 gross square feet
Manufacturing, Light	One per 1,000 gross square feet
Manufacturing, Heavy	One per 1,000 gross square feet
Wholesale and Retail Trade	
Wholesale Trade	Three per 1,000 square feet
Retail Trade	
Automobile and Other Motor Vehicle Dealers	One space per 500 square feet of sales area, or one space per 1,000 square feet of lot area, whichever is greater
Gasoline Stations	0.75 per fueling station multiple product dispenser
Pet and Pet Supplies Stores	One per 300 gross square feet
Fuel Dealers	One per 750 gross square feet of building devoted to maintenance
Marijuana Retailers	See city Ordinance Nos. 11-0356, 13-0410, 14-0425, and/or 17-0502
Sexually Oriented Retail Businesses	One per 100 gross square feet
Retail Trade, All Other	Three per 1,000 square feet
Transportation and Warehousing	
Transportation	
Pipeline Transportation	NA
Transportation, All Other	Parking study required
Warehousing and Storage	
Mini-Warehouses and Self-Storage Units	One per 2,000 gross square feet
Warehousing and Storage, All Other	One per 2,000 gross square feet
Business and Professional Services (Sector 51-56)	
General (All Office Use)	Three per 1,000 square feet
Rental and Leasing	
Passenger Car Rental and Leasing	One per 5,000 gross square feet
Truck, Utility Trailer, and RV Rental and Leasing	One per 5,000 gross square feet
Consumer Goods Rental	One per 500 gross square feet
Commercial and Industrial Equipment Rentals	One per 5,000 gross square feet
Waste Management and Remediation Services	
Waste Management and Remediation Services, All Other	Parking study required
Educational Services	
Elementary and Secondary Schools	For primary schools, two per employee, plus one per 30 children, plus parking for buses. For secondary schools and higher educational facilities, two per employee, plus one per four students, plus parking for buses.

Junior Colleges, Colleges, Universities, and Professional Schools	Two per employee, plus one per four students, plus parking for buses
Technical and Trade Schools	Two per employee, plus one per four students, plus parking for buses
Educational Services, All Other	Two per employee, plus one per four students, plus parking for buses
Health Care and Social Assistance	
Ambulatory Health Care Services, All Other	One per 250 gross square feet
Hospitals	Parking study required
Social Assistance	
Services for the Elderly and Persons with Disabilities	One per 250 gross square feet
Vocational Rehabilitation Services	One per 250 gross square feet
Child Daycare Services, Home-Based	Two per facility, plus one per employee
Child Daycare Services, All Other	One per employee, plus one per five clients, and loading area
Social Assistance, All Other	One per 250 gross square feet
Arts, Entertainment, and Recreation	
Libraries	One per 250 gross square feet
Museums and Art Galleries	One per 250 gross square feet
Zoos, Aquariums, and Botanical Gardens	Parking study required
Golf Courses and Country Clubs	Parking study required
Sexually Oriented Entertainment	One per 100 gross square feet
Gambling Industries	Parking study required
Indoor Arts, Entertainment, and Recreation Activities, Other (Special)	Parking study required
Outdoor Arts, Entertainment, and Recreation Activities, Other (Special)	Parking study required
Accommodation	
Hotels (except Casino Hotels) and Motels	1.1 per bedroom
Bed-and-Breakfast Inns	One per guest room
RV Parks and Recreational Camps	Parking study required
Food Service and Drinking Places	
Special Food Services	Parking study required or follow primary use parking standards
Mobile Vendors	NA
Drinking Places for Alcoholic Beverages	One per 100 square feet in dining, lounge and customer ordering area
Restaurants, Full Service	One space per 100 square feet of seating or waiting area or one space for every three seats, whichever is greater
Restaurants, Limited Service	One per 100 square feet in dining, lounge and customer ordering area
Snack and Nonalcoholic Beverage Bars	One per 100 square feet in dining, lounge and customer ordering area
Services (Sector 811-812)	

Automotive Repair and Maintenance	
Automotive Oil Change and Lubrication Shops	Parking study required
Car Washes	Parking study required
Automotive Repair and Maintenance, All Other	Parking study required
Personal Care Services	One per 250 gross square feet
Other Repair and Maintenance	
Other Repair and Maintenance, Consumer	One per 500 gross square feet
Other Repair and Maintenance, Commercial/Industrial	One per 500 gross square feet
Funeral Homes and Funeral Services	One per three seats
Crematoria	One per three seats
Pet Care Services	
Kennels	One per 300 gross square feet
Veterinary Services	One per 300 gross square feet
Pet Care Services, All Other	One per 300 gross square feet
Civic and Public Uses	
Cemeteries	Parking study required
Religious Assembly	
up to 10,000 sq. ft.	One per five fixed seats plus one per 50 square feet of gross floor area without fixed seats used for assembly purposes
10,000 to 19,999 sq. ft.	One per five fixed seats plus one per 50 square feet of gross floor area without fixed seats used for assembly purposes
20,000 to 29,999 sq. ft.	Parking study required
30,000 to 39,999 sq. ft.	Parking study required
40,000 sq. ft. or greater	Parking study required
Correctional Institutions (922140)	Parking study required
Administrative Government Facilities and Services	One per 250 gross square feet
Parks, Open Space, and Public Recreation	Parking study required
<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>	

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CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: May 12, 2025

Title: Hazardous Trees and Tree Preservation Codes

Attachments: A. Draft Planning Commission Recommendation
B. Draft EMC 8.15 Redlines
C. Draft EMC Title 18 Redlines

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.

A Notice of Public Hearing and SEPA DNS were issued on March 21, 2025 informing the public of the proposed drafts amendments, 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 the April 14, 2025, no public comments were received.

Current Discussion:

Following last month’s hearing and discussion, staff finalized the attached draft amendments for final review and consideration by the Planning Commission. This now includes a redline update to the definition of “Qualified Tree Professional” in EMC 18.20, incorporating feedback received by staff from Planning Commissioners.

Also, following the Council’s adoption of Ordinance 25-0676, staff recommends reviewing, revising and/or repealing EMC 18.80.080(G)(8) as part of the Planning Commission upcoming review of said ordinance. This section of EMC contains some specific standards for the town center, commercial, mixed use residential, and business park zoning districts, that could be moved to EMC 18.90.180 if desired at that time.

Staff Recommendation:

Following any further discussion on the matter, the Planning Commission is invited to make a formal recommendation to the City Council on adoption of the proposed draft amendments to EMC Titles 8 and 18 related to Hazardous Trees and Tree Preservation. A draft recommendation has been prepared by staff, attached for reference.



CITY OF EDGEWOOD
PLANNING COMMISSION
RECOMMENDATION

The Planning Commission voted _____ to recommend that the City Council adopt the proposed amendments to Edgewood Municipal Code (EMC) Title 8 and Title 18 relating to Hazardous trees and Tree Preservation, as presented herewith.

RECOMMENDED BY THE CITY OF EDGEWOOD PLANNING COMMISSION
ON THE 12TH DAY OF MAY 2025.

JoAnn Overfield
Planning Commission Chair

Attest by:

Jeremy Metzler, PE
Community Development Director

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.

1 **8.15.040 Completion of work by city.**

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

4 **8.15.050 Cost recovery – Lien.**

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

8 **8.15.060 Remedies nonexclusive.**

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

DRAFT

**Title 18
DEVELOPMENT STANDARDS**

**Chapter 18.20
DEFINITIONS**

18.20.200 Q definitions.

“Qualified tree professional” means an individual with a minimum of three years of experience in tree evaluation and meets at least one of the following qualifiers:

- 1. American Society of Consulting Arborists (ASCA) registered consulting arborist;
- ~~2. International Society of Arboriculture (ISA) board certified master arborist;~~
- ~~3. International Society of Arboriculture (ISA) certified arborist with an associate degree and/or a minimum of two years of college level credit and/or 120 continuing education units; or~~
- ~~4. Washington State registered landscape architect with demonstrated experience specific to trees.~~

**Chapter 18.90
DEVELOPMENT STANDARDS – CITYWIDE APPLICABILITY**

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

1 10. Provide for increased areas of permeable surfaces that allow for infiltration of surface water into ground
2 water resources, reduction in the quantity of storm water discharge, and improvement in the quality of storm
3 water discharge.

4 B. Applicability. In addition to the requirements under Title 14, Critical Areas, and unless otherwise specified in this
5 section, the preservation of certain trees is required for any development or development activity in all zoning
6 districts and shall be provided in accordance with each individual zoning district and the provisions of this section.
7 In the event a permit is not required, the standards of this section still apply.

8 ~~1. Tree preservation requirements are applicable to all zoning districts and shall be provided in accordance with~~
9 ~~each individual zoning district and the provisions of this section. In the event a permit is not required for the~~
10 ~~establishment of a use, the standards of this section still apply.~~

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

12 1. Routine maintenance and pruning.

13 2. Existing residential uses on a lot of record development or single family residences that is no greater than 0.5
14 acres in area, unless the subject tree(s) are otherwise designated for preservation under a prior tree preservation
15 action, comply with current EMC 18.80_040(C)(1) minimum and maximum densities are exempt from this
16 section

17 3. Trees that constitute a fire hazard or a menace to public health, safety or welfare as determined under EMC
18 Chapter 8.15.

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

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

22 a. Black Cottonwood (Populus trichocarpa)

23 b. Red Alder (Alnus rubra)

24 c. Poplar (Populus)

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

26 1. English (or cherry) laurel (Prunus laurocerasus);

27 2. English holly (Ilex aquifolium);

28 3. European hawthorn or one-seed hawthorn (Crataegus monogyna);

29 4. European mountain ash (Sorbus aucuparia);

30 5. Portugal laurel (Prunus lusitanica);

31 6. Horse chestnut (Aesculus hippocastanum);

32 7. Other tree species identified by a qualified tree professional that are non-native and invasive
33 to the Puget Sound Region

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

38 a. The City is notified the following business day of the unpermitted action;

39 b. Visual documentation (i.e., photographs, video, etc.) is provided to the city; and

40 c. The felled tree remains on site for City inspection.

1 d. Should the City determine that the tree(s) did not pose an emergency condition, the owner shall be cited
 2 for a violation of the terms of this section.

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

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

8 a. Perimeter Trees. All significant trees within 15 feet of the lot perimeter shall be preserved.

9 i. At the discretion of the community development director or designee, significant trees may be
 10 removed for required site access, buildings, roads, utilities, sidewalks, trails, or storm drainage
 11 improvements.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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.~~

~~iiiv. 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.

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

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

12 d. Tree Topping is prohibited.

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

15 a. On-Site Replacement

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

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

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

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

25 ve. Tree replacement plans shall be prepared by a qualified tree professional.

26 b. Off-Site Replacement

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

34 ED. Determining Significant Trees.

35 1. To be identified as a significant tree, an existing tree must not be exempt from this section and meet at least
 36 one of the following criteria:

37 a. When measured at breast height, must have a minimum diameter of 12 inches;

38 b. The community development director or designee designated the tree as significant due to any one of
 39 the following:

40 i. The uniqueness of the tree species;

- 1 ii. The tree is not a hazardous tree and provides important wildlife habitat; or
- 2 iii. The tree’s unique historical, ecological, or aesthetic value constitutes an important community
- 3 resource.

4 ~~2. Trees will not be considered “significant” if a tree risk assessment or arborist report/memo from a qualified~~
 5 ~~tree professional determines, and the community development director or designee reviews and concurs, that~~
 6 ~~the tree is at risk due to a structural defect, combination of defects, or disease.~~

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

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

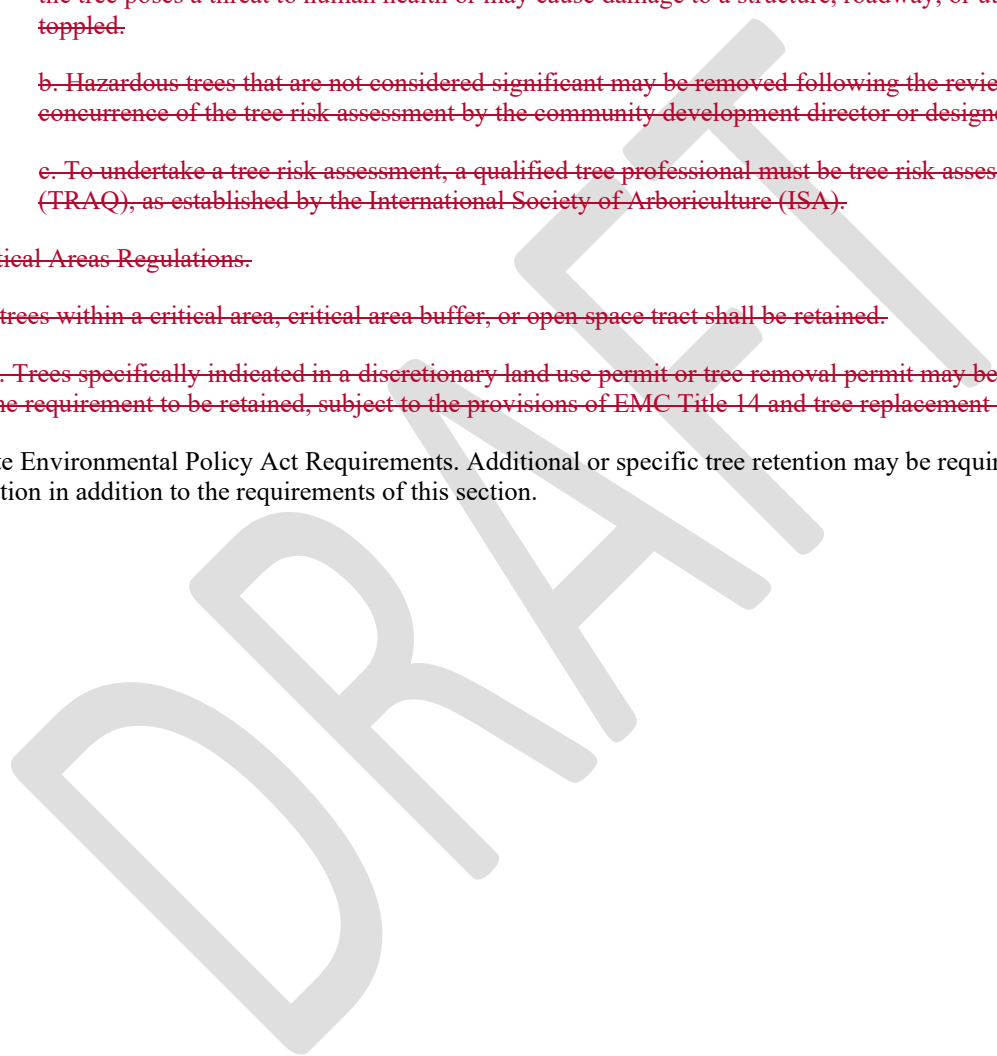
12 ~~e. To undertake a tree risk assessment, a qualified tree professional must be tree risk assessment qualified~~
 13 ~~(TRAQ), as established by the International Society of Arboriculture (ISA).~~

14 ~~E. Critical Areas Regulations.~~

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

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

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





CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: May 12, 2025

Title: Impact Fees Code Updates

Attachments: See Agenda Item 4.a

Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:
Please see Agenda Item 4.a.

Current Discussion:
Staff is continuing to work on updates to all of the City's Impact Fee calculations, and the Economic Development Advisory Board (EDAB) is recommending Transportation Impact Fee exemptions 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.

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: May 12, 2025

Title: Land Use Table Updates – Public Hearing

Attachments: See Agenda Item 4.b

Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:
See Agenda Item 4.b

Current Discussion:

This is the Planning Commission Public Hearing for draft code amendments to EMC Title 18 ensuring consistency between the Comprehensive Plan, Land Use Table, and affected regulations. 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.

Current Discussion:

The Planning Commission held a public hearing tonight on this item to solicit any final input before providing a recommendation to City Council. Staff also issued a SEPA Determination of Nonsignificance (DNS) on April 27, 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 June 9, 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.

Date: May 12, 2025

Title: Subdivision Amendments

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

Submitted By: Josh Kubitz, AICP – Planning Manager

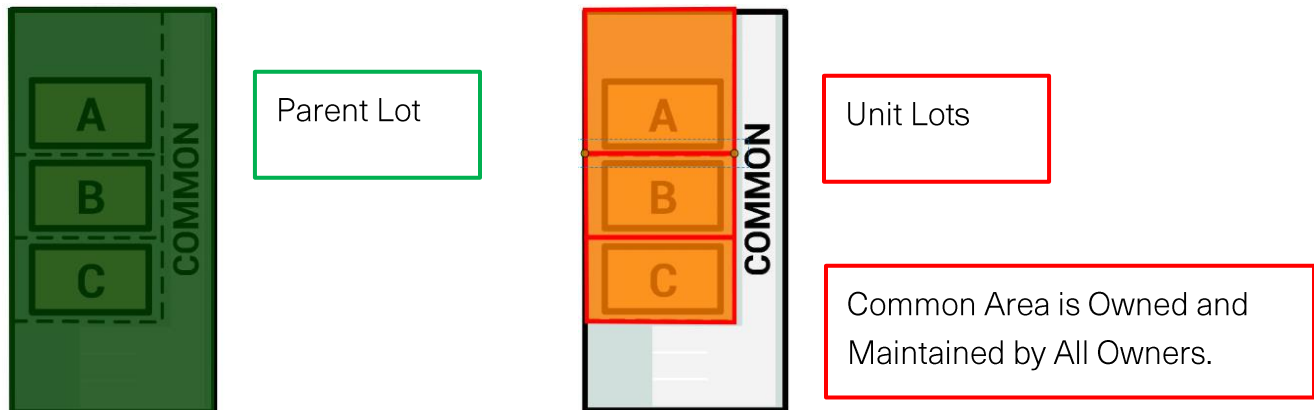
Introduction:

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:

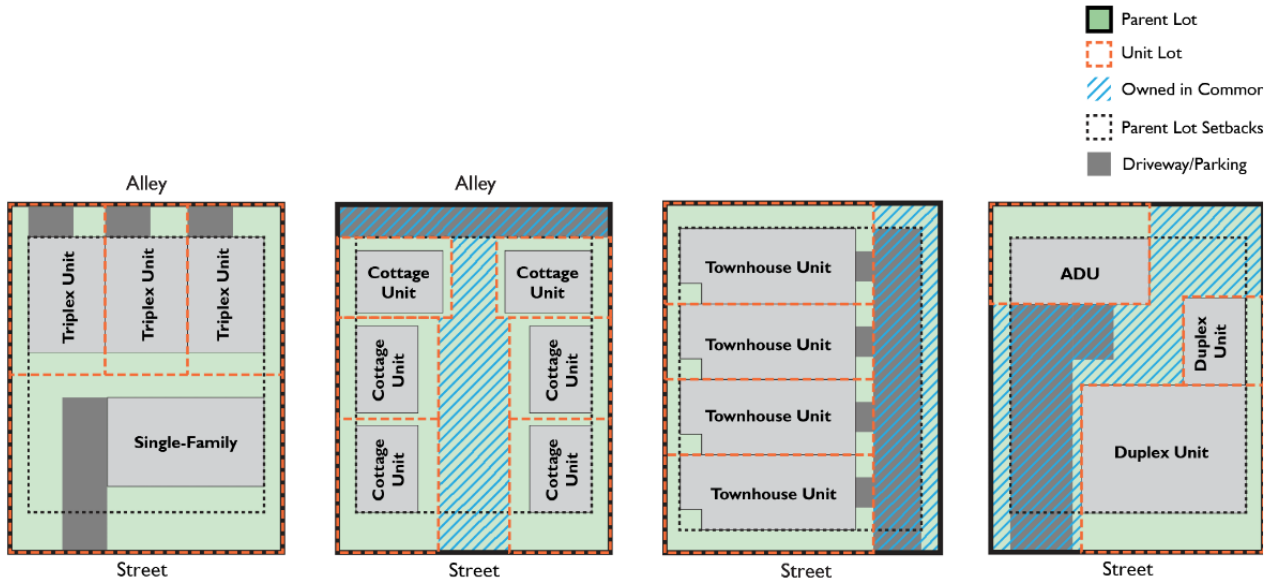
A Unit Lot Subdivision (ULS) creates new lots, like a typical subdivision, except that ULS allows flexibility in the application of dimension standards (setbacks, lot coverage, etc.). In a ULS development, the main lot(s) be subdivided is considered the “parent lot.” The individual lots created are called “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

The Planning Commission provided staff guidance to limit unit lot subdivision to six or less subdivisions to ensure compatibility with the 2024 Comprehensive Plan. As such, staff have drafted the amendments to apply only to Short Plats.

2. Building and Fire Code Concerns

The Planning Commission agreed with staff recommended language. As such, the proposed language is provided in the draft amendments.

3. General Subdivision Code

- A. Title 16 Update – Would Planning Commission support a complete Title 16 revision, and should it be prioritized by staff?
- B. Short Plat Threshold – Planning Commission indicated that they would not be interesting in increasing the Short Plat threshold. As such, staff are recommended no changes to Short Plat thresholds.
- C. Subdivision Final Plat Approval – Planning Commission supports changing the subdivision final plat process from a Type IV process to a Type I process. As such, staff have drafted appropriate language in the draft amendments to change subdivision final plat process.

4. General: Planning Commission provided guidance to staff that the subdivision code shall only see targeted changes to fix immediate issues and that they would like to see a full revision of the subdivision code done in the future. As such, staff have provided targeted code amendments to the entire subdivision code.

Planning Commission Question: Are there any other subdivision code amendments you would like to see in the amendments?

Staff Recommendation: Planning Commission to request that staff schedule the Subdivision Amendment Public Hearing for the June 9, 2025, Planning Commission Meeting.

EXHIBIT A

~~16.01.060 Undefined words and phrases.~~

~~The definition of any word or phrase, not listed in this title, which is in question when administering this title, shall be defined from one of the following sources that are incorporated herein and adopted by reference. Said sources shall be utilized to find the desired definition in the order listed as follows: EMC Title 18, city of Edgewood development code; the city of Edgewood comprehensive plan; any other portion of the Edgewood Municipal Code or other city resolution, ordinance, or regulation; any statute or regulation of the state of Washington (i.e., the most applicable); legal definitions from applicable case law; legal definitions from the most recent edition of Black's Law Dictionary, Moskowitz and Lindbloom, 1993; The New Illustrated Book of Development Definitions; Webster's; or other common dictionary.~~

...

16.01.065 Administration.

~~The director is vested with the duty of administering and implementing the provisions of this title.~~ The duties and responsibilities of the reviewing entities are specified as follows:

A. The community development department is responsible for the administration and coordination of this title unless prescribed otherwise by law, and is responsible for reviewing compliance to those requirements set forth under this title. ~~The director is responsible for issuing decisions for boundary line adjustments, binding site plans prescribed in EMC 16.05.050(B), short subdivisions, and associated dedications, as prescribed in this title.~~

B. The public works department is responsible for reviewing compliance to engineering and technical requirements prescribed in EMC Title 11, Sewers; Title 12, Streets, Sidewalks and Public Places; Title 13, ~~Water and Sewers~~Surface Water Management and Site Development; and floodplain ~~certificates hazard areas~~ prescribed in EMC 14.80.~~060(A)(4)~~. The city engineer is responsible for accepting the layout of streets, alleys and other rights-of-way, design of bridges, sewage and water systems, and other structures; and making recommendations to the decision making authority regarding dedication to the public of such improvements.

C. The fire code official is responsible for reviewing compliance with fire access and fire safety requirements that are prescribed in the International Fire Code, as adopted in EMC Title 15.

D. The ~~Tacoma-Pierce County health department~~ TPCHD is responsible for reviewing compliance to sewer and/or water services when sewer and/or water services are not available from the city or an authorized purveyor.

E. The authorized water purveyor is responsible for issuing water availability letters and ensuring water system improvements are adequately available to the development.

~~F. The hearing examiner is responsible for holding an open record hearing and issuing a decision for preliminary full subdivisions, binding site plans prescribed in EMC 16.05.050, and associated dedications; and administrative appeal hearings as prescribed in this title and Chapter 18.40 EMC.~~

~~G. The city council is responsible for issuing a decision on final full subdivisions and dedications, and amendments thereto; and administrative closed record appeal hearings as prescribed in this title and Chapter 18.40 EMC.~~

...

16.01.070 Definitions.

...

“Community on-site septic system” means a septic system designed to simultaneously serve two or more ~~single family individual~~ dwelling units which may be located on a different lot, tract, or parcel from the unit(s) being served.

...

“Director” means the ~~mayor~~ Community Development Director or designee, unless otherwise specified.

...

“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.

...

“TPCHD” means the Tacoma – Pierce County Health Department, or their successor local health agency.

...

16.01.090 Application of EMC Titles 11, 12, 13, 14, 18 and 20.

The provisions of EMC Title 11, Sewers; Title 12, Streets, Sidewalks and Public Spaces; Title 13, Surface Water Management and Site Development~~Water and Sewers~~; Title 14, Critical Areas; Title 18, Development Standards; and Title 20, SEPA, shall apply to this title. If a provision of this title conflicts or overlaps with the provision of another ordinance of the city, the most restrictive provision or the provision imposing the highest standard prevails.

...

16.01.120 On-site sewage disposal.

Approval of on-site sewage disposal systems from ~~TPCHD~~the Tacoma Pierce County health department is required whenever public sanitary sewer systems are not available. Preliminary approval from ~~TPCHD~~the health department of any proposed on-site sewage systems shall accompany any application for a preliminary~~short~~ subdivision, ~~preliminary full subdivision~~ or binding site plan. ~~Approvals shall be based on the percolation test simulating high water conditions.~~The city engineer shall review the TPCHD findings ~~of the Tacoma Pierce County health department~~ for accuracy and not accept their ~~health department's~~ approval if it does not meet the city's following requirements:-

A. On-site sewage disposal systems for existing and proposed lots shall be located on the lot(s) they are intended to serve, except as authorized under EMC 16.01.125.

B. As of (effective date of this ordinance), applications for new community on-site septic systems are prohibited. Existing community on-site septic systems compliant with current ~~the Tacoma Pierce County health department (TPCHD)~~ regulations ~~as set forth within the most~~

~~current version of the TPCHD environmental health code~~ are only permissible for unit lot subdivisions, where all the unit lots being served are located within the same parent lot as the community on-site septic system.

16.01.125 Exceptions – On-site sewage disposal.

An existing on-site sanitary “private disposal” system (inclusive of existing community on-site septic systems) may be approved as an off-site sewage disposal system when such approval, as part of a subdivision application review, (A) would not adversely affect the public interest, and (B) would provide for greater compliance with the provisions of the subdivision code overall.

The approval of an exception under this section must be noted in the findings of a formal written decision or staff report conditions and subject to final approval by the city. Any off-site sewage system must comply with ~~TPCHD~~the Tacoma Pierce County health department requirements for properly certifying and recording all easements related to the off-site system prior to any final subdivision or short subdivision ~~final~~ approval.

...

16.01.160 Recording certificates.

The following certificate shall be shown on the face of all final ~~subdivisions~~short plats, plats, binding site plans and boundary line adjustments; ~~except the certificate prescribed in subsection (D) of this section, which is required for a final plat only.~~ The director shall approve the format of the certificates.

- A. Owner’s free consent;:-
- B. Community Development Director;:-
- C. Public ~~w~~Works ~~d~~Director/~~city engineer~~;:-
- ~~D. (for Full Subdivisions) Mayor, representing the city council’s approval;:-~~
- E. Pierce County ~~a~~Assessor/~~t~~Treasurer;:- and
- F. ~~Tacoma Pierce County health department~~ (when on-site sewage disposal is used) TPCHD.

...

16.01.180 Building and occupancy permit.

A. No building permit, septic tank permit, occupancy permit, or other development permit shall be issued for any lot divided in violation of this title, except that an innocent purchaser of value may obtain permits needed for development if such purchaser shows the following:

1. The lot was purchased at a market value not reflecting the illegal division;
2. The purchaser exercised reasonable diligence but did not know of the illegal division;
and
3. The public interest will not suffer;
4. A written notice of the date, time and place of the proposed action is mailed by first class mail to the owners of record of the parcels adjacent to the subject property and they are given 10 days to respond.

B. No building permit for a structure that may have occupancy ~~other than a temporary contractor's office or temporary storage building~~ shall be issued for a structure on a lot ~~or parcel~~ within lands being divided prior to final approval and recording of the land division plat, short plat, or binding site plan ~~except provided by subsection C, below, and unit lot subdivisions (EMC 16.08).~~

C. Model Homes. It shall be the purpose and intent of this subsection to allow the construction of up to four detached principal units within a preliminary subdivision, which have been approved in accordance with all existing plans and regulations. Model homes shall be established subject to the following criteria:

1. Model homes must meet the requirements of the City of Edgewood Buildings and Construction Code (EMC 15.10.010) and obtain a certificate of occupancy as required in EMC 15.03.330.
2. All areas of the subdivision serving the model home(s) are served by an all-weather surface roadway as approved by the city engineer and fire official.
3. All required stormwater and drainage facilities necessary for the areas of the subdivision serving the model homes are in place and functional, to the satisfaction of the city engineer.

4. Only one model home may be occupied as a temporary real estate office pursuant to EMC 18.50.070.

5. Approval of model homes does not constitute a division of the property.

6. An existing dwelling(s) not demolished shall be counted against the total number of allowable model homes.

7. The footprint of all existing model homes, including roof overhangs, porches, decks, etc. shall be shown on the final plat to ensure that there are no encroachments into required setbacks.

...

16.02.050 Application.

Applications for boundary line adjustments shall be made on forms provided by the city and include the following information:

A. At least one original drawing, ~~six copies, and one eight and one half inch by 11 inch copy~~ in an electronic format approved by the Director, containing the information prescribed in subsection (B) of this section.

...

16.02.060 Final approval.

A. The Director, having reviewed the boundary line adjustment for conformance with EMC 16.02.030, shall sign the boundary line adjustment indicating the city's approval. All other decisions shall comply with EMC 18.40.080 and EMC 18.40.200.

B. The proposed boundary line adjustment is not considered formally approved until it is filed for record with the County Auditor. It shall be the responsibility of the applicant to file the approved boundary line adjustment, bearing all required signatures and certifications, with the County Auditor and provide the items listed in EMC 16.02.060(C) to the city.

C. The applicant must return the following to the city within 14 days of recording:

1. Provide an electronic copy of the recorded boundary line adjustment.

~~A. After the director has granted approval of a boundary line adjustment application, the applicant shall have prepared and shall submit a Mylar drawing to the city containing the~~

~~information prescribed in EMC 16.02.050 and any information required in the conditions of approval.~~

~~B. The Mylar drawing shall include the following information:~~

- ~~1. A statement that the boundary line adjustment does not constitute a conveyance of real property.~~
- ~~2. The Mylar drawing shall contain all survey information required for a record of survey under the Survey Recording Act, Chapter 58.09 RCW and Chapter 332-130 WAC, together with the signature blocks required in EMC 16.01.160, and the surveyor's certificate, which shall be fully executed before approval.~~
- ~~3. The Mylar drawing submitted for recording shall also be submitted in an electronic format approved by the city engineer.~~
- ~~4. A free consent statement, certifying that the individual(s) signed as a free and voluntary act and deed for the uses and purposes herein mentioned, shall be inked on the Mylar. This shall be dated, signed and notarized (paper press seals will not be accepted) by a notary public in and for the state of Washington, with "notary's residing at" included in notary's certification, prior to submittal, in permanent black ink, by all parties having interest in the property. Owners' names shall also be lettered below the signatures....~~

16.02.070 Review procedures.

~~Boundary line adjustment applications shall be reviewed as a Process I administrative approval as prescribed in EMC 18.40.080. Boundary line adjustment applications shall be reviewed as a Process I administrative approval as prescribed in EMC 18.40.080. A completed application for a boundary line adjustment shall be determined incomplete, approved, returned to the applicant for modifications, or denied within 30 days of receipt of an application by the city. The city shall not be considered to be in receipt of a complete application unless and until such time as the applicant meets the requirements of EMC 18.40.140, Project permit applications, and any other requirements as determined by the director.~~

16.02.080 Expiration.

The approved boundary line adjustment shall be recorded with Pierce County Auditor within six (6) months of the Community Development Director's signature. No expiration extensions will be allowed.

...

16.03.020 Scope and redivision of a short plat.

This chapter is for the division of Aany land being divided into six or fewer lots for the purpose of sale, lease, or transfer of ownership, tracts, parcels, sites, or divisions, and which has not been divided by a short subdivision within the previous five years, may be processed in accordance with the provisions of this chapter. For example, lots kept under common interest and ownership are not counted against the limit of six. Land within a short subdivision shall not be further divided in any manner within a period of five years without the filing of a final plat, except that when the short plat contains fewer than ~~four-six lots as described above~~ parcels, nothing in this section shall prevent the owner who filed the short subdivision from filing an amendment within the five-year period to create up to a total of ~~four-six~~ lots within the original short subdivision boundaries.

...

16.03.030 Notice requirements.

Notice shall be provided as set forth in EMC 16.01.080 and EMC 18.40. In addition to the notice requirements prescribed in Chapter 18.40 EMC, mailed notice shall be sent to property owners consistent with the requirements set forth in EMC 16.01.080.

...

16.03.070 Minor Modifications to an ~~approved preliminary short subdivision~~ plat approval.

A. Except as provided in subsections B and C of this sections, a modification of a previously approved preliminary short plat is treated as a new application. Minor modifications to an approved short subdivision which has not been recorded may be requested by the applicant and approved by the director subject to the provisions for a Process I administrative approval prescribed in EMC 18.40.080.

B. Exceptions. The following modifications of a preliminary short plat approval may be reviewed through final plat approval and do not require further review:

1. Changes required due to Engineering design and details, unless the proposed detail modifies or eliminates features specifically required as an element of the preliminary plat approval;

2. Minor changes in lot lines or dimensions, as determined by the Director;

3. A decrease in the number of proposed lots.

C. Minor Modification Process and Criteria. Minor modifications to short plats shall be processed as a Process I application (EMC 18.040.080) to ensure that the modification meets the following criteria:

1. Does not create additional lots or significantly alter or vacate city easements, roads, or city-owned lands;

2. Maintains the quality of design or product established by the original approval;

3. Does not cause a significant environmental or land use impact on or beyond the site;

4. Is necessary due to circumstances that render it impractical, unfeasible or detrimental to the public interest to accomplish the subject condition or requirement of preliminary plat approval.

D. Written Decision. The Director shall issue a written decision on the minor modification which contains the following:

a. A description of the original preliminary plat approval and the proposed modification;

b. An analysis of the proposed minor modification using the applicable decision criteria, including the facts upon which the decision and any conditions for the project are based; and

c. A statement that the minor modification is approved, approved with modifications or denied subject to the provisions of this section.

~~The director shall find that the following exist before approving such amendment:~~

- ~~1. The modification will not be inconsistent or cause the short subdivision to be inconsistent with the findings, conclusions, or approval of the original short subdivision;~~
- ~~2. The modification will not cause the short subdivision to violate any applicable city policy, ordinance, or regulation;~~
- ~~3. The intent of the short subdivision's original conditions is not altered; and~~
- ~~4. The modification does not create additional lots, or involve significant relocation of streets.~~

~~B. Modifications that exceed the criteria above shall be processed as a new short or full-subdivision application.~~

...

~~16.03.130 Distribution of copies and filing of short subdivision.~~

~~Once the required city departments have approved the short subdivision and executed their approval in accordance with the requirements of this chapter, the director shall return the original Mylar drawing to the applicant for recording with the auditor. After recording the final short plat, the applicant shall submit two reproducible copies of the short plat with the recording number to the city. The Mylar drawing with the recording number shall also be submitted to the city in an electronic format approved by the city engineer.~~

...

16.04.030 Review procedures.

Full Subdivision applications shall be reviewed in accordance with the following procedures:

A. A preliminary full subdivision application is reviewed as a Process III hearing examiner action pursuant to EMC 18.40.100.

B. A final plat application is reviewed as a Process ~~IV quasi-judicial rezone~~ pursuant to EMC 18.40.~~110070~~.

C. Prior to submission of a preliminary full subdivision application, a preapplication conference as prescribed in EMC 18.40.130 is ~~required~~highly recommended. ~~The applicant is responsible for submitting the required information and paying the appropriate fee as set forth in Chapter 3.35-EMC.~~

...

16.04.040 Neighborhood meeting.

~~Prior to submitting a full subdivision application, a~~ neighborhood meeting is required following the Notice of Application Complete Application issuance for a preliminary full subdivision application. The purpose of the neighborhood meeting is to allow the applicant to identify community concerns and directly receive public input on the preliminary plat application. ~~The applicant shall take action minutes of the meeting and shall submit the minutes to the City upon request with the preliminary plat application.~~

The meeting shall be held by the applicant at City Hall and shall be open to the public and a representatives of the city ~~should attend~~. The meeting date and time will be scheduled by city staff, in consultation with the applicant, and included with the associated Notice of Application and consistent with EMC 18.40.180 and EMC 16.01.080. The meeting shall be held on a weekday evening, but not during a city observed holiday, and held between 15 days and 30-days from Notice of Application issuance. The Notice of Application comment period shall include the meeting date. The applicant team shall take meeting minutes and provide them to the city within one week to be included as official comments or it will be requested through the application review process -

~~In order to schedule a neighborhood meeting, the applicant shall perform the following three steps: (A) contact the city to receive a mailing list consistent with the requirement set forth in EMC 16.01.080; (B) verify the date is not an observed holiday; and (C) if required, pay the applicable fees as set forth in the city of Edgewood fee schedule. Once the meeting is scheduled, the applicant shall mail notice of the meeting to all property owners identified on the provided mailing list. The meeting notice shall be mailed at least 15 calendar days prior to the neighborhood meeting date. The applicant shall submit a copy of the mailed notice and an affidavit confirming all mailings to the City upon request with the preliminary plat application.~~

...

16.04.120 Minor Modifications to an approved preliminary subdivision plat approval. ~~Modifications to an approved preliminary full subdivision.~~

A. Except as provided in subsections B and C of this sections, a modification of a previously approved preliminary plat is treated as a new application.

B. Exceptions. The following modifications of a preliminary plat approval may be reviewed through final plat approval and do not require further review:

1. Changes required due to Engineering design and details, unless the proposed detail modifies or eliminates features specifically required as an element of the preliminary plat approval;
2. Minor changes in lot lines or dimensions, as determined by the Director;
3. A decrease in the number of proposed lots.

C. Minor Modification Process and Criteria. Minor modifications shall be processed as a Process I application (EMC 18.040.080) to ensure that the modification meets the following criteria:

1. Does not create additional lots or significantly alter or vacate city easements, roads, or city-owned lands;
2. Maintains the quality of design or product established by the original approval;
3. Does not cause a significant environmental or land use impact on or beyond the site;
4. Is necessary due to circumstances that render it impractical, unfeasible or detrimental to the public interest to accomplish the subject condition or requirement of preliminary plat approval.

D. Written Decision. The Director shall issue a written decision on the minor modification which contains the following:

- a. A description of the original preliminary plat approval and the proposed modification;
- b. An analysis of the proposed minor modification using the applicable decision criteria, including the facts upon which the decision and any conditions for the project are based;
and
- c. A statement that the minor modification is approved, approved with modifications or denied subject to the provisions of this section.

~~Minor modifications to an approved preliminary full subdivision, not involving the location or relocation of a lot, tract or parcel boundary line and not involving the location or relocation of a street or public way, may be requested by the applicant and approved by the director subject to the provisions for Process I administrative approval prescribed in EMC 18.40.080. The director must find that the following criteria are met before approving such amendment:~~

- ~~1. No additional lots for sale or lease will be created by the modification;~~
- ~~2. The modification will not be inconsistent or cause the full subdivision to be inconsistent with the findings, conclusions, or decision of the preliminary approval;~~
- ~~3. The modification will not cause the full subdivision to violate any applicable city policy, ordinance, or regulation; and~~
- ~~4. The intent of the full subdivision's original conditions is not altered.~~

~~B. Modifications that exceed the criteria above shall be processed as a new preliminary full subdivision application.~~

...

16.04.160 Final plat approval.

The Director must review a proposed final plat using the permit review procedures defined in EMC 18.40.080, and grant approval only if the final plat is in conformance with the approved preliminary plat and/or any approved modifications and complies with the following criteria:

1. All conditions of preliminary plat approval have been met;
2. The final plat is consistent with the provisions of Chapter 58.17 RCW and other applicable State and local laws;
3. The final plat bears the required certificates and statements of approval;
4. The plat is technically correct and accurate as certified by the land surveyor responsible for the plat; and
5. The required facilities and improvements have been completed or required bond or financial guarantees have been provided as set forth in EMC 16.04.110, EMC 16.06, and EMC 16.07.

6. Any inconsistencies with the approved preliminary plat are minor deviations that do not increase the number of lots, change any buildable lot size by more than 10 percent, or substantially alter the location or nature of improvements;

~~After the city has reviewed the application for a final full subdivision and found the final plat to be in compliance with all applicable codes and conditions of approval, the applicant shall have a Mylar copy prepared of the final plat and submit it to the city. The applicant shall be responsible for obtaining the required signatures prior to submitting the Mylar to the city for city council approval~~

...

16.04.170 Time limitation on final full subdivision submittal.

The final full subdivision meeting all conditions of approval and local and state requirements shall be submitted to the city ~~council~~ within five years of the date of the preliminary full subdivision approval, or the preliminary approval shall expire and become null and void except as specifically provided for in accordance with RCW 58.17.140 and 58.17.170.

...

16.04.180 Effect of an approved final full subdivision.

A full subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances and regulations in effect at the time of final approval for a period of five years after final plat approval, unless the ~~city council~~ Director finds that a change of conditions creates a serious threat to the public health or safety in the subdivision.

...

~~16.04.190 — Distribution of copies and filing of final full subdivision.~~

~~The director shall distribute the original and copies of the approved final full subdivision as follows:~~

- ~~A. The original Mylar with signatures shall be returned to the applicant to be recorded with the auditor;~~
- ~~B. The applicant shall transmit two paper copies to the Pierce County assessor;~~
- ~~C. The applicant shall transmit two paper copies of the recorded plat to the city; and~~

~~D. The Mylar drawing with the recording number shall also be submitted to the city in an electronic format approved by the city engineer.~~

16.06.080 Sanitary sewers and on-site septic systems.

Compliance with applicable regulations is required. Sanitary sewer regulations ~~and on-site septic systems~~ can be found in EMC Titles 11 ~~and 13~~. ~~Additionally, o~~On-site septic systems must comply with ~~Tacoma Pierce County health department~~ TPCHD regulations and the requirements of this title.

...

16.07.020 Administration.

The director is authorized and directed to administer the provisions of this chapter. The authority to approve, approve with conditions, or deny an approved plat or a final binding site plan vacation or alteration is granted ~~to the hearing examiner after a public hearing in~~ EMC 16.07.030.

...

16.07.030 Review Procedures.

Plat and binding site plan applications shall be processed and reviewed in the same manners as the original application provided in EMC 16.04 or EMC 16.04, and EMC 18.40. Short plat alteration applications shall be processed per EMC 16.07.090.

~~Subsections (A) through (I) of this section shall be followed in the processing of approved plat or final binding site plan vacation or alteration applications and administrative appeals shall be heard by city council. See EMC 16.07.090 for alterations to a short subdivision.~~

~~A. EMC 18.40.150, Determination of complete application;~~

~~B. EMC 18.40.180, Notice of application;~~

~~C. Chapter 20.05 EMC, SEPA (if required);~~

~~D. EMC 18.30.050, determination of consistency;~~

~~E. EMC 18.40.190, Notice of public hearing;~~

~~F. EMC 18.40.100(K), preparation of staff report;~~

G. EMC 18.40.100(L), Public Hearing;

H. EMC 18.40.100(Q) through (R), notice of decision; and

I. EMC 18.40.100(T), hearing examiner appeal.

...

~~16.07.070 — Time limitation for final decision.~~

~~A full subdivision or binding site plan vacation or alteration application shall be approved, approved with conditions, or denied within 120 days after a complete application has been submitted, unless the applicant consents in writing to an extension of the 120-day time period.~~

...

New Chapter:

Chapter 16.08

UNIT LOT SHORT SUBDIVISION

Sections:

16.08.010 Purpose.

16.08.020 Applicability.

16.08.030 Application

16.08.040 Review Procedures.

16.08.050 Plat Notes.

16.08.060 General Requirements

16.08.070 Final approval and recording

16.08.080 Expiration

16.08.090 Conflicts

16.08.010 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.

16.08.020 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 16.03.020.

B. Only parent lots 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.

16.08.030 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 16.03.040.

16.50.040 Review Procedures.

Unit lot subdivisions shall be processed and review in the same manner as EMC 16.03, Short Subdivisions and EMC 18.40.090, Process II.

16.08.050 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.

16.08.060 General Requirements.

In addition to any other standards and approval criteria applicable to the unit lot subdivision, including EMC 16.03, 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 principal 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. 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 short plats 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 approval to ensure that each unit lot conforms with applicable building and fire codes, unless otherwise approved by the Building Official and Fire Official.

16.08.080 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 16.03.

16.08.090 Expiration.

Time limitations on final unit lot subdivisions shall be in accordance with EMC 16.03.

16.08.100 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.

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18.40.070 Process types.

Permit applications for review shall be classified as a Process I, Process II, Process III, or Process IV action, all of which are administrative in nature. Process V actions are legislative in nature. All land use permit applications and decisions are categorized by process type as set forth in this chapter. Please refer to Table 1: Application Processing Type below:

Table 1: Application Processing Type

	Process I Minor Administrative Approval	Process II Major Administrative Action	Process III Hearing Examiner Action	Process IV Quasi-Judicial Action	Process V Legislative Action
Permits	Administrative interpretations; Boundary line adjustments; Building permit; Design standards review; Final binding site plan; Subdivision modification; Final subdivision; Short subdivision-plat modification; Final short plat; Limited home business; Manufactured or mobile home permit; ADU approval; Site development permit; Sign permit; Temporary sign permit; Temporary use; Tree removal permit; Zoning decisions	Administrative uses; Administrative variance; Binding site plan per EMC 16.05.050(B); <u>Binding Site Plan alteration</u> ; Home business; Master plan; Environmental review; <u>Preliminary Plat Modification</u> ; Short plat; Short plat amendment <u>Alteratio</u> <u>n</u>	Binding site plan per EMC 16.05.050(A) ; <u>Binding Site plan alteration</u> ; Conditional uses; Preliminary plat; <u>Plat Alteration</u> Public facilities permits; Reasonable use permit; variances; Residential cluster development	Site-specific rezone; **Final plat **No hearing or recommendation required from planning-commission	Ordinance text or area-wide map change; Annexation ; Adoption of new planning-related ordinances

	Process I Minor Administrative Approval	Process II Major Administrative Action	Process III Hearing Examiner Action	Process IV Quasi-Judicial Action	Process V Legislative Action
Impacts	Minimal or no effect on others, so issuance of permit is not dependent on others	Application of the standards may require some knowledge of impacts and effect upon others	Potential significant effect on some persons or broad impact on a number of persons	Potential significant effect on some persons or broad impact on a number of persons	Potential significant effect on some persons or broad impact on a number of persons
Recommendations	NA	NA	Staff	Planning commission **except as noted above	Planning commission
Decision-Making Body	Designee	Designee	Hearing examiner	City council	City council
Appeal	Mayor	Hearing examiner	City council	State agencies, Pierce County superior courts	State agencies, Pierce County superior courts
Notice/Comment	Not required	Nearby property owners invited to comment on an application	In addition to applicant, others affected invited to present initial information	In addition to applicant, others affected invited to present initial information	Anyone invited to present information



Washington State
Department of
Commerce

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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

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INFILL HOUSING MANAGER

Local Government Division

Lilith.Vespier@commerce.wa.gov

Phone: 360.890.5100

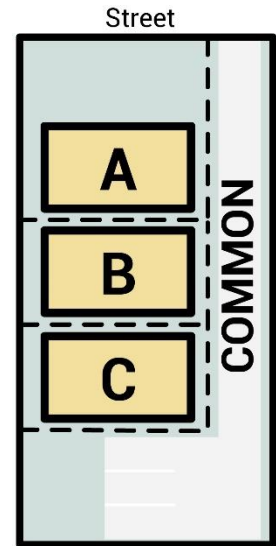
**GROWTH MANAGEMENT
SERVICES**

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.



Example unit lot subdivision with three unit lots and a tract held in common.

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.

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"> Individual Combination of individual and common interest 	<ul style="list-style-type: none"> Common interest
Options for management of common area(s)	<ul style="list-style-type: none"> HOA Other formal common agreement, including plat notes 	<ul style="list-style-type: none"> HOA

	Unit Lot Subdivision	Condominium
Allows separate ownership of stacked unit(s)	No	Yes
Allows separate ownership of ADUs	Yes	Yes
Warranty	Not required	Four year-implied warranty of quality
Processing	Short plat through jurisdiction	State process with notice to county auditor May require jurisdiction process*
Typical Processing Steps	City/county platting process: <ul style="list-style-type: none"> • Application • Notice, if applicable • Preliminary approval • Final approval • Recording 	<ul style="list-style-type: none"> • Check with local jurisdiction for any processing requirements • Housing code inspection • Issuance of a Notice of Condominium Conversion • Public offering statement • Selling units to individual buyers • Filing a declaration with the local government

* 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

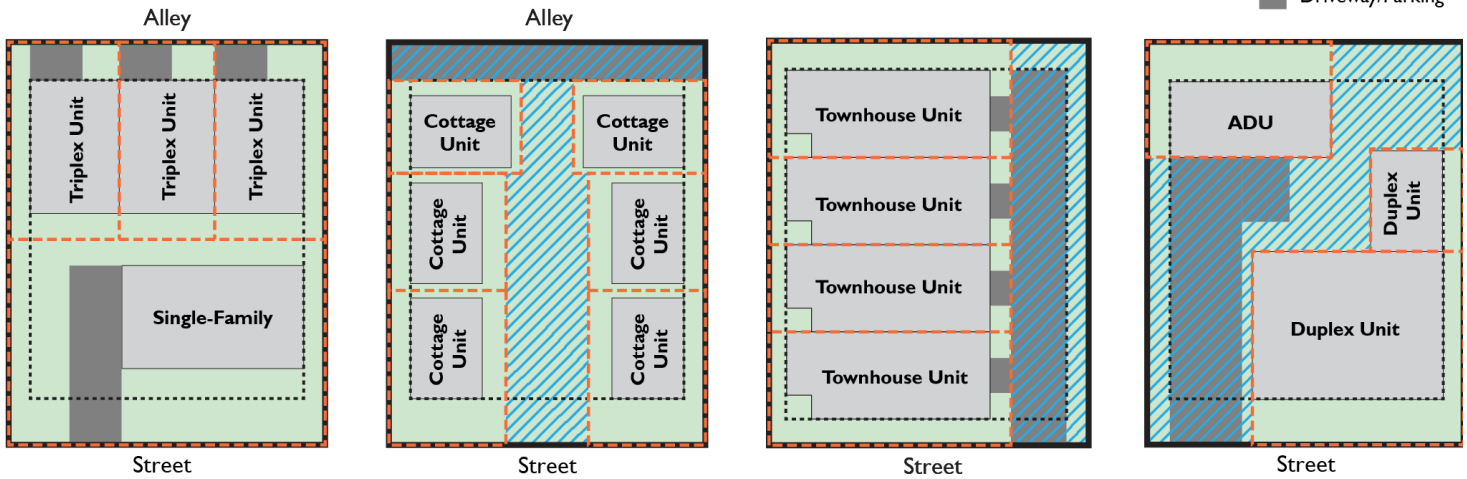
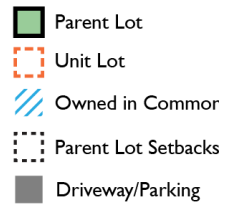
Unit lot subdivision can be used with any type of attached or detached housing. If the goal is individual ownership of each dwelling, the housing units cannot be stacked, as a ULS divides the land. Where units are stacked, a condominium arrangement is the tool that can provide for separate sale.



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.*



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: May 12, 2025

Title: Introduction – Sign Code Amendments

Attachments: DRAFT EMC 18.97 Redlines and Notes

Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:

There are some inconsistencies and conflicts to address in Edgewood Municipal Code (EMC) regarding signs located in public right-of-way. EMC 12.05.010(A) adopts Pierce County Code (PCC) Title 12 by reference, which prohibits objects in the public right-of-way “*without the express permission in writing of the [City] Engineer*” under [PCC 12.28](#). EMC Chapter 18.97 is consistent with this for permanent signs, but inconsistent for temporary signs. While EMC remains dependent on PCC for certain provisions, staff believes EMC 18.97 needs to be updated to resolve this inconsistency.

Staff has also received multiple complaints regarding signs mounted on fences and other site features that are facing the public right-of-way, as well as signs that are located on a different site than the business or service for which they are promoting or intended, as they may be considered distractions for the driving public and/or pose a legitimate safety concern.

Current Discussion:

To address the issues described above, staff is seeking the Planning Commission’s feedback on the attached draft redline revisions to EMC Chapter 18.97. To aid the Planning Commission in their review, here are several references to other local agency codes for consideration:

- Pierce County: [PCC 18B.10](#) – Prohibits signs in right-of-way, supporting PCC 12.28
- Sumner: [SMC 18.44](#) – Prohibits signs in right-of-way, unless otherwise authorized
- Bonney Lake: [BLMC 15.28](#) – Allows temporary signs in right-of-way with restrictions
- Puyallup: [PMC 20.60](#) – Signs restricted in right-of-way, similar to Edgewood
- Milton: [MMC 17.50](#) – Allowed in right-of-way with restrictions, requires abutting owner approval

Staff Recommendation:

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

Chapter 18.97

SIGN CODE

Sections:

Article I. General Provisions

- 18.97.010 Intent and purpose.
- 18.97.020 Applicability and interpretations.
- 18.97.030 Exemptions.
- 18.97.040 Prohibited signs.

Article II. Sign Standards Applicable to All Signs

- 18.97.050 Sign illumination.
- 18.97.060 Sign materials.
- 18.97.070 Sign placement and location restrictions.
- 18.97.080 Sign area measurements.
- 18.97.090 Sign height measurement.
- 18.97.100 Sign structure and installation.
- 18.97.110 Digital signs.
- 18.97.120 Electronic message center signs (EMCS).

Article III. Sign Types

- 18.97.130 Permanent signs.
- 18.97.140 Accessory signs.
- 18.97.150 Awning or canopy signs.
- 18.97.160 Building-mounted wall signs.
- 18.97.170 Changeable copy sign.
- 18.97.180 Freestanding signs.
- 18.97.190 Ground-mounted or landscape wall sign.
- 18.97.200 Portable signs.
- 18.97.210 Projecting signs.
- 18.97.220 Service island signs.
- 18.97.230 Sign walkers.
- 18.97.240 Temporary signs.
- 18.97.250 Window signs.

Article IV. Permitting

- 18.97.260 Sign permits.
- 18.97.270 Master sign plans.
- 18.97.280 Sign variances.
- 18.97.290 Nonconforming signs, maintenance, removal and enforcement.

Article V. Definitions

- 18.97.300 Definitions.
- Article I. General Provisions

18.97.010 Intent and purpose.

A. Intent. Signs have a strong visual impact on the character and quality of the community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for the neighborhood. The city relies upon its scenery and physical beauty to attract commerce; aesthetic considerations assume economic value. It is the intent of the city, through this chapter,

The Edgewood Municipal Code is current through Ordinance 25-675, passed February 11, 2025.

to protect and enhance the city's historic and residential character and its economic base through the provision of appropriate and aesthetic signage. In addition, it is the intent of the city to limit the size, type and location of signs in order to minimize their distracting effect on drivers and thereby improve traffic safety.

B. Purpose. The purpose of this chapter is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral and nondiscriminatory sign standards and requirements. This chapter has also been adopted to:

1. Promote and accomplish the goals, policies and objectives of the city's comprehensive plan and the Edgewood Municipal Code (EMC), specifically this title, Development Standards;
2. To provide minimum standards in order to safeguard life, health, property and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location and maintenance of signs and sign structures;
3. Recognize free speech rights by regulating signs in a content-neutral manner;
4. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting, or illegible signage;
5. Protect the beauty of the city's built environment by encouraging signs that are compatible with the architectural style, characteristics, and scale of the building to which they may be attached, and to encourage signs that are compatible with adjacent buildings and businesses;
6. Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape;
7. Provide consistent sign design standards;
8. Encourage creative and innovative approaches to signage, and signs that are of a quality design, pleasing in appearance and are appropriate in size, materials and illumination to the surrounding neighborhood;
9. Provide an improved visual environment for the citizens of and visitors to the city;
10. Adopt clear, understandable regulations which enable the fair and consistent enforcement of this chapter; and
11. Address emerging trends in digital and electronic sign technologies and provide regulations that facilitate the use of such technologies while ensuring the protection of motorists and pedestrians from the hazards of glare, startling bursts of light, and use of virtual movement and animation intended to attract driver attention, hold driver gaze, or otherwise distract drivers from the safe operation of their vehicles. Protect neighborhoods, surrounding development, and the night sky from the nuisance factors associated with such glare, movement, and animation of digital and electronic signs. (Ord. 19-552 § 2 (Exh. A)).

18.97.020 Applicability and interpretations.

A. This chapter applies to all signs, as defined in EMC 18.97.300, Definitions, within the city that are visible or audible from any street, sidewalk, or public place, regardless of the type or nature.

B. This chapter is not intended to, and shall not be interpreted to, restrict speech on the basis of its content, viewpoint, or message. Any classification of signs in this chapter which purports to permit speech by reason of the type of sign, identity of the sign user or otherwise shall be interpreted to allow commercial or noncommercial speech on the sign. No part of this chapter shall be construed to favor commercial speech over noncommercial speech. To the extent that any provision of this chapter is ambiguous, the term shall be interpreted not to regulate speech on the basis of the content of the message.

C. Nothing in this chapter shall be construed to prohibit a person from holding a sign while picketing or protesting on public property that has been determined to be a traditional or designated public forum, e.g., a sidewalk or park, so long as the person holding the sign does not block ingress to and egress from buildings; create a safety hazard by

impeding travel on sidewalks, in bike or vehicle lanes, or on trails; or violate any other reasonable time, place, and manner restrictions adopted by the city. (See EMC 18.97.230, Sign walkers.) (Ord. 19-552 § 2 (Exh. A)).

18.97.030 Exemptions.

The following signs or activities relating to signs are not subject to the permitting requirements of this chapter, as long as they meet the standards set forth below:

- A. Changes to the face or copy of changeable copy signs, digital signs, or EMCS, provided such changes do not change the material, appearance, size, or dimensions of the sign as originally permitted by the city.
- B. The normal repair and maintenance of conforming or legal nonconforming signs.
- C. Temporary signs meeting the requirements in EMC 18.97.240, Temporary signs.
- D. Building identification signs that meet one or more of the following four criteria:
 - 1. Signs not exceeding one square foot in area for residential buildings, or not exceeding two square feet in area for nonresidential buildings.
 - 2. Business name and address signs on an entry door that do not exceed two square feet in area.
 - 3. Certain stone or cement plaques and cornerstones with engraved or cast text or symbols that are permanently embedded in the building's foundation or masonry siding materials; provided, that none of these exceed four square feet in area.
 - 4. Other building identification signs meeting these requirements as required pursuant to the city's building code (EMC Title 15, Buildings and Construction) or zoning code (this title, Development Standards), public works standards, or any other city or state code, ordinance, or regulation.
- E. Governmental Signs. Signs installed by the city, county, or a federal or state governmental agency for the protection of the public health, safety, and general welfare, including, but not limited to, the following:
 - 1. Emergency and warning signs necessary for public safety or civil defense;
 - 2. Traffic or wayfinding signs erected and maintained by an authorized public agency;
 - 3. Signs required to be displayed by law;
 - 4. Signs showing the location of public facilities; and
 - 5. Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety, and general welfare.
- F. Flags. Any flags; provided, that they conform to all provisions of this chapter for signs.
- G. Interior Signs. Signs or displays located entirely inside of a building and located at least three feet away from transparent doors and windows.
- H. Nondiscernable Signs. Signs and associated sign support structures that are not visible, odorous, or audible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way.
- I. Vehicle Signs. Any sign on a vehicle not prohibited by EMC 18.97.040(I) and placed in accordance with EMC 18.97.070(B).
- J. Temporary Signs in Windows. Any temporary sign taped or otherwise affixed to the inside of a window, in such a manner as to be easily removed; provided, that the total area of such sign in any one window does not exceed the size limitations in EMC 18.97.250, Window signs, and EMC 18.97.240, Temporary signs.

K. Bench Signs. Any outdoor bench or furniture with any signs, other than plaques, that do not exceed one square foot in area.

L. Private Signs. Privately maintained traffic control signs in a subdivision with private roads or privately maintained traffic control signs in a private parking lot. (Ord. 19-552 § 2 (Exh. A)).

18.97.040 Prohibited signs.

No person shall erect, alter, maintain, or relocate any of the following signs in the city:

A. Animated Signs. Rotating or revolving signs, or signs where all or a portion of the sign moves in some manner. This includes any sign animated by any means, including fixed aerial displays, balloons, pennants, spinners, propellers, whirling, or similar devices designed to flutter, rotate or display other movement under the influence of the wind, including flag canopies not otherwise allowed in EMC 18.97.150. Awning or canopy signs, streamers, tubes, or other devices affected by the movement of air or other atmospheric or mechanical means. This does not include historic signs and historic replica signs where the applicant is able to prove, through documentation or other evidence, that the original historic sign produced the same motion or movement and is proposed in the same location.

B. Rotating Signs. Any sign in which the sign body or any portion rotates, moves up and down, or any other type of action involving a change in position of the sign body or any portion of the sign, whether by mechanical or any other means.

C. Nuisance Signs. Any sign which emits smoke, visible particles, odors or sound, except that speakers in drive-through facilities shall be permitted in accordance with any other applicable restrictions contained within the EMC.

D. Bench or Furniture Signs. Any sign on a bench or other furniture that is greater than one square foot in area.

E. Flashing Signs or Lights. A sign that contains an intermittent or flashing light source, or a sign that includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source. Flashing light sources are prohibited. Signs with an exposed light source, exceeding the equivalent of 25 watts per lamp, including clear light bulbs which do not flash on a theater marquee except for neon incorporated into the design of the sign, are also prohibited. EMCS and digital signs are allowed under the provisions of EMC 18.97.110, Digital signs, and EMC 18.97.120, Electronic message center signs (EMCS).

F. Hazardous Signs. Any sign that constitutes a traffic hazard or detriment to traffic safety by reason of its size, location, movement, or method of illumination, or by obstructing the vision of drivers, or by distracting from the visibility of an official traffic control device by diverting or tending to divert the attention of drivers of moving vehicles from traffic movements on streets, roads, intersections, or access facilities. No sign shall be erected so that it obstructs the vision of pedestrians or by glare or method of illumination constitutes a hazard to pedestrians or traffic. No sign may interfere with, mislead, or confuse traffic.

G. Impeding Signs. Any sign that impedes free ingress to and egress from any door, window, or exit way required by building and fire regulations.

H. Permanent Signs or Signs Posted or Carried on Portable, Nonmotorized or Motorized Wheeled Vehicles That Are Placed on Vacant Lots, Parcels, or Easements. Any permanent sign located on a vacant lot, parcel, or easement. Signs may only be established as an accessory use to a principally permitted use and may not be the principal use of a lot, parcel, or easement.

I. Certain Movable Signs. Portable, nonmotorized wheeled vehicles or motorized, wheeled vehicles containing or carrying signs that are: (1) for the primary purpose of advertising; (2) not permanently affixed (painted directly on the body of the vehicle or applied as a decal); (3) that extend beyond the overall length, width or height of the vehicle; and (4) parked on any public street within city limits.

J. Abandoned Signs. Any sign that meets the definition of "abandoned sign" in EMC 18.97.300.

K. Support Signs. Any sign tacked, painted, burned, cut, pasted, or otherwise affixed to utility poles, fences, poles, trees, rocks, posts, ladders, or similar supports visible from and/or within public rights-of-way.

~~L. Off-Site **Controlled** Signs. Any sign that is not located on the property for which it supports programmed or controlled off site.~~

Commented [JM1]: This has been a point of conversation... PCC 18B.20.070 does allow for limited civic uses, curious what our thoughts are here?

M. Roof-Mounted Signs. A sign mounted on, and supported by, the main roof portion of a building, or above the uppermost edge of a parapet wall of a building, and that is wholly or partially supported by such a building.

N. Feather Signs. Any temporary, portable sign made of lightweight materials that is prone to move in the wind, and that contains a harpoon-style pole or staff that is driven into the ground or supported by means of an individual stand. This definition includes such signs of any shape including flutter, bow, teardrop, rectangular, shark, and U-shaped.

~~O. Except as permitted with a city street use permit or otherwise specifically authorized in this chapter, signs may not be placed within, on, or projecting over a city right-of-way or within, on, or over other city property. (Ord. 21-603 § 1 (Exh. A); Ord. 19-552 § 2 (Exh. A)).~~

Commented [JM2]: May need to update or modify this provision, pending other suggested edits.

Article II. Sign Standards Applicable to All Signs

18.97.050 Sign illumination.

A. General. No temporary sign may be illuminated. No sign located in a residential zone may be illuminated, except that on parcels two acres in size or greater, signs may be halo illuminated or illuminated as necessary for allowable digital signs. Permanent signs allowed by this chapter may be nonilluminated, or illuminated by internal light fixtures, halo illuminated, or have external indirect illumination, unless otherwise specified. All illuminated signs shall comply with the time limitations of subsection (D) of this section.

B. Externally Illuminated Signs.

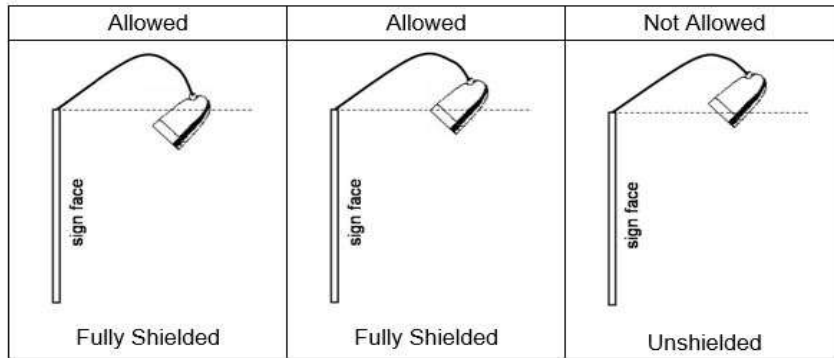
1. Except as provided in this subsection, externally illuminated signs shall be illuminated only with steady, stationary, fully shielded light sources directed solely onto the sign without causing glare. Light shielding shall ensure that the lamp or light source is not visible beyond the premises and shall further ensure that the light is contained within the sign face.

2. A light fixture mounted above the sign face may be installed with its bottom opening tilted toward the sign face, provided:

a. The bottom opening of the light fixture is flat, i.e., it could be covered by a flat board allowing no light to escape; and

b. The uppermost portion of the fixture's opening is located no higher than the top of the sign face, as shown in Figure 1 below. Light fixtures aimed and installed in this fashion shall be considered fully shielded.

Figure 1



C. Internally Illuminated Signs.

1. Internally illuminated signs shall be constructed with an opaque sign face background with translucent text, symbols, logo shields, or any combination of these. If the sign owner desires to have the entire sign face visible at night, an external light source may be used to illuminate the sign, subject to the illumination standards in this chapter.
2. In no case may an internally illuminated sign, a digital sign, or an EMCS exceed a light output of 50 nits in a residential zone or 100 nits in a nonresidential zone during nighttime hours.
3. Neon sign lighting is allowed only within the TC, C, MUR, BP, I, and P zoning districts. Neon lighting shall not exceed 100 nits per sign face and may be used as text or copy, but shall not be used as a sign graphic. Neon signs with solid backgrounds are not allowed in windows in order to ensure maximum light and visibility through windows. Examples of neon signs are shown in Figures 2a and 2b below.

Figure 2a (Allowed)



Figure 2b (Prohibited)



D. Time Limitations. All illuminated signs over three square feet in area shall be turned off by 11:00 p.m., or when the business closes, whichever is later. Signs subject to time limitations are required to have functioning and properly adjusted automatic shut-off timers. (Ord. 19-552 § 2 (Exh. A)).

18.97.060 Sign materials.

A. Temporary Signs. The construction of temporary signs is limited to the materials described in the definition of "temporary sign" in EMC 18.97.300, Definitions. In addition, the temporary sign must also conform to the requirements of this chapter, including, but not limited to, EMC 18.97.240, Temporary signs.

B. Permanent Signs. Permanent signs must be manufactured of durable materials that are designed to withstand the natural elements and the effects of water and wind (see Figures 3 and 4). The following additional requirements apply to any permanent sign larger than 30 square feet, except for window signs located inside glass:

1. Paper-faced signs, including vinyl-coated paper and those applied with adhesives, are not allowed. Canvas or vinyl signs must be made of minimum 20-ounce materials with polymeric plasticizers for durability.

2. Sign faces made of canvas, fabric, vinyl, or similar pliable materials that are attached to permanent sign structures must be mounted behind a perimeter frame or trim cap so that the edges of the sign face are not exposed. Flags made of 100 percent spun polyester are exempt from this requirement.

Figure 3



Figure 4



(Ord. 19-552 § 2 (Exh. A)).

18.97.070 Sign placement and location restrictions.

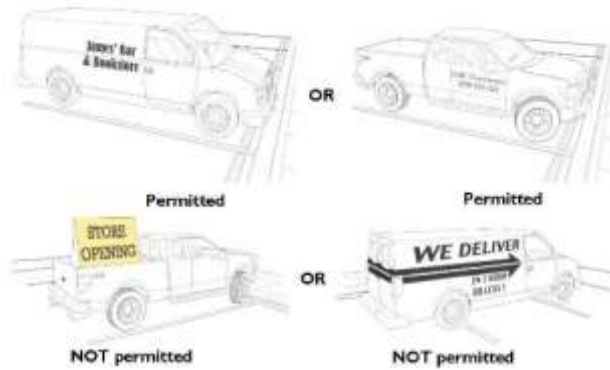
A. Rights-of-Way. No sign, permanent or otherwise, may be placed within the roadway portion of any city public right-of-way, except Governmental Signs (EMC 18.97.030(E)) or as otherwise permitted by first obtaining a street use permit or a special event permit from the city. No permanent sign may be placed within the right of way. See EMC 18.97.240(G) for restrictions on temporary signs within the right of way but outside the roadway.

B. Attached to Vehicles on Private Premises. No sign may be mounted, attached, or painted on a trailer, boat, or motor vehicle that is parked, stored, or displayed conspicuously on private premises in a manner intended to attract the attention of the public, excluding signs that are permanently painted or wrapped on the surface of the vehicle, or adhesive vinyl film affixed to the interior or exterior surface of a vehicle window, or signs magnetically attached to motor vehicles or rolling stock that are actively used in the daily conduct of business (see Figure 5). All vehicles

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covered by this subsection shall be operable and parked in a lawful or authorized manner within a required parking stall that is marked and striped for the parking of vehicles.

Figure 5



C. Attached to Other Fixtures. No sign may be painted, attached, or mounted on any fuel tanks, storage containers, or solid waste receptacles or their enclosures, except for information that is required by law.

D. Freeway-Oriented Signs. Freeway-oriented signs are prohibited, except in the following instances:

1. Building-mounted wall signs per EMC 18.97.160, window signs per EMC 18.97.250, and temporary signs per EMC 18.97.240 as otherwise allowed by this chapter may face the freeway if:

- a. They are installed by a business that has its primary customer entrance facing the freeway; and
- b. The wall, window or temporary sign also faces an intervening parking lot or frontage road that serves the business.

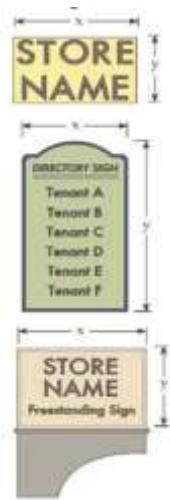
2. Freestanding signs as otherwise allowed by this chapter may be permitted for businesses located on and facing frontage roads along freeways, even if such signs are incidentally visible from the freeway. (Ord. 19-552 § 2 (Exh. A)).

18.97.080 Sign area measurements.

Sign area for all sign types is measured as follows:

A. Background Panel or Surface. Sign copy mounted, affixed, or painted on a background panel or surface distinctively painted, textured, or constructed as a background for the sign copy is measured as that area contained within the smallest rectangle, parallelogram, triangle, or circle that will enclose the sign copy and the background, as shown in Figure 6.

Figure 6



B. Individual Letters or Graphics. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or surface of another structure, that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, is measured as the sum of the smallest square, rectangle, parallelogram, triangle, or circle that will enclose every word, sentence, and complete message, and each graphic in the sign.

C. Illuminated Surface. Sign copy mounted, affixed or painted on an illuminated surface or illuminated element of a building or structure is measured as the entire illuminated surface or illuminated element which contains sign copy, as shown in Figure 7. Such elements may include, but are not limited to, illuminated canopy fascia signs, interior illuminated awnings, or both.

Figure 7



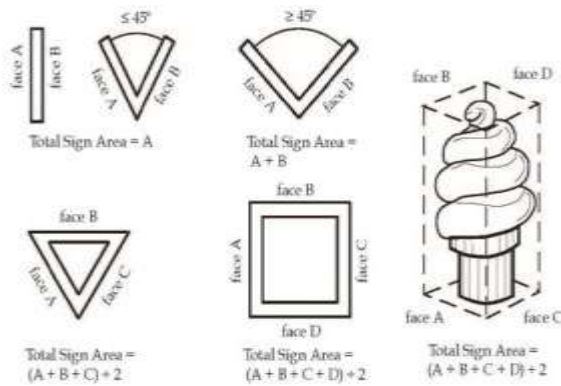
D. Backlit Translucent Panels. Backlit translucent panels and spandrels, with or without text or graphics, are measured as the area of the height and width of any internally illuminated translucent panel or spandrel, including the side panels if the structure or spandrel is greater than six inches in width.

E. Multi-Face Signs. Multi-face signs, as shown in Figure 8, are measured as follows:

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1. Two-Face Signs. If the interior angle between the two sign faces is 45 degrees or less, the sign area is of one sign face only. If the angle between the two sign faces is greater than 45 degrees, the sign area is the sum of the areas of the two sign faces.
2. Three- or Four-Face Signs. The sign area is 50 percent of the sum of the areas of all sign faces.
3. Spherical, free-form, sculptural or other nonplanar sign area is measured as 50 percent of the sum of the areas using only the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure, as show in Figure 8 below. Signs with greater than four polyhedron faces are prohibited.

Figure 8



(Ord. 19-552 § 2 (Exh. A)).

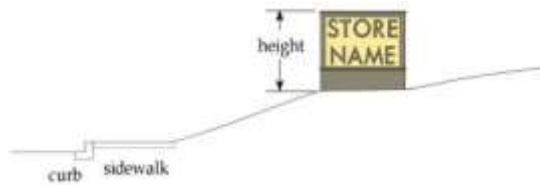
18.97.090 Sign height measurement.

Sign height is measured as follows:

A. Freestanding Signs. Sign height is measured as the vertical distance from natural grade at the base of a sign to the top of the sign, including the sign support structure; except that signs within 25 feet of an adjacent road may be measured as follows:

1. If natural grade at the base of a sign is higher than the grade of the adjacent road, sign height shall be measured from the base of the sign as shown in Figure 9.

Figure 9

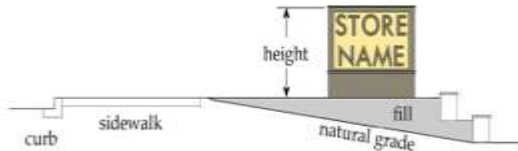


2. If natural grade at the base of the sign is lower than the grade of an adjacent road, the height of the sign shall be measured from the top of curb or road-grade elevation; provided, that fill is placed between the curb and the

The Edgewood Municipal Code is current through Ordinance 25-675, passed February 11, 2025.

sign and extends at least five feet beyond the base of the sign in all directions, as shown in Figure 10. Any cut, fill, or grading work must comply with applicable site grading, fill, or excavation requirements contained elsewhere in the EMC.

Figure 10



(Ord. 19-552 § 2 (Exh. A)).

18.97.100 Sign structure and installation.

A. Support Elements. Any angle iron, bracing, guy wires, or similar features used to support a sign shall not be visible.

B. Electrical Service. When electrical service is provided to freestanding signs or landscape wall signs, all such electrical service is required to be underground and concealed. Electrical service to building-mounted wall signs, including conduit, housings, and wire, shall be concealed. A building permit (electrical) must be issued prior to the installation of any new signs requiring electrical service.

C. Raceway Cabinets. Raceway cabinets, where used as an element of building-mounted wall signs, shall match the building color scheme at the location of the building where the sign is located. Where a raceway cabinet provides a contrast background to sign copy, the colored area is considered part of the sign face and is counted in the aggregate sign area permitted for the site or business. Examples of raceway cabinets are shown in Figure 11.

Figure 11



D. Limitation on Attachments and Secondary Uses. All permitted sign structures and their associated landscape areas shall be kept free of supplemental attachments or secondary uses, including, but not limited to, supplemental signs not part of a permitted sign, light fixture, newspaper distribution rack, or trash container. The use of sign structures and associated landscape areas as bicycle racks or support structures for outdoor signs is prohibited. (Ord. 19-552 § 2 (Exh. A)).

18.97.110 Digital signs.

A digital sign is not a separately allowed sign type. The purpose of this section is to regulate the manner in which digital sign technology can be applied to sign types that are otherwise allowed in this chapter. This section is not intended to allow more signs or larger signs than otherwise permitted in this chapter. No permit shall be issued for a digital sign that does not comply with the following standards:

A. Zoning. Allowed in all zoning districts.

B. Number. One digital sign per 100 feet of street frontage in the TC, C, MUR, BP, I, and P zoning districts. One digital sign per 100 feet of street frontage in residential zones on parcels two acres or greater in size, not to exceed one sign per parcel.

C. Setback Location. As allowed under the specific sign type; however, a minimum separation spacing in the TC, C, MUR, BP, I, and P zoning districts of 100 feet is required in order to comply with subsection (B) of this section.

D. Size and Area. Maximum of 30 square feet, or as otherwise limited by the size limits of this chapter.

E. Height. As allowed under the specific sign type.

F. Design. Maximum luminance: 50 nits during nighttime hours. Motion limits: no motion allowed except for instantaneous change of message. Minimum hold between messages: eight seconds.

G. Programming. To ensure that digital signs are programmed and continue to operate according to local standards, digital signs shall be designed for local on-site control and programming. (Ord. 19-552 § 2 (Exh. A)).

18.97.120 Electronic message center signs (EMCS).

An EMCS is not a separately allowed sign type. The purpose of this section is to regulate the manner in which EMCS technology can be applied to sign types that are otherwise allowed in this chapter. This section is not intended to allow more signs or larger signs than otherwise permitted in this chapter. No permit shall be issued for an EMCS that does not comply with the following standards:

A. Zoning. Only allowed in the TC, C, MUR, BP, I, and P zoning districts.

B. Number. One EMCS per 100 feet of street frontage, not to exceed one per business or tenant space. Parcel area must meet or exceed one acre and contain at least 100 feet of contiguous street frontage to allow an EMCS.

C. Setback Location. As allowed under the specific sign type; however, a minimum separation spacing of 100 feet is required in order to comply with subsection (B) of this section.

D. Size and Area. Maximum of 30 square feet, or as otherwise limited by the size limits of this chapter.

E. Height. As allowed under the specific sign type.

F. Design – Maximum Luminance.

1. Daytime: 5,000 nits.

2. Nighttime: 50 nits.

3. Signs shall include auto-dimming features with light-sensory capabilities to dim the sign to allowable luminance levels during nighttime hours.

G. Motion Limits. No motion except for a fade-in of the next message with the fade transition being no more nor less than one and one-half seconds. Fade transition is required rather than instantaneous message changes to avoid sudden or startling flashes of light. The minimum hold between messages shall be 10 seconds, plus one and one-half seconds for a transition fade. Signs shall have no flashing copy or lights; revolving beacon lights; chasing, blinking, or stroboscopic lights; or fluttering, undulating, swinging, or otherwise moving parts.

H. Programming. To ensure that EMCS are programmed and continue to operate according to local standards, EMCS shall be designed for local on-site control and programming. The applicant shall provide a written certificate from the sign manufacturer that the nighttime light intensity has been factory preset not to exceed allowable levels under this section, and that this setting is protected from end-user modification by password-protected software or other method that ensures compliance. (Ord. 19-552 § 2 (Exh. A)).

Article III. Sign Types

18.97.130 Permanent signs.

Permanent signs shall comply with the sign area, height, number, type, and other requirements of this section and any other applicable sections, as well as the following Table 1 in this section ¹. Sign permits are required for all permanent signs in accordance with EMC 18.97.260, Sign permits.

Table 1 – Standards for Permanent Signs by Sign Type.

Type	Zone	Number of Signs	Maximum Height (feet)	Maximum Area (sq. ft.)	Setbacks
Accessory Sign (EMC 18.97.140)	Only allowed in the TC, C, MUR, BP, I, and P zoning districts	1 sign at each vehicle ingress or egress, no more than 4 accessory signs per parcel	Building- mounted max. of 8 ft.; freestanding max. of 3 ft. from grade	3 sq. ft. per sign face; may be double-sided	Flexible, see EMC 18.97.140
Accessory Sign – Drive Through, Large (EMC 18.97.140)	Only allowed in the TC, C, MUR, BP, I, and P zoning districts	In addition to other accessory signs, 1 large accessory sign for each point of entry to a drive-up window	5.5 ft., including the associated sign structure	45 sq. ft. per drive-up point of entry	Signs shall be oriented so that the sign face is not visible from <u>vehicles travelling in</u> the public right-of-way
Awning or Canopy Sign (EMC 18.97.150)	Only allowed in the TC, C, MUR, BP, I, and P zoning districts	1 awning sign for each primary entrance to a tenant space, see EMC 18.97.150 for secondary entrances	Awning sign cannot be mounted higher than a max. of 25 ft. above the ground floor	On primary elevation, sign shall not exceed 1 sq. ft. of sign per linear foot of awning or canopy width	Cannot project beyond the edges of the awning on which it is displayed. Cannot project above, below, or beyond the edges of the building wall on which it is located.
Building-Mounted Wall Signs (EMC 18.97.160)	Residential parcels larger than 2 acres in any zoning district	1 per each building facade on an accessory structure, e.g., barn that is parallel to and visible from a street frontage	Shall not project above rooflines or obscure architectural details and may not exceed 70% of the blank wall height	50 sq. ft., but cannot exceed 3% of the area of the facade of building where sign is mounted	Mounted on building that must comply with setbacks
Building-Mounted Wall Signs (EMC 18.97.160)	In the TC, C, MUR, BP, I, and P zoning districts	1 per each building facade that is parallel to and visible from a street frontage	Shall not project above rooflines or obscure architectural details and may not exceed 70% of the blank wall height	Up to 5% of the area of the facade upon which sign is placed, not to exceed 60% of the width of wall plane or tenant space	Mounted on building that must comply with setbacks
Changeable Copy Signs (EMC 18.97.170)	In all zoning districts	1 per parcel but 1 additional sign allowed if placed 100 ft. from <u>public</u> right-of-way and other restrictions	15 ft. max.	No more than 20% of the allowed wall sign area or 50% of a freestanding sign may be changeable copy; if at least 100 ft. from streets, may be a max. of 50% of wall sign area	If building-mounted, building must comply with setbacks; if freestanding, sign must comply with setbacks for freestanding signs
Freestanding Signs (EMC 18.97.180)	<u>MR-2</u> , TC, C, MUR, BP, I, and P zoning districts ¹	See code – 1 for each site frontage	See code – depending on street frontage, 6 to 15 ft.	See code – depending on street frontage, 20 to 100 sq. ft.	5 ft. from street property line; 25 ft. from any interior side lot line; and 30 ft. from any residential zone
Ground-Mounted or Landscape Wall Signs (EMC 18.97.190)	Allowed in all zones but not allowed on individual single-family lots	1 per development	5 ft. max. from grade	Between 24 sq. ft. to 32 sq. ft., see EMC 18.97.190	At least 5 ft. from street property line; 25 ft. from any interior side lot line
Portable Signs (EMC 18.97.200)	Only allowed in the TC, C, MUR, BP, I, and P zoning districts	1 per business or tenant space	Sandwich board signs, max. of 4 ft. in height; pole-mounted signs, max. of 5 ft. in height	Sandwich board signs, 3 ft. in width; pole-mounted, 2 ft. in width	Must be located no further than 10 ft. from primary building of business; prohibited on <u>citypublic</u>

Commented [JM3]: Suggestion - this may be impractical in a lot of instances, so simply trying to address driver distraction with this provision.

Table 1 – Standards for Permanent Signs by Sign Type.

Type	Zone	Number of Signs	Maximum Height (feet)	Maximum Area (sq. ft.)	Setbacks
					right-of-way, sidewalk without street use permit
Projecting Signs (EMC 18.97.210)	All zoning districts	1 per tenant space or building frontage, allowed in addition to wall signage	No higher than the first story level of the building; no lower than 8 ft. above the grade of sidewalk, walkway or driveway	Nonresidential zones: cannot exceed 12 sq. ft.; residential zones: face of sign cannot exceed 1.5 sq. ft. in area	Must be attached to building which complies with setbacks, may extend a max. of 4 ft. from building and hung a minimum of 6 inches from building
Service Island Signs (EMC 18.97.220)	Only allowed in the TC, C, MUR, BP, I, and P zoning districts	1 sign on canopy fascia per street frontage, not to exceed 20% of area of canopy fascia	See building-mounted wall sign requirements	20% of area of canopy fascia to which sign is mounted	Mounted on building that must comply with setbacks
Sign Walker (EMC 18.97.230)	Only allowed in the TC, C, MUR, BP, and I zoning districts	No limit	Shall not exceed 8 ft. in height when held in place	8 sq. ft. in area	Minimum of 30 ft. from street intersection; prohibited on public property or public right-of-way, in driveways, parking stalls, driving lanes, etc.
Window Sign² (EMC 18.97.250)	All zoning districts	No more than 1 permanent window sign per window	No higher than second-story windows for permanent window signs	Shall not exceed 25% of area of window in which sign is displayed	Building in which window sign is displayed must comply with setbacks

1. See EMC 18.97.240 for temporary freestanding signs which are allowed in residential areas.

2. Window signs may be permanent or temporary. This table includes the regulations for permanent window signs.

(Ord. 19-552 § 2 (Exh. A)).

18.97.140 Accessory signs.

No permit shall be issued for an accessory sign which does not comply with the following standards:

A. Zones. Only allowed in the TC, C, MUR, BP, I, and P zoning districts.

B. Number. A maximum of one sign at each vehicle point of entry or egress, not to exceed four accessory signs per parcel.

C. Setback Locations. Flexible; provided, that the number of signs in subsection (B) of this section is not exceeded; and provided, that the signs comply with setback standards for freestanding signs in EMC 18.97.180.

D. Dimensions. Maximum sign area: three square feet per face; may be double-sided.

E. Height – Mounting Height.

1. Building-mounted wall sign (EMC 18.97.160): maximum of eight feet; must be flat against a wall of the building.

2. Freestanding sign (EMC 18.97.180): maximum of three feet from grade.

The Edgewood Municipal Code is current through Ordinance 25-675, passed February 11, 2025.

F. Design. Nonilluminated or internal illumination only. Any accessory sign with electronic display must conform to all digital sign or EMCS standards in EMC 18.97.110, Digital signs, or EMC 18.97.120, Electronic message center signs (EMCS).

Figure 12



G. Drive-Through Large Accessory Signs. In addition to the accessory signs allowed for vehicle points of entry and in addition to freestanding signs otherwise allowed under EMC 18.97.180, large accessory signs are allowed for each point of entry to a drive-up window, subject to the following standards:

1. Maximum Sign Size. Thirty square feet.
2. Maximum Sign Height. Five feet, six inches, including the associated sign structure.
3. Orientation. Large accessory signs must be oriented so that the sign face is not visible from vehicles travelling in any public rights-of way.
4. Screening. All sides of large accessory signs must be screened from the view of vehicles travelling in the street or public right-of-way with landscaping or walls of brick, stone, or siding materials that match the principal walls of the building to which the sign applies. If landscaping is used for screening, it must provide full screening at maturity and must be large enough at planting to provide at least 70 percent screening of the sign.
5. Audio. No sound or amplification may be emitted that is audible beyond the site. (Ord. 19-552 § 2 (Exh. A)).

18.97.150 Awning or canopy signs.

No permit shall be issued for an awning or canopy sign which does not comply with the following standards:

- A. Zone. Only allowed in the TC, C, MUR, BP, I, and P zoning districts.
- B. Number. One awning or canopy sign is allowed for each primary entrance to a building or tenant space. In addition, one awning or canopy sign may be allowed on a secondary entrance which faces a public street or on-site parking area. The awning or canopy sign may only be placed on the ground-floor level facade of the building. Awning or canopy signs shall be included in the calculations for allowable wall signage per facade.
- C. Setback Location.
 1. An awning or canopy sign may not be mounted higher than a maximum of 25 feet above the ground floor.

2. An awning or canopy sign shall not project above, below, or beyond the edges of the face of the building wall or architectural element on which it is located.
3. No part of the sign, as a part of, or displayed on, the vertical surface of an awning or canopy, shall project beyond the edges of the awning or canopy surface on which it is displayed. If an awning or canopy is placed on multiple store fronts, each business or tenant space is permitted signage no greater than 60 percent of the store width or tenant space.
4. The awning or canopy sign shall not extend horizontally a distance greater than 60 percent of the width of the awning, canopy, or valance on which it is displayed.

D. Dimensions. The sign area on the primary elevation shall not exceed one square foot of sign area per linear foot of awning or canopy width. A maximum of 40 percent of an awning or canopy on which signage is proposed may be of an angle greater than 60 degrees from horizontal.

Figure 13



E. Height. See subsection (C) of this section (Setback Location).

F. Design. If sign letters or logos are backlit or internally illuminated, only the face area containing the letters or logos may be illuminated. The sign may also be externally illuminated as allowed by EMC 18.97.050. (Ord. 19-552 § 2 (Exh. A)).

18.97.160 Building-mounted wall signs.

No permit shall be issued for a building-mounted wall sign which does not comply with the following standards:

A. Residential. Wall signs are not allowed on residential parcels smaller than two acres in size in any zoning district, except for address numbers as required by law and building identification signs allowed by EMC 18.97.030.

1. Number. One per each accessory building facade that is parallel to and visible from a street frontage.
2. Setback Location. Permitted on the building wall of an individual building.
3. Dimensions. Total area shall not exceed 100 square feet or three percent of the area of the facade upon which the sign is placed, whichever is less. Width: not to exceed 60 percent of the width of the wall plane upon which the sign is placed.

Figure 14



4. Height. Shall not project above rooflines or obscure architectural details and may not exceed 70 percent of the blank wall height.

5. Design. Nonilluminated only.

B. Nonresidential Zones.

1. Number. One per each building facade that is parallel to and visible from a street frontage.

2. Location on Building. Signs may not cover or obscure architectural details of a building, such as stair railings, windows, doors, decorative louvers or similar elements intended to be decorative features of a building design. Signs must appear to be a secondary feature of the building facade.

3. Dimensions.

a. Area. The total signage area may be up to five percent of the area of the facade upon which the sign is placed.

b. Width. Not to exceed 60 percent of the width of the wall plane upon which the sign is placed or the width of the tenant space.

c. Height. Shall not project above rooflines or obscure architectural details and may not exceed 70 percent of the blank wall height.

4. Size of Parcel or Site. No restrictions.

5. Design.

a. Illumination, Flush- or Tight-Mounted. All individual letter signs shall be installed to appear flush-mounted. If the letters are illuminated and require a raceway, the letters shall be installed tight against the raceway, which shall be painted to match the color of the surface to which the raceway is mounted. Where possible – especially on new construction – the raceway should be recessed to allow letters to be flush with the wall surface.

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b. Where more than one sign is allowed for a business, all signs shall be consistent in design, style, color, and method of illumination. Where there are multiple businesses or tenants on a site, all signs shall conform to a master sign plan, consistent with EMC 18.97.270. (Ord. 19-552 § 2 (Exh. A)).

18.97.170 Changeable copy sign.

No permit shall be issued for a changeable copy sign which does not comply with the following standards:

A. Zones. Changeable copy signs are allowed in all zoning districts, but only as an integral part of a building-mounted wall sign or freestanding sign.

B. Number. No more than one changeable copy sign shall be allowed for each parcel, except that additional changeable copy signs are permitted as follows:

1. The additional changeable copy sign(s) must be placed at least 100 feet from abutting ~~public streets or~~ rights-of-way; and
2. The additional changeable copy sign(s) must not exceed the maximum area, height, and quantity standards otherwise applicable to any freestanding or building-mounted wall sign on the parcel.

Figure 15



C. Setback Location. Placement is allowed only as an integral part of a building-mounted wall sign or a freestanding sign. Changeable copy signs that are portable are not permitted.

D. Dimensions. No more than 20 percent of the allowed building-mounted wall sign area if placed less than 100 feet from abutting streets and no more than 50 percent of a freestanding sign face may be changeable copy; however, these size limitations do not apply to signs required by law. Building-mounted wall signs with changeable copy placed at least 100 feet from abutting streets may be a maximum of 50 percent of permitted wall sign area.

E. Height above Grade. Fifteen feet maximum. Building-mounted wall signs are limited to the maximum height for freestanding signs.

F. Design. Nonilluminated in all zones. Internally or indirectly illuminated in nonresidential zones subject to the illumination standards in EMC 18.97.050. (Ord. 19-552 § 2 (Exh. A)).

18.97.180 Freestanding signs.

No sign permit shall be issued for a freestanding sign that does not comply with the following standards:

The Edgewood Municipal Code is current through Ordinance 25-675, passed February 11, 2025.

A. Zone. Permanent freestanding signs are only allowed in the MR-2, TC, C, MUR, BP, I, and P zoning districts.²

B. Number.

1. The number and type of freestanding signs for single and multiple-tenant uses are derived from the use, zone, location, and length of development site frontage as described in this section.
2. One individual freestanding sign is allowed per parcel for each street frontage. Multiple shared freestanding signs may be permissible in accordance with the minimum separation distance in subsection (C)(4) of this section, and subject to a master sign plan. Flag lot sites with frontage on a public street are permitted one sign on the frontage providing primary access to the site and may request or apply for a master sign plan with adjoining properties to erect a shared freestanding sign that complies with the street frontage requirements of the properties joined in the master sign plan.
3. Shopping centers, mixed-use developments, adjoining parcel development, or multi-tenant buildings may request or apply for a master sign plan for the comprehensive review of all signs proposed within the site development.

Figure 16



C. Setback and Location.

1. No freestanding sign shall be permitted on any site that does not have street frontage.
2. Freestanding signs shall be set back a minimum of five feet from the street side property line, a minimum of 25 feet from any interior side lot line and a minimum of 30 feet from any residential district.
3. No freestanding sign shall be located in the triangular area(s) measured 15 feet by 15 feet where a driveway enters onto a street, or in any other area which may obstruct the vision of motorists so as to create a safety hazard. Additionally, all signs are subject to the public works standards regarding sight distances.
4. Where more than one freestanding sign is proposed on a site with multiple frontages, a minimum of 150 linear feet shall separate each sign.

Figure 17



D. Dimensions.

1. Maximum sign size and height dimensions are determined based on the property’s linear distance of total street frontage and are subject to both the setback and location criteria in subsection (C) of this section and the following requirements:

Individually Permitted Freestanding Signs		
Total Street Frontage	Maximum Size	Maximum Height
0 – 60 feet	40 square feet	6 feet
61 – 119 feet	50 square feet	8 feet
120 feet or more	75 square feet	10 feet

Shared Freestanding Signs (approved under a master sign plan)		
Total Street Frontage	Maximum Size	Maximum Height
0 – 60 feet	48 square feet	7.5 feet
61 – 119 feet	60 square feet	10 feet
120 feet or more	90 square feet	12 feet

2. An individual freestanding sign may be permitted up to a maximum height of 12 feet and a maximum size of 120 square feet and a shared freestanding sign may be permitted up to a maximum height of 15 feet, in accordance with subsection (D)(2)(c) of this section, and a maximum size of 150 square feet; provided, that all of the following conditions are satisfied:

- a. The sign is ground-mounted on a monument-style base, made or covered with brick or stone, which extends at least the full width of the sign face and is at least one-fourth of the total sign height. An alternate material may be approved by the director if he or she finds that the material better reflects the materials and architecture of the closest or principal building on the site;
- b. The sign cabinet and the associated trim caps that secure and frame the sign face are dark bronze, black, or an earth tone color that reflects the color of the sign base or the color of the siding or trim of the building to which the sign applies;

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- c. The sign is no taller than 75 percent of the height of the tallest building on the property or within the master sign plan area, as measured to the midpoint between the fascia line and the ridge on a pitched roof building, or the top of the highest cornice or parapet on a flat roof building; and
- d. The sign maintains a setback separation distance of 200 feet from any other freestanding sign on the same property or subject to the same master sign plan.

E. Design. The following design standards apply to freestanding signs:

- 1. The sign face may be either nonilluminated or externally illuminated. An internally illuminated sign is allowed if the background of the sign is totally opaque and only the graphics, text, or both are illuminated.
- 2. The permanent sign base shall have a minimum aggregate width of 40 percent of the width of the sign cabinet or face. (Ord. 19-552 § 2 (Exh. A)).

18.97.190 Ground-mounted or landscape wall sign.

No permit shall be issued for a ground-mounted or landscape wall sign which does not comply with the following standards:

Figure 18



A. Zones. Allowed in all zones ~~except but not allowed on individual single-family residential~~ lots in the ~~single-family R-1 and R-2 zones.~~

B. Number. Multiple signs are permitted to a maximum of 24 square feet and sign(s) shall not cover more than 40 percent of the landscape wall's background area.

C. Setback. Perimeter/screen walls shall be located wholly on private property, comply with setback requirements of the underlying zone, and be located at least five feet from ~~either~~ the sidewalk ~~when abutting~~ public right-of-way.

D. Dimensions.

- 1. ~~Single-family Residential~~ subdivisions or multifamily developments: one sign up to a maximum of 24 square feet in area.
- 2. ~~Nonresidential use in R-1, R-2, MR-1, and MR-2 zoning districts: one sign up to a maximum of 16 square feet in area.~~
- 3. Nonresidential use in TC, C, MUR, BP, I, and P zoning districts: one sign up to a maximum of 24 square feet in area.
- 4. Civic uses in all zoning districts: one sign up to a maximum of 32 square feet.

Commented [JM4]: I don't think it is necessary to keep this feature 5' away from the public ROW, so how does this look?

The Edgewood Municipal Code is current through Ordinance 25-675, passed February 11, 2025.

E. Height. Maximum of five feet above grade. The sign copy shall be a minimum of six inches below the top of the wall and 12 inches above ground level. Signs shall not project above or beyond the top or sides of the landscape wall.

F. Design. Illumination is permitted. (Ord. 19-552 § 2 (Exh. A)).

18.97.200 Portable signs.

No permit shall be issued for a portable sign, sandwich board sign, or pole-mounted sign that does not comply with the following standards:

A. Zone. Allowed only in the MR-2, TC, C, MUR, BP, I, and P zoning districts, except that temporary portable signs are allowed in residential zones, subject to the provisions of EMC 18.97.240, Temporary signs.

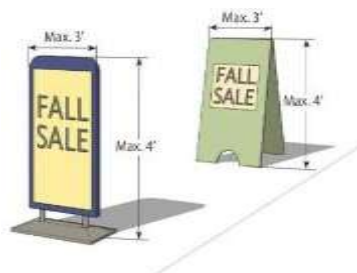
B. Number. Not more than one portable sign may be displayed per business or per tenant space.

C. Location. Must be located no farther than 10 feet from the primary building of the business, or, if there is only one business or tenant space on the site, it may be located not farther than 10 feet from the site's driveway entrance. No portable sign may be located within, over, or on ~~the city-public right-of-way or any public sidewalk~~ without a street use permit issued by the city.

D. Dimensions – Size and Height. Sandwich board signs: a maximum of four feet in height as measured in the flat standing position and not the open standing position, and a maximum of three feet in width. Pole-mounted signs: a maximum of five feet in height, and a maximum of two feet in width.

E. Design and Materials. Must be constructed with durable materials that are designed to withstand the natural elements and the effects of water and wind, otherwise they will be regulated as temporary signs under EMC 18.97.240. Portable signs must be designed to withstand typical prevailing winds and must include a heavy weighted base for pole-mounted signs, and a heavy weight suspended between the opposing faces of a sandwich board sign.

Figure 19



F. Display Hours. Portable signs and temporary portable signs may only be displayed during business operating hours.

G. Type. Portable signs may not be changeable copy signs or illuminated in any manner. (Ord. 19-552 § 2 (Exh. A)).

18.97.210 Projecting signs.

No permit shall be issued for any projecting sign that does not comply with the following standards:

A. Zone. Allowed in all zoning districts.

B. Number. One projecting sign may be allowed per tenant space or building frontage. Projecting signs are permitted in addition to allowable wall signage.

C. Location.

1. No part of any projecting sign shall be located closer than eight feet above the grade of the sidewalk, walkway, or driveway directly below and within three feet of the sign.
2. Projecting signs may extend a maximum of four feet from the building and shall be separated a minimum of six inches away from the building.
3. No projecting sign shall be located within 25 feet of another projecting sign on the same site or on the same building.
4. No projecting sign shall be located higher than the first-story level of the building.

5. No projecting sign shall extend into the public right-of-way to any point within ten feet of a vehicular travel lane, including the sidewalk, without an approved street use permit issued by the city.

Commented [JM5]: Review with Chuck - This would relax the requirement for Street Use Permits on this specific sign type.

D. Dimensions.

1. Nonresidential Zones. The face of a projecting sign shall not exceed 12 square feet in area.
2. Residential Zones. The face of a projecting sign shall not exceed one and one-half square feet in area.

Figure 20



E. Height. No higher than the first-story level of the building, and a maximum of 25 feet above grade.

F. Design.

1. ~~In nonresidential zones, projecting signs may~~ be illuminated, internally or indirectly. In residential zones, projecting signs may not be illuminated.
2. Projecting signs shall be perpendicular to the building wall to which they are affixed.
3. Projecting signs shall not exceed four inches in thickness.
4. Projecting signs shall be supported by or suspended from solid rods or otherwise tethered or reinforced to avoid movement in wind. (Ord. 19-552 § 2 (Exh. A)).

18.97.220 Service island signs.

No permit shall be issued for a service island sign that does not comply with the following standards:

The Edgewood Municipal Code is current through Ordinance 25-675, passed February 11, 2025.

A. Zone. Allowed only in the TC, C, MUR, BP, I, and P zoning districts.

B. Number and Size.

1. Island Canopies. One sign on the canopy fascia per street frontage, not to exceed 20 percent of the area of canopy fascia to which the sign is mounted.

2. Spandrel Signs and Canopy Support Signs. Spandrel signs shall not exceed 20 percent of the spandrel area, and both spandrel signs and signs attached to canopy support columns shall be deducted from allowable wall signage on the associated principal building on the site.

C. Setback – Location. Mounted on building that must comply with setbacks.

D. Height. Shall not project above rooflines or obscure architectural details and may not exceed 70 percent of the blank wall height.

E. Design. Spandrel signs may be internally illuminated, subject to the illumination standards of EMC 18.97.050. Signs attached to canopy support columns shall not be illuminated. (Ord. 19-552 § 2 (Exh. A)).

18.97.230 Sign walkers.

Sign walkers are allowed, subject to the following standards:

A. Permit. A permit is not required for a sign walker, but the sign walker shall comply with all applicable requirements of this chapter.

B. Zone. Only allowed in the TC, C, MUR, BP, and I zoning districts.

C. Number. No limit.

D. Location. Sign walkers are restricted to a minimum of 30 feet from a street or driveway intersection, measured from the back of the curb or edge of pavement if no curb exists, and shall not be located in any of the following places:

1. On any public property or within public right-of-way, although sign walkers are allowed on public sidewalks, [as limited above](#);
2. In parking aisles or stalls;
3. In driving lanes;
4. On fences, walls, boulders, planters, other signs, vehicles, utility facilities or other structures; or
5. In a manner which results in a sign walker or the sign walker's sign physically interfering with motorists, pedestrians, or bicyclists.

E. Dimensions. The sign walker's sign shall not exceed eight square feet in area, and shall not exceed eight feet in height when held in place.

F. Design. The sign walker's sign cannot be illuminated. Sign walkers shall be limited to daylight hours only. A sign walker's sign may not include any element of a prohibited sign as described in EMC 18.97.040. (Ord. 19-552 § 2 (Exh. A)).

18.97.240 Temporary signs.

A. No Permit Required – Materials. No sign permit is required for temporary signs that comply with the standards in this section. Temporary signs are primarily distinguished by the materials which make up the sign (see definition of "temporary sign" in EMC 18.97.300 and EMC 18.97.060, Sign materials). Temporary signs shall comply with the requirements of this chapter.

B. Removal. Temporary signs shall be removed if the sign is in need of repair, is worn, dilapidated, or creates a public nuisance.

C. City Property (Excluding City Right-of-Way). See EMC 18.97.020(C). Temporary signs on city-owned property (excluding city right-of-way) are allowed only in conjunction with a city approved and issued special event permit.

D. Residential Zones. Temporary signs may be placed on property residentially zoned in accordance with the requirements of this chapter and the following:

1. Building-/Surface-/Wall-Mounted Signs. Not allowed on properties under two acres in size. For larger parcels, see subsection (F) of this section.
2. Changeable Copy Signs. See applicable sign type.
3. Freestanding Signs (Includes Post-Mounted, Stake-Mounted, and Portable Signs). No more than two on-site freestanding temporary signs may be displayed per site, as follows:
 - a. ~~NonSingle-Multi~~Family Properties. Temporary freestanding signs shall not exceed four square feet in size and five feet in height if the sign is mounted on the ground. Temporary freestanding signs shall not exceed three feet in height if the sign is stake-mounted or portable.
 - b. Multifamily Properties. Temporary freestanding signs shall not exceed six square feet in size and five feet in height if the sign is post-mounted on the ground. Temporary freestanding signs shall not exceed three feet in height if the sign is stake-mounted or portable.
4. Window Signs. Limited to no more than one temporary window sign per residential unit, not to exceed four square feet.

E. Nonresidential or Mixed-Use Properties. Temporary signs are allowed on properties within the TC, C, MUR, BP, and P zoning districts in accordance with the requirements of this chapter and the following:

1. Building-/Surface-/Wall-Mounted Signs.
 - a. Size. Limited to 40 square feet total per building site, not to exceed 20 square feet per individual sign.
 - b. Location. Must be flatly affixed to walls below the fascia or parapet line, or flatly affixed to on-site fences only if not visible from public right-of-way either facing the abutting street, or facing inward to the subject site. Signs shall not be attached or tethered to other site improvements.
2. Freestanding Signs (Including Post-Mounted, Stake-Mounted, and Portable Signs) – Size and Height. Limited to four square feet in area, and sign cannot exceed five feet in height if the temporary sign is post-mounted in the ground and cannot exceed three feet in height if the temporary sign is stake-mounted or portable. No more than two on-site freestanding temporary signs may be displayed per site.
3. Window Signs. Limited to one temporary sign per window not to exceed 50 percent of the individual window area, and not to exceed 20 percent of the total ground-floor window area on any given facade, subject to the window sign requirements of EMC 18.97.250.

F. Temporary Signs on Large Properties within Any Zoning District. The following temporary signs may be placed on any site at least two acres in size, in accordance with the requirements of this section and the following:

1. Type. Any type.
2. Size and Height. Not to exceed 64 square feet and up to eight feet above ground level.
3. Exclusivity. The sign allowed under this subsection is in lieu of and shall not be displayed with or be in addition to other temporary signs allowed by this section.

G. City Right-of-Way. ~~Except for Governmental Signs (EMC 18.97.030(E)), and unless otherwise authorized by a street use permit or special event permit, Temporary signs are prohibited in the public right-of-way. Temporary signs placed on public property or public right-of-way in violation of this chapter are subject to removal and disposal by the city without notice. The city shall hold signs removed from public property or public right-of-way for a minimum of two weeks before disposing of the sign. Temporary signs on city right of way (placed outside of the roadway) must comply with the following requirements:~~

Commented [JM6]: Language from BLMC 15.28.060(J) - simple and straightforward.

~~1. Location. Allowed only between the property line and the back edge of the nearest sidewalk, or where no sidewalk exists, between the property line and a line five feet away from the nearest edge of the roadway pavement. Signs may not be placed on sidewalks, driveways, or other paved areas designed for pedestrian or vehicular use; in planter strips; or as conditioned in a street use permit. Approval of the abutting owner is recommended.~~

~~2. Type. Signs on stakes that can be manually pushed or hammered into the ground are allowed. All other signs are prohibited, unless specifically allowed by a street use permit.~~

~~3. Size and Height. Limited to four square feet, and three feet in height.~~

~~4. Other Signs. The city may allow other signs in city right of way with a street use permit.~~

~~5. Attachments. Signs in the right of way may not include attachments such as balloons, streamers, or other attention getting devices. (Ord. 19-563 § 1 (Exh. A); Ord. 19-552 § 2 (Exh. A)).~~

Commented [JM7]: Proposing to prohibit temporary signs in the public ROW, simplifies the process.

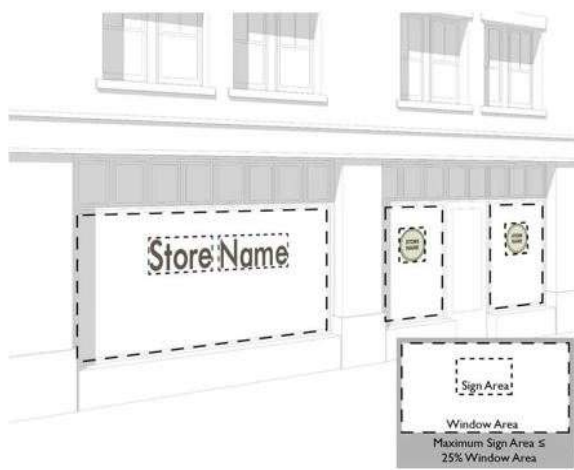
18.97.250 Window signs.

No permit shall be issued for a permanent window sign that does not comply with the following standards:

A. Zone. Allowed in all zoning districts.

B. Number. No more than one permanent window sign may be placed in a single window.

Figure 21



C. Setback – Location. No higher than second-story windows for permanent window signs. For the requirements applicable to temporary window signs, see EMC 18.97.240.

D. Window Coverage. Window signs, whether temporary or permanent, shall not exceed 25 percent of the area of the window on which they are displayed.

E. Height. No higher than the first-story level of a building, maximum height 25 feet from grade.

F. Design. Permanent window signs are limited to individual painted or vinyl cut-out letters and graphics, or neon signs constructed with or without a solid or opaque background. Permanent signs with solid backgrounds are not permitted in windows in order to ensure maximum light and visibility through windows. Temporary window signs are exempt from the restrictions in this subsection. (Ord. 19-552 § 2 (Exh. A)).

Article IV. Permitting

18.97.260 Sign permits.

A. What Is a Sign Permit? A sign permit is the approval granted by the city for any person to erect, alter, expand, or relocate a sign. For some signs, a building permit may also be required.

B. Is a Sign Permit Required? A sign permit is not required for any sign that is erected, altered, expanded, or relocated in accordance with the criteria listed in EMC 18.97.030, Exemptions. Even if a permit is not required, the sign must conform to this sign code.

C. Who Approves the Application? Sign permits are approved by the community development director or designee. If a building permit is required for the sign, the building code official approves the building permit. If a street use permit is required, the public works director approves the permit.

D. Who May Submit an Application? The owner or tenant of the property where the sign will be located, or the owner's agent on their behalf and with their written consent.

E. How Do I Submit an Application? A complete sign permit application must be submitted to the city and the application must include all of the following:

1. Application Form. A completed sign permit application, including the applicant's name, address, phone number, and email address. If the applicant is not the property owner, then the property owner must be identified, and the application must include an affidavit from the property owner, verifying that the property owner has given permission to the applicant for the submission of the sign permit application and for the installation or posting of the sign on the property owner's land.
2. Other Permit Applications. If required by the building code, a completed building permit application. In some instances, a street use permit application or a special event permit application may be required.
3. Building Elevation/Site Plan. Signs proposed to be mounted on a building require a building elevation drawn to scale that specifies the locations and size of existing signs on the building, the location and size of new signs proposed on the building, the dimensions of the wall plane upon which the signs will be placed, and drawings or photographs which show the scale of the sign in relation to surrounding doors, windows and other architectural features. Freestanding signs require a site plan indicating the proposed sign location as it relates to property lines, surrounding landscaping, adjacent streets, driveways and adjacent buildings.
4. Detailed Description of Sign. A scaled colored rendering or drawing of the sign and its associated structure, including dimensions of all sign faces, and descriptions of materials to be used on the sign and associated trim caps, fixtures and support structure, description of the sign face illumination and methods used to ensure that only text, graphics and logo shields are internally illuminated.
5. Scaled Installation Drawing. A scaled drawing that includes the sign description, proposed materials, size, weight, manner of construction and method of attachment, including all hardware necessary for proper sign installation, and, if applicable, foundation design.
6. Lighting. A drawing indicating the location and fixture type of all exterior lighting for the proposed signs. The drawing shall specify wattage and lamp type to ensure compatibility with the illumination standards in EMC 18.97.050.

7. Master Sign Plan. If the sign is subject to a master sign plan as described in EMC 18.97.270, a master sign plan must be included as part of a complete sign permit, unless a master sign plan for the site or building has already been approved, is current and is on file with the city.

8. Fees. Payment of the sign permit fee as set forth in the city of Edgewood fee schedule.

F. How Is Notice Provided? There is no notice to the public that a sign permit application has been submitted.

G. How Is an Application Reviewed? A sign permit application follows the Process I procedure in EMC 18.40.070 and 18.40.080. The application is categorically exempt from SEPA and, pursuant to RCW 36.70B.140(2), is exempt from the other permit processing requirements in RCW 36.70B.060 and 36.70B.110, including, but not limited to, the notice of application, determination of completeness and issuance of a final decision within the time permit set forth in RCW 36.70.080.

H. What Approval Criteria Are Used?

1. A sign permit application shall not be approved unless the director makes written findings and conclusions that the criteria applicable to each sign type, as well as the sign standards in this chapter, are satisfied.

2. Building permit applications associated with the sign shall be reviewed by the building code official for consistency with the building code.

3. If the sign uses electrical wiring and connections, a licensed electrician must submit a copy of the electrical permit application to the city, with the original submitted for approval to the state of Washington. If the sign requires a street use or special event permit, the application shall be submitted with the sign permit application for review by the public works director.

I. What If an Application Is Denied? The applicant may file an administrative appeal as provided in EMC 18.40.080(D).

J. What Happens after Approval? Once the sign permit issues, the sign must be installed within 180 days or the sign permit will expire. Building permits and street use permits shall expire in accordance with other applicable code provisions. No sign may be erected, altered or relocated if the sign permit has expired, even if the associated building permit or street use permit has not expired. (Ord. 24-660 §§ 24, 25 (Exh. B); Ord. 23-652 § 85 (Exh. A); Ord. 19-552 § 2 (Exh. A)).

18.97.270 Master sign plans.

A. What Is a Master Sign Plan? A master sign plan is a plan that includes, in a coordinated fashion, all of the signs needed for spaces in a proposed mixed-use or nonresidential, multi-tenant building(s) or site development or for coordination of adjoining parcels seeking to combine their total street frontage subject to the sizing requirements in EMC 18.97.180(D). In addition, a master sign plan may be voluntarily developed by the owner or agent of any new or existing nonresidential use.

B. Who Approves the Application? The community development director or designee.

C. Who May Submit an Application? The owner of the buildings or site development.

D. How Do I Submit an Application? A complete application for a master sign plan must be submitted, which includes all of the following information:

1. A complete master sign plan application, including the applicant's name, address, phone number and email address. If the applicant is not the property owner(s), then the property owner(s) must be identified and the application must include an affidavit from the property owner(s), verifying that the property owner(s) has given permission for the applicant to submit the master sign plan application. No master sign plan application may be submitted without written consent from all affected property owners, and no sign may be placed upon real property without the consent of the real property owner(s);

2. A site plan drawn to legible scale, indicating the location of all buildings, driveways and pavement areas, landscape areas, abutting streets, and proposed freestanding signs on the site;
3. Elevation drawings of each building on a site that indicate proposed sign locations on each of the buildings;
4. Maximum allowable signage on each elevation based upon a five percent calculation of all facades;
5. The master sign plan application shall identify the sign features and sign types proposed to be used on each building and the proposed location. In addition, the applicant shall include a statement describing the manner in which the building or site owner wishes to allocate allowable signage among tenants and where specific tenant signage shall be located;
6. A narrative description of the development to demonstrate that the master sign plan meets the required design standards of this chapter;
7. Fees. Payment of the master sign plan fee, as set forth in the city of Edgewood fee schedule.

E. How Is Notice Provided? There is no notice provided to the public that a master sign plan application has been submitted.

F. How Is an Application Reviewed? A master sign plan application follows the Process I procedure in EMC 18.40.070 and 18.40.080. The application is categorically exempt from SEPA and, pursuant to RCW 36.70B.140(2), is exempt from the other permit processing requirements in RCW 36.70B.060 and RCW 36.70B.110, including, but not limited to, the notice of application, determination of completeness and issuance of a final decision within the time permit set forth in RCW 36.70.080.

G. What Approval Criteria Are Used? All signs in the master sign plan must meet the criteria for approval of a sign permit in this section. In addition, all of the signs in the master sign plan:

1. Shall be architecturally similar and visually related to each other through the incorporation of common design elements. Up to two sign types may be used on any one building. All sign cabinets, trim caps, and all sign supports, such as poles and braces, shall be of a common color;
2. Shall be architecturally integrated with the buildings included in the master sign plan; and
3. Must not obscure the view of other signs which are consistent with this chapter.

H. What Happens If a Master Sign Plan Is Denied? The applicant may file an administrative appeal as provided in EMC 18.40.080(D).

I. What Happens after Approval? Once the master sign plan issues, the signs depicted in the approved plan must be installed within 180 days or the master sign plan will expire. Building permits and street use permits for any signs shown in the master sign plan shall expire in accordance with other applicable code provisions. No sign may be erected, altered or relocated if the master sign plan has expired, even if the associated sign permit, building permit or street use permit has not expired.

J. Can the Master Sign Plan Be Amended? An application for an amendment to an approved master sign plan can be submitted at any time, subject to the same requirements and procedures that apply to the original master sign plan application. Tenants whose signs are included in the amendment application need the property owner's consent to file such application. In order to approve any such amendment, the director shall consider the existing signs on the building(s) subject to the approved master sign plan when determining whether the application meets the criteria for approval in subsection (G) of this section. (Ord. 23-652 § 86 (Exh. A); Ord. 19-552 § 2 (Exh. A)).

18.97.280 Sign variances.

A. What Is a Sign Variance? A variance application is submitted concurrent with a sign permit application when the property owner/tenant seeks to deviate from the strict application of the regulations in this chapter which apply to:

1. Sign placement on a parcel or building frontage;

2. Sign area; or
3. Sign height (as limited in this chapter).

A variance may not be granted to allow any prohibited signs or prohibited sign features, as described in EMC 18.97.040, or for any other purpose that is not specifically listed in this subsection. The variance procedure in this section does not apply to the processing of any street use permit or building permit.

First Amendment Exception. Where an applicant can demonstrate that the strict application of the regulations in this chapter would violate his/her First Amendment rights, the city may grant a First Amendment exception that does not conform to all of the variance criteria in subsection (G) of this section. However, the applicant shall submit an application which provides his/her response to each of the variance criteria in subsection (G) of this section. In order to process a First Amendment exception, the city shall follow all other requirements of this section. In order to approve a First Amendment exception, the city must make written findings, and may only grant such exception to the extent reasonably necessary to protect the applicant's First Amendment rights. If a First Amendment exception is granted, it shall be processed as an approval of a variance for purposes of this chapter.

B. Who Approves the Application? After a public hearing on the consolidated applications of the sign permit and sign variance, the hearing examiner approves the applications.

C. Who May Submit an Application? The owner of the buildings, the owner of the property or site development.

D. How Do I Submit an Application? A complete application for a sign variance shall consist of the following:

1. Application Form. A completed sign variance application, including the applicant's name, address, phone number and email address. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner, verifying that the property owner has given permission to the applicant for the submission of the sign variance application and for the installation/posting of the sign on the property owner's property.
2. Sign permit application (all of the materials required by EMC 18.97.260(E)).
3. A narrative report which describes the requested variance in detail. The report shall identify all of the sections of this chapter from which the applicant is requesting the variance, as well as the nature and extent of the variance (in size, area, location on the property, height).
4. The narrative report shall also include the applicant's description of the manner in which the sign variance satisfies all of the variance criteria in subsection (G) of this section.
5. Payment of the sign variance fee, as set forth in the city of Edgewood fee schedule.

E. How Is Notice Provided? The public is given notice of a sign variance application and the associated sign permit application through issuance of a notice of application, as described in EMC 18.40.180.

F. How Is an Application Reviewed? The sign variance application is consolidated for processing, with the associated sign permit application, as Process III (hearing examiner review) in EMC 18.40.100. The city determines whether the applications are complete (EMC 18.40.150), the notice of application issues (EMC 18.40.180), a notice of public hearing issues (EMC 18.40.190) and a public hearing is held by the hearing examiner (EMC 18.40.190(E)). The hearing examiner issues a decision (EMC 18.40.100(Q) and (R)).

G. What Approval Criteria Are Used? Sign variance applications shall be reviewed by the hearing examiner to determine whether all of the following criteria are satisfied. In order to approve any sign variance, the director must make written findings to show that all of the following criteria have been met:

1. The request for a sign variance is due to unusual conditions pertaining to sign visibility needs for a specific building or lot; and
2. The sign will not create a hazard; and

3. The sign will not violate any state statute or any city code provision (other than the ones identified in subsections (A)(1) through (3) of this section); and
4. The sign will not negatively affect adjacent property; and
5. The sign will be in keeping with the general character of the surrounding area and the granting of the variance would not result in an alteration of the essential character of the surrounding area; and
6. The proposed variance is consistent with the purposes and intent of the zoning/development code and the purposes of this chapter; and
7. The variance is consistent with the city's comprehensive plan; and
8. The applicant has established that there are practical difficulties in complying with the provision(s) of this chapter identified in subsections (A)(1) through (3) of this section and that the proposed sign is a reasonable use of the property (economic considerations alone do not constitute practical difficulties); and
9. The plight of the applicant is due to circumstances unique to the property, which were not created by the applicant or landowner; and
10. The variance will not permit any sign or use that is not allowed in the zoning district where the affected land is located, nor will it allow any sign or sign feature prohibited under EMC 18.97.040.

H. What If an Application Is Denied? The applicant may file an administrative appeal as provided in EMC 18.40.100(T) and (X).

I. What Happens after Approval? Once the variance and sign permit issue, the sign must be installed within 180 days or the variance and sign permit will expire. Building permits and street use permits shall expire in accordance with other applicable code provisions. No sign may be erected, altered or relocated if the sign permit has expired, even if the associated building permit or street use permit has not expired. (Ord. 23-652 § 87 (Exh. A); Ord. 19-552 § 2 (Exh. A)).

18.97.290 Nonconforming signs, maintenance, removal and enforcement.

A. Nonconforming Signs. Any lawful nonconforming sign may be continued, as long as it is maintained only in the manner and to the extent that it existed at the time it became nonconforming. Illegal signs shall not be considered nonconforming signs.

B. Maintenance. It is unlawful for any owner of record, lessor, lessee, manager, or other person having lawful possession or control over a building, structure, or parcel of land to fail to maintain any signs on the building, structure, or parcel in compliance with this chapter and the zoning code (this title, Development Standards). Failure to maintain a sign constitutes a violation of this chapter, and shall subject the violator to issuance of a notice of code violation and enforcement under the provisions of EMC Title 7 and Chapter 18.85 EMC, unless otherwise specified.

1. Sign Maintenance. All signs, whether or not in existence prior to the adoption of this chapter, shall be maintained. Maintenance of a sign shall include periodic cleaning, replacement of flickering, burned-out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements and contents of the sign permit issued for its installation and the provisions of this chapter.

2. Landscape Maintenance. Required landscaped areas associated with an approved sign shall receive regular repair and maintenance. Plant materials that do not survive after installation in required landscape areas are required to be replaced within six months of the plant's demise or within the next planting season, whichever event first occurs.

C. Removal. Any vacant or unused sign support structures, angle irons, sign poles or other remnants of old signs which are currently not in use, or are not proposed for immediate reuse by a sign permit application for a permitted sign, shall be removed. In addition to the remedies in Chapter 18.85 EMC, Enforcement, the director shall have the

authority to require the repair, maintenance or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health or welfare of the public, at the cost of the sign and/or property owner.

D. Enforcement. Violations of the provisions of this chapter shall be deemed civil violations enforced according to EMC Title 7 and Chapter 18.85 EMC, unless otherwise specified. (Ord. 20-572 § 9 (Exh. I); Ord. 19-552 § 2 (Exh. A)).

Article V. Definitions

18.97.300 Definitions.

The words and phrases used in this chapter shall be construed as defined in this section, unless the context clearly appears otherwise. Unless specifically defined in this section, the definitions set forth in other provisions of this code shall likewise apply to this chapter.

A Definitions.

“A-frame sign” means signs capable of standing without support or attachment. See also “Portable sign” or “Sandwich board sign.”

“Abandoned sign” means a sign, the face of which has been removed or is broken and is not refaced within 180 days thereafter. Abandoned signs shall also include signs with rusted, faded, peeled, cracked, or otherwise deteriorated materials or finishes that have not been repaired within 90 days after the city provides notice of the sign’s deteriorated condition under the city’s enforcement title (EMC Title 7, Code Enforcement).

“Accessory sign” means a permanent, freestanding or building-mounted sign of limited height and size that provides supplemental opportunity for freestanding or building-mounted signage on a site, at points of egress or entry.

“Aerial sign” means a free-floating balloon, kite or similar object not directly secured to property within the city.

“Alter” means to change the copy, color, size, shape, illumination, position, location, construction or supporting structure of a sign, not including ordinary maintenance.

“Area of a sign” means the smallest square, rectangle, parallelogram or circle that will enclose the extreme limits of writing, representation, logo, or any figure of similar character, together with any frame, background area, structural trim, or other materials or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. The supports or uprights on which any such sign is supported shall not be included in determining the sign area. The area of signs with two faces shall be considered to be the area of the largest face. The area of signs with three or more faces shall be considered to be the area of the largest face or one-half the area of all of the faces, whichever is less.

“Awning or canopy sign” means a sign affixed to or imprinted on an attached shelter composed of nonrigid materials such as an awning, or a permanent architectural projection, such as an awning or canopy, composed of nonrigid materials on a supporting framework, affixed to the exterior wall of a building, extending over a door, entrance, window or outdoor service area.

B Definitions.

“Business activity” means an enterprise offering goods, services, or other consideration to the public, in legal occupancy of a site or of a specific portion of a site and under separate and distinct management from any other enterprise located on the same site.

“Business frontage” means the horizontal dimensions of a building or individual business elevation measured at ground level.

C Definitions.

Canopy or Awning Sign. See definition under “Awning or canopy sign.”

“Changeable copy sign” means a sign or portion thereof which is designed to have its message or copy readily changed manually or by remote or automatic means without altering or replacing the face or surface. Changeable copy signs support hard-copy text or graphics and do not use digital or electronic text or images.

D Definitions.

“Daytime” means the hours beginning one-half hour after legal sunrise and continuing until one-half hour before legal sunset.

“Digital sign” means a changeable copy sign with monochrome LED (light emitting diodes) text, graphics or symbols over a black, nonilluminated background.

“Directional sign” means a sign erected for the purpose of facilitating or controlling the efficient and safe movement of pedestrians or vehicles within a multi-tenant development.

E Definitions.

“Electronic message center sign” or “EMCS” means an electrically activated changeable copy sign having variable message and/or graphic presentation capability that can be electronically programmed by computer or handheld device from a remote location. EMCS typically use light-emitting diodes (LEDs) or liquid crystal display (LCD) as a lighting source.

“Elevation” means the visible vertical plane of the side of a building from ground level to the roofline.

“Elevation, primary” means the side of a building directly abutting either a street or a parking area. A business owner may choose which elevation is considered the primary elevation, except that in a multi-tenant building, the elevation which is contiguous to other businesses shall be the primary elevation.

“Elevation, secondary” means any elevation of a building not determined to be a primary elevation.

F Definitions.

“Facade” means the elevation of a building extending from the ground level up to the bottom of the fascia on a pitched-roof building, and up to the top of the wall or parapet on a flat-roof building. The area of a facade for purposes of calculating allowable wall signage includes the area of the windows and doors but excludes openings that do not have solid coverings, such as breezeways, colonnades and gateways that extend to the backside of the building.

“Fascia” means an architectural term for a vertical frieze or board under a roof edge or which forms the outer surface of a cornice, visible to an observer.

“Flag canopy” means a line of flags, or a series of lines of flags, suspended above a site.

“Flashing sign” means an electric sign, or portion thereof, except an EMCS, which changes light intensity in a sudden transitory burst, or which switches on and off in a constant pattern in which more than one-third of the nonconstant light source is off at any one time.

“Freestanding sign” means a sign and its support pole or base standing directly on the ground that is independent from any building or other structure.

“Freeway” means a limited access highway, state route or interstate.

“Freeway oriented sign” means a sign within 150 feet of a freeway right-of-way that has its sign face parallel to, perpendicular to, angled toward, or otherwise readable from the freeway right-of-way.

“Frontage” means the property line of an individual lot, tract or parcel that abuts a public or private street right-of-way, excluding alleys and private driveways. The number of frontages on a lot is the same as the number of public or private street rights-of-way that the lot abuts.

G Definitions.

“Gross leasable space” means area of a single leasable space, regardless of the number of tenants or leases within the space.

“Ground-mounted or landscape wall sign” means a sign consisting of individual letters mounted on a screen or perimeter wall which may be attached or detached from a building, but which is architecturally integrated with the overall development.

H Definitions.

“Halo illuminate” means a light source placed behind totally opaque letters or symbols so that the light reflects off the wall or background to which the letters or symbols are mounted rather than emanating through the letters or symbols, creating a halo effect that leaves the letters or symbols viewable in silhouette form only.

“Height of sign” means the overall height of the sign above grade directly below or at the base of the sign.

I Definitions.

“Illegal sign” means a sign which does not conform to the requirements and standards of this chapter and which does not meet the criteria of a nonconforming sign as defined in this section.

“Integrated development site” means any commercial or noncommercial development site, regardless of the number of lots or individual tenants, that is developed with common parking, layout, architecture or design features.

“Item of information” means a word, figure, logo, abbreviation or other symbolic representation.

L Definitions.

Landscape Wall Sign. See “Ground-mounted or landscape wall sign.”

“Logo” means a design of letters, colors or symbols used as a trademark or for identification in lieu of, or in conjunction with, other signs.

“Logo shield” means a logo contained within an area no greater than four square feet, incorporated into a larger sign face or designed as an individual sign or component of a sign containing individually mounted sign graphics.

“Lot line” means a line that separates two lots.

“Luminance” means the photometric quality most closely associated with the perception of brightness. Luminance is measured in candelas per square meters or “nits.”

M Definitions.

“Mansard” means a roof with two slopes on each of the four sides, the lower steeper than the upper.

“Master sign plan” means a coordinated sign plan which includes the details of all signs (not including exempt or temporary signs) which are or will be placed on a site.

“Monument sign” means a freestanding, low-profile sign with the sign width greater than the sign height and designed with a solid base and background.

“Motion” means the depiction of movement or change of position of text, images or graphics. Motion shall include, but not be limited to, visual effects such as dissolving and fading text and images, running sequential text, graphic bursts, lighting that resembles zooming, twinkling or sparkling, changes in light or color, transitory bursts of light intensity, moving patterns or bands of light, expanding or contracting shapes and similar actions.

“Multi-tenant development” means a development consisting of three or more leasable spaces.

N Definitions.

“Natural grade” means the topographic condition or elevation of a site or portion of a site over the past five years, or the finished grade of an approved site development plan. Changes to grade or elevation resulting from fill, mounding, or berming within five years preceding any requested permit other than a site development plan shall not be considered natural grade for permitting purposes.

“Neon sign” means a sign with illumination affected by a light source consisting of a neon or other gas tube which is bent to form letters, symbols or other shapes.

“Nighttime” means the hours beginning one-half hour before legal sunset and continuing until one-half hour after legal sunrise.

“Nits” means a unit of measure of brightness or luminance. One nit is equal to one candela/square meter.

“Nonconforming sign” means any sign, which at one time conformed to all applicable requirements and standards of this chapter, including all permit requirements, but which subsequently ceased to so conform due to changes in such requirements and standards.

“Nonresidential zone” means, in the context of this chapter, the Mixed Use Residential (MUR), Commercial (C), Town Center (TC), Public (P), Business Park (BP), and Industrial (I) zones, ~~any zone that does not include residential dwelling units except for mixed-use zoning districts where residential units are located above or behind nonresidential uses and the ground-floor streetscape is characterized by commercial and other nonresidential uses.~~

O Definitions.

“Opaque” means a material that does not transmit light from an internal illumination source.

P Definitions.

“Painted sign” means a sign painted directly on a building or on material which is then attached to a building. See also “Wall sign.”

“Pan-channel” means a sign graphic that is constructed of a three-sided metal channel, usually having a light source contained within the channel. The open side may face inward, resulting in silhouette lighting, or it may face outward to allow full illumination. The open side of the channel may be enclosed with a translucent material.

“Parapet” means a protective wall or barrier projecting above any canopy, balcony or roof.

“Permanent sign” means a sign constructed of weather-resistant material and intended for permanent use and that does not otherwise meet the definition of “temporary sign.” Wall-mounted sign holders designed for insertion of signs and posters shall be considered permanent signage and subject to all standards of this chapter.

“Pole sign” means a sign mounted on a weighted base, intended to be movable.

“Portable sign” means a freestanding sign that is readily movable and not permanently affixed to the ground, including A-frame or sandwich board signs, pole signs mounted on weighted bases, and similar signs that are used on more than a temporary basis.

“Projecting sign” or “projection sign” means a sign attached to a building with the face not parallel to the vertical surface of the building. Projecting signs include signs projecting directly from walls, or signs hanging from porch ceilings or other support structures.

R Definitions.

“Raceway” means a box-type conduit to house electrical wires for signs and used to support and/or affix signage on a wall.

“Residential zone” means, in the context of this chapter, the Residential (R-1/R-2) and Mixed Residential (MR-1/MR-2) zones.

“Right-of-way” means the strip of land platted, dedicated, condemned, established by prescription or otherwise legally established for the use of pedestrians, vehicles or utilities.

“Roadway” means that portion of the street improved, designed, or ordinarily used for vehicular travel and parking, exclusive of the sidewalks and shoulder. Where there are curbs, the roadway is the curb-to-curb width of the street.

“Roof-mounted sign” means a sign which has a point of attachment to the roof or mansard of a building. Architectural projections, including mechanical equipment screens, above any parapet or roofline whose sole function is a background for signs shall be considered a sign structure. A sign on such an architectural projection shall be considered a roof sign.

“Roofline” means the uppermost edge of the roof or the top of the parapet, excluding mechanical equipment screens, whichever is highest. Where a building has several roof levels, the roofline shall be the one belonging to that portion of the building on which the sign is located.

S Definitions.

Sandwich Board Sign. See “A-frame sign.”

“Service island sign” means a permanent sign displayed on the service island canopy of a gas station, bank, car wash or other use that provides a canopy cover for vehicles. Service island signs are not the same as awning or canopy signs as otherwise defined by this chapter.

“Sign” means letters, figures, symbols, trademarks, or logos, with or without illumination, intended to identify any place, subject, person, firm, business, product, article, merchandise or point of sale. A “sign” also includes balloons attached to sign structures, products, streamers, spinners, pennants, flags, inflatables or similar devices intended to attract attention to a site or business, as well as architectural or structural forms, illuminated panels, spandrels, awnings and other structural or architectural features not common to classic vernacular or noncorporate regional architecture and that are intended to convey a brand, message or otherwise advertise a location or product, whether or not such features include text or graphics and whether or not they serve other practical purposes such as lighting, covering or enclosure of persons or products. A “sign” includes any device which streams, televises or otherwise conveys electronic visual messages, pictures, videos or images, with or without sound or odors. Refer to EMC 18.97.040 for a list of prohibited signs.

“Sign walker” means a sign carried by a person.

“Signable area” means the area of the largest rectangular portion of a face of a building to which a sign is affixed or proposed to be affixed, which can be included within parallel, vertical, and horizontal lines uninterrupted by significant architectural features of the building.

“Site” means a unit of land, together with all improvements thereon, determined as follows:

1. A unit of land which may be conveyed separately from any and all adjacent land without the requirement of approval of a boundary line adjustment, short plat or a preliminary plat.
2. Two or more buildings or business activities that are or will be related to each other physically or architecturally, such as by sharing off-street parking facilities, so as to form an integrated development, such as a shopping center, industrial park, or office complex.

“Spandrel” means a panel or box-type structure that spans between and/or is connected to the support columns of a porch, colonnade or canopy, usually for architectural embellishment and/or signage purposes.

“Special event sign or temporary sign” means signs or advertising displays or a combination thereof which advertises or attracts public attention to a special one-time event, including, but not limited to, the opening of a

building or business activity, the sale of goods and services at discounted or otherwise especially advantageous prices or similar event.

“Static” means without motion.

“Story” means that portion of a building included between the upper surface of a floor and the upper surface of the floor or ceiling next above.

“Suspended sign” means a sign mounted above a sidewalk adjacent to a business, affixed to a beam, overhang, roof or other fixture that is an integral part of a building.

T Definitions.

“Temporary sign” means any sign that is used temporarily and is not permanently mounted, painted or otherwise affixed, excluding portable signs as defined by this chapter, including any poster, banner, placard, stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability and rot prevention. Temporary signs may only be made of nondurable materials including, but not limited to, paper, corrugated board, flexible, bendable or foldable plastics, foamcore board, vinyl canvas or vinyl mesh products of less than 20-ounce fabric, vinyl canvas and vinyl mesh products without polymeric plasticizers and signs painted or drawn with water soluble paints or chalks. Signs made of any other materials shall be considered permanent and are subject to the permanent sign regulations of this chapter. “Temporary sign” may also include special event signs.

“Tenant space” means the entire building which encompasses a building or use on a site; or in buildings designed for multi-tenant occupancy, it is the space between demising walls and which has an independent entrance to common corridors or to the outside. Portions of tenant spaces that are sublet to or otherwise allowed to be used by persons or businesses other than the principal person or business of a tenant space are not considered tenant spaces in the context of this chapter.

U Definitions.

“Unshielded lighting” means an external illumination source which is exposed to view.

W Definitions.

“Wall sign” means a sign which is attached parallel to or painted on a wall, including parapet or canopy fascia, or a building.

“Width of sign” means the total horizontal dimension of a sign, including all frames or structures.

“Window” means the entire window unit including individual sashes or panes that might otherwise divide the area between the head, jamb and sill; except that in commercial storefront window assemblies, a single window is the glass area between each mullion that divides the window assembly, whether installed as a single piece of glass or as multiple pieces of glass divided by muntins.

“Window sign” means a sign that is attached to or is intended to be seen in, on or through a window of a building and is visible from the exterior of the window. (Ord. 21-603 § 2 (Exh. A); Ord. 20-572 § 9 (Exh. I); Ord. 19-552 § 2 (Exh. A)).

¹. This table presents the sign standards in an abbreviated format for the reader’s convenience. To the extent that there may be a conflict between this table and the text of the code, the text of the code provision relating to the individual sign type shall prevail.

². Temporary freestanding signs are allowed in all zones, see EMC 18.97.240.