



CITY OF EDGEWOOD

PLANNING COMMISSION MEETING AGENDA

Monday, March 9, 2026 – 6:00 PM ♦ City Hall –10440 Dom Calata Way E ♦ Edgewood, WA

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

Zoom Meeting ID: 970 6596 9184

1. **CALL TO ORDER**
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. Review Planning Commission meeting minutes from February 9, 2026
3. **CITIZEN COMMENT PERIOD** *This portion of the meeting is reserved for the public to comment on items not on the agenda. It is not a back and forth, or an open discussion. If you wish to speak, please raise your hand and wait to be called on. Comments are limited to three minutes.*
4. **ACTION ITEMS**
 - a. Special Events Code
5. **DISCUSSION ITEMS**
 - a. Electric Alarm Systems, Fencing, and Retaining Wall Regulations Amendments
 - b. Introduction – Home Businesses and Licensing
 - c. Introduction – Climate Planning Phase 2
6. **STAFF UPDATES/COMMISSIONER COMMENTS**
7. **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, February 9, 2026 – 6:00 PM ♦ City Hall –10440 Dom Calata Way E ♦ Edgewood, WA

1 CALL TO ORDER

Chair Overfield called the meeting to order at 6:00pm and led attendees in the Pledge of Allegiance.

Present: Carly Guillory, Joann Overfield, Jan Furey, Leyla Church, Tom Greene **Excused:** Carly Lenoir

2 CONSENT AGENDA:

- a. Review Planning Commission meeting minutes from January 12, 2026

Motion: As read **Action:** Approved **Moved by:** Commissioner Furey **Seconded by:** Commissioner Guillory **Motion Passed 5-0**

3 CITIZEN COMMENT PERIOD

There were no citizen comments.

4 PUBLIC HEARING

- a. 2026 Annual Comprehensive Plan Amendment Docket

Chair Overfield opened the public hearing at 6:02 p.m., and Planning Manager Josh Kubitzka provided an overview of the item to the Commission. Citizens Paul Joos, Gurvinder Khehra, Jora Singh, Heather, and Johnny Evans spoke. The hearing was then closed at 6:19pm.

- b. Special Events Code

Chair Overfield opened the Public hearing on this topic at 6:19pm. Community Development Director Metzler provided an update and then opened it up for public comment of which there were none. The public hearing was then closed at 6:21pm.

5 ACTION ITEMS

- a. 2026 Annual Comprehensive Plan Amendment Docket

Motion: As read **Action:** Approved **Moved by:** Commissioner Guillory **Seconded by:** Commissioner Furey **Motion Passed 5-0**

6 DISCUSSION ITEMS

- a. Fence and Retaining Wall Code

The Planning Commission discussed proposed amendments to EMC 18.90.060 related to fencing, retaining walls, and electric security alarm systems. The updates were prompted by a local business owner's ongoing security concerns and recent state legislation (HB 1688), and staff requested feedback on definitions, height limits, applicability, and performance standards before moving forward.

- b. Special Events Code

The Planning Commission held a public hearing on the draft Special Events process and related code amendments and reviewed the materials, along with public comments received. The Commission discussed the proposal and considered directing staff to prepare final edits for formal recommendation to the City Council at the next meeting.

7 STAFF UPDATES/COMMISSIONER COMMENTS

Planning Manager Kubitza provided his updates.

8 ADJOURN

Chair Overfield adjourned the meeting at 7:07pm.



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: March 9, 2026
Title: Special Events Code – Recommendation
Attachments: Attachment A - DRAFT Ordinance 26-0xxx
Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:

Edgewood Municipal Code (EMC) currently requires a Temporary Use Permit for special events. EMC 18.50.070(A) states:

The provisions of this section are designed to provide standards and criteria for temporary relief to situations resulting from strict application of this title. Provisions authorizing temporary uses are intended to permit occasional temporary uses, activities and structures when consistent with the purpose of this title and when compatible with the general vicinity and adjacent uses.

EMC 18.50.070(B) proceeds to list various temporary uses and activities that might be considered special events, including but not limited to:

- Circuses, carnivals, rodeos, fairs or similar transient amusement or recreational activities,
- Indoor or outdoor art and craft shows and exhibits,
- Indoor or outdoor special sales, including swap meets, flea markets, parking lot and sidewalk sales, warehouse sales or similar activities, limited to locations on nonresidential lots in commercial or industrial districts, and when operated not more than 10 days in the same month, unless otherwise permitted by the city,
- Seasonal retail sales of agricultural or horticultural products raised or produced on individual farms, and
- Neighborhood or community garage sales, moving sales and similar activities for the sale of personal belongings when operated not more than three days in the same week or more than twice in the same calendar year.

While this section of code provides reasonable guidance for temporary uses in general, staff has found in practice that it lacks clarity relating to special events and only pertains to the regulations contained in Title 18. The attached draft code provides more clarity for special events without confusing or overburdening the temporary use code provisions, developed by using the model ordinance from the City's insurance pool, as well as considering example codes from other nearby jurisdictions.

Furthermore, the application review fee for a Temporary Use Permit is currently \$500, while review fees for special event permits in neighboring jurisdictions are significantly lower, possibly in an effort to

recognize the economic development and community value these events provide. Creating a new section of code specific to special event permitting will allow for a new fee to be established.

Finally, in 2024 the City Council adopted EMC Section 12.10.045, Government sponsored or co-sponsored events in city parks. This was a stop-gap measure to more appropriately administer special events on city-owned park property, but it does not address special events held on other city-owned property or in public right-of-way.

Taking the model ordinance provided by WCIA, staff's intent with the attached draft ordinance is to formalize a more accessible and comprehensive alternative to the Temporary Use Permit process for special events held on city-owned property and public rights-of-way. Staff has incorporated provisions from other agency examples into the draft ordinance, and staff proposes striking conflicting provisions from the temporary use regulations under Title 18 as shown.

Staff issued a SEPA Determination of Nonsignificance (DNS) on January 23, 2026, with the SEPA public comment period ending with a public hearing at the February 9, 2026 PC Meeting. One comment was received from the Puyallup School District relating to applicability for school and school-based organization events on district property, and staff has confirmed their concerns are addressed by the attached draft code amendments. No other comments were received, and the SEPA determination was not appealed.

Tentative Schedule:

December 8, 2025 – Planning Commission Introduction (COMPLETE)

January 12, 2026 – Planning Commission Discussion (COMPLETE)

January 23, 2026 – SEPA Issuance and Comment Period (COMPLETE)

February 9, 2026 – Planning Commission Public Hearing (COMPLETE)

March 9, 2026 – Planning Commission Recommendation

March 17, 2026 – City Council Study Session Introduction

March 24, 2026 – City Council Regular Meeting and Potential Action

Current Discussion:

Following last month's public hearing and discussion, staff has coordinated review with legal counsel and finalized the attached draft amendments for final review and consideration by the Planning Commission.

Analysis:

Per EMC 18.60.020, the Planning Commission has the authority to review and make recommendations on proposed amendments to city regulations concerning land use and development. Staff have reviewed the criteria under EMC 18.60.220(A) and offers the following analysis:

1. Whether the proposed amendment(s) conform to the Growth Management Act (Chapter [36.70A](#) RCW). Response: The proposed amendments conform with the Growth Management Act requirements for special events and temporary use standards.

2. Whether the proposed amendment(s) are consistent with and implement the city's comprehensive plan, including the goals, policies and implementation strategies of the various elements of the plan. Response: The proposed amendments are consistent with and **implement the city's comprehensive plan goals and policies.**
3. Whether circumstances related to the proposed amendment(s) and/or the area in which it is located have substantially changed since the adoption of the city's comprehensive plan. Response: The proposed amendments address existing gaps and deficiencies, establishing local processes and procedures for special events on city-owned property, **consistent with the 2024 Comprehensive Plan's Goals and Policies.**
4. Whether the assumptions upon which the city's comprehensive plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments of the city's comprehensive plan. Response: The proposed amendments address existing gaps and deficiencies, establishing local processes and procedures for special events on city-owned property, consistent with the **2024 Comprehensive Plan's Goals and Policies.**
5. Whether the proposed amendment(s) reflects current, widely held values of the residents of the city. Response: The proposed amendments reflect the current and widely held values of the residents of the city.

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 Special Events Code and associated amendments to EMC Titles 12 and 18. A draft recommendation has been prepared by staff, attached herein for consideration.



CITY OF EDGEWOOD
PLANNING COMMISSION
RECOMMENDATION

The Planning Commission voted X-X to recommend that the City Council adopt the proposed draft Special Events Code and associated amendments to EMC Titles 12 and 18.

RECOMMENDED BY THE CITY OF EDGEWOOD PLANNING COMMISSION
ON THE 9TH DAY OF MARCH 2026.

JoAnn Overfield
Planning Commission Chair

Attest by:

Jeremy Metzler, PE
Community Development Director

DRAFT

ORDINANCE NO. 26-0xxx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, CREATING EDGEWOOD MUNICIPAL CODE CHAPTER ~~5.12.09~~, SPECIAL EVENTS PERMITTING; AMENDING EDGEWOOD MUNICIPAL CODE SECTION 18.50.070, TEMPORARY USE PERMITS; AMENDING EDGEWOOD MUNICIPAL CODE SECTION 12.10.045; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, there has been express interest in community events, such as parades, fun runs, and other organized events, within the City of Edgewood; and

WHEREAS, while the City has regulations for temporary use permits, it currently lacks a special events permitting ordinance to ensure the appropriate public services (such as traffic control) are available for such events; and

WHEREAS, the City Council of the City of Edgewood finds it in the interest of the public health and safety to amend the Edgewood Municipal Code to provide for clear, consistent policies and procedures for Special Events permitting;

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

Section 1. New EMC Ch. 12.09, Special Events Permitting, Adopted. The City of Edgewood Municipal Code (EMC) is hereby amended by adoption of a new EMC Chapter 12.09, Special Events Permitting, to read in the form included on Exhibit A, attached hereto and incorporated by reference.

Section 2. EMC Section 18.50.070 Amended. In order to ensure clarity and consistency, EMC Section 18.50.070, Temporary use permits, is hereby amended as detailed in Exhibit B, attached hereto and incorporated by reference.

Section 3. EMC Section 12.10.045 Amended. In order to ensure clarity and consistency, EMC Section 12.10.045, Government sponsored or co-sponsored events in city parks, is hereby amended as detailed in Exhibit C, attached hereto and incorporated by reference.

Section 4. Corrections. Upon the approval of the city attorney and/or the city clerk, the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after publication as provided by law.

PASSED BY THE CITY COUNCIL ON THE 24TH DAY OF MARCH, 2026

Dave Olson, Mayor

ATTEST/AUTHENTICATED:

Jill Schwerzler-Herrera, CMC
City Clerk

APPROVED AS TO FORM:

Maili C. Barber, City Attorney

Date of Publication: 03/27/2026
Effective Date: 04/01/2026

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

NEW Chapter 12.09
SPECIAL EVENTS PERMITTING

12.09.010 Purpose and intent.

The purpose of this chapter is to provide reasonable supervision of any movement of persons or vehicles within the limits of the city by way of runs, parades, street dances, and other similar special events, for the protection of persons and property. The intent of this chapter is to allow community-based organizations to sponsor special events on public thoroughfares and in parks, and to provide guidelines that protect the public’s health, safety and welfare. Events held on private property that may affect or impact public property or thoroughfares may be subject to the Temporary Use Permit requirements under EMC 18.50.070.

12.09.020 Definitions.

“Applicant” means any person or organization who seeks a Special Event permit from the City to conduct or sponsor a Special Event governed by this section. An Applicant must be 18 years of age or older.

“City” means the City of Edgewood.

“Event Sponsor” means the Person responsible for the Special Event to be held.

“Person” means any person, firm, partnership, association, corporation, company, or organization of any kind.

“Significant Impact on City Services” means a material increase in the amount, scope, or level of necessary fire, police, traffic control, crowd control, or other public services above those that would normally be required without the event. With respect to police resources, significant impact on City services means resources for crowd management or traffic control required for the an event over and above the normal deployment of police in that geographic area of the City at the time of day during which the event will occur.

“Significant Impact on Public Property” means an event would preclude in whole or in substantial part the public’s normal and customary use of such public property, including but not limited to, public rights-of-way.

“Special Event(s)” include any activity which is to be conducted on city-owned property (including a public right-of-way) that would have a direct significant impact on traffic congestion, or traffic flow to and from the event over public streets or rights-of-way, or would require a Significant Impact on City Services, such as police, fire, or medical aid. Any event on private property that involves an open invitation to the public to attend or events where the attendance is by private invitation of 100 or more people are each presumed to be an event that will have a Significant Impact on Public Property or Significant Impact on City Services, and are subject to the Temporary Use Permit requirements under EMC 18.50.070. Special Events may include but are not limited to: fun runs/walks, athletic competitions, auctions, bike-a-thons, public fundraisers, parades, carnivals, festivals, shows, or exhibitions, film/movie events, circuses, block parties and fairs.

“Special Events Protected Under the First and/or Fourteenth Amendments” include any event involving political or religious activity intended primarily for the communication or expression of ideas.

“Use” shall mean to construct, erect, or maintain in, on, over, or under any street, right-of-way, park, or other public place, any building, structure, sign, equipment, or scaffolding, to deface any public right-of-way by painting, spraying, or writing on the surface thereof, or to otherwise occupy in such a manner as to obstruct the normal public use of any public street, right-of-way, park, or other public place within the City, including a use related to Special Events.

12.09.030 Permit required.

A. A Special Event permit is required for any Special Event as defined herein. A safety plan is required to be submitted with an application for a Special Event permit and the appropriate application fee set forth in the City’s

1 fee schedule. Such Special Event permit and safety plan shall be in addition to any street use, or any other regular
2 permits as may be required by ordinance.

3 B. For Special Events Protected Under the First and/or Fourteenth Amendments, the Special Event permit
4 application shall be processed reasonably promptly, without charging a fee, and without imposing conditions that
5 impermissibly infringe upon constitutionally protected rights (~~pursuant to EMC 12.09.070~~).

6 C. Exemptions: A Special Event permit will not be required for the following activities on city-owned property or
7 public right-of-way:

8 1. Special Events that occur exclusively on ~~City~~ city-owned property and are sponsored or conducted in full
9 by the City of Edgewood, ~~pursuant to as set forth in~~ EMC 12.10.045;

10 2. Funeral and wedding processions;

11 3. Groups required by law to be so assembled;

12 4. Gatherings of 50 or fewer people outside of a public right-of-way, unless merchandise or services are
13 offered for sale or trade; and

14 5. The exhibition of films or motion pictures outside of a public right-of-way.

15 D. Any person desiring to sponsor a Special Event must apply for a Special Event permit by filing an application
16 with the City at least thirty (30) days, but no more than ~~three hundred sixty-five (365)~~ days, prior to the date on
17 which the event is to occur, unless a shorter timeframe is permitted by this Chapter.

18 E. Waiver of Application Deadline. Upon a showing of good cause or at the discretion of the City, the City shall
19 consider an application that is filed after the filing deadline if there is sufficient time to process and investigate the
20 application and obtain police and other City services for the Special Event. Good cause can be demonstrated by the
21 Applicant showing that the circumstance that gave rise to the permit application did not reasonably allow the
22 participants to file within the time prescribed, and the event is a Special Event Protected Under the First and/or
23 Fourteenth Amendments.

24 F. Issuance of a Special Event permit under this chapter does not obligate or require the City to provide services,
25 equipment, or personnel in support of a Special Event.

26 **12.09.040 Grounds for denial of application.**

27 A. The City may deny an application for a Special Event permit if:
28

29 1. The Applicant provides false or misleading information;

30 2. The Applicant fails to complete the application or to supply other required information of documents or the
31 Applicant declares or shows an unwillingness or inability to comply with the reasonable terms or
32 conditions contained in the proposed permit;

33 3. The proposed Special Event would conflict with another proximate Special Event, interfere with
34 construction or maintenance work in the immediate vicinity, or unreasonably infringe upon the rights of
35 abutting property;

36 4. The proposed Special Event would unreasonably disrupt the orderly or safe circulation of traffic and would
37 present an unreasonable risk of injury or damage to the public; or

38 5. There are not sufficient safety personnel or other necessary City staff to accommodate the Special Event.

39 B. In the event either subsection (3) or (4) above applies, the City shall offer the ~~a~~ Applicant the opportunity to
40 submit an alternative date, time, or place for the proposed Special Event before denying the application.

1 **12.09.050 Permit conditions.**
2

3 A. The City may condition the issuance of a Special Event permit by imposing reasonable requirements concerning
4 the time, place, and manner of the event, and such requirements as are necessary to protect the safety and rights of
5 persons and property, and the control of traffic. The City may apply the following conditions to all Special Event
6 permits:

- 7 1. Alteration of the time, place, and manner of the Special Event proposed on the application;
- 8 2. Conditions concerning the area of assembly and disbanding of an event occurring along a route; and/or
- 9 3. Conditions concerning accommodation of pedestrians or vehicular traffic, including restricting the Special
10 Event to only a portion of the street or right-of-way.

11 B. Further, conditions that may be applied to all Special Events that are not Special Events Protected Under the First
12 and/or Fourteenth Amendments include, but are not limited to:

- 13 1. Requirements for the use of traffic cones or barricades;
- 14 2. Requirements for the provision of first aid and/or sanitary facilities;
- 15 3. Requirements for use of event monitors and providing notice of permit conditions to event participants;
- 16 4. Restrictions on the number and type of vehicles, animals, or structures at the event, and inspection and
17 approval of floats, structures, and decorated vehicles for fire safety;
- 18 5. Compliance with animal protection ordinances and laws;
- 19 6. Requirements for use of garbage containers, cleanup, and restoration of City property;
- 20 7. Restrictions on the use of amplified sound and compliance with noise ordinance, regulations, and laws;
- 21 8. Notice to affected residents and/or businesses regarding any activity that would require a street closure or
22 may otherwise impede reasonable access to their homes and/or businesses no less than ten (10) days before
23 the event, including the date, time, and general purpose of said event;
- 24 9. Restrictions on the sale and/or consumption of alcohol;
- 25 10. Elimination of an activity that cannot be mitigated to a point as to ensure public safety and welfare, or that
26 causes undue liability risk to the City;
- 27 11. Requirements regarding the use of City personnel and equipment;
- 28 12. Requirements for liability insurance and additional insured endorsement, naming the City as an additional
29 insured;
- 30 13. Requirements for a City of Edgewood business license endorsement pursuant to EMC 5.05.040;
- 31 14. Compliance with any other applicable federal, state, or local law or regulation; and/or
- 32 15. Payment of Special Event fees.

1 **12.09.060 Appeal procedure.**
2

3 A. The Applicant shall have the right to appeal the denial of a Special Event permit or a permit condition. The
4 Applicant shall also have the right to appeal the amount of fees or clean-up deposits imposed, or a determination by
5 the City that the submitted insurance does not comply with the requirements specified within this Chapter.

6 B. An Administrative Appeal shall be filed with the City Clerk within three (3) business days after receipt of a
7 notice of denial or permit conditions from the City. The Appeal shall set forth the specific grounds for the appeal
8 and attach any relevant documents for consideration. It shall also be accompanied by the requisite appeal fee, as set
9 by the City's fee schedule. The City Clerk shall forward the Appeal to the Mayor, who shall hear the appeal on the
10 record provided from the designated City official. The hearing shall be scheduled no later than thirty (30) days after
11 receipt of a timely and proper Appeal.

12 **12.09.070 Special events protected under the First and/or Fourteenth Amendments.**
13

14 No fee ~~(EMC 12.09.100)~~, deposit ~~(EMC 12.09.110)~~, indemnification agreement ~~(EMC 12.09.080)~~, or insurance
15 requirements ~~(EMC 12.09.090)~~ shall be imposed when prohibited by the First and/or Fourteenth Amendment to the
16 United States Constitution. Special Events for **political or religious activity** intended primarily for the communication
17 or expression of ideas shall be presumed to be Special Events Protected Under the First and/or Fourteenth
18 Amendments. **Nonexclusive factors** that may be considered in evaluating whether or not an event is a Special Event
19 Protected Under the First and/or Fourteenth Amendments **include, but are not limited to:** the nature of the event; the
20 extent of commercial activity; such as the sales of food, goods, and services; product advertising or promotion, or
21 other business participation in the event; the use or application of any funds raised; **if whether the event is** part of
22 any annual tradition or series; previous events in the sequence; and the public perception of the event.
23

24 **12.09.080 Indemnification agreement.**
25

26 Prior to the issuance of a Special Event permit, the Event Sponsor must agree to reimburse the City for any costs
27 incurred by it in repairing damage to City property and indemnify, defend, and hold the City, its officers, employees,
28 volunteers, and agents harmless from all causes of action, claims, or liabilities occurring in connection with the
29 permitted event, except those that occur due to the City's sole negligence. Such indemnification agreement must be
30 in a form acceptable to the City Attorney and the City's Risk Manager.
31

32 **12.09.090 Insurance.**
33

34 Insurance with limits and scope of coverage as determined appropriate by the City's Risk Manager shall be required
35 for all approved Special Events. Written proof of such insurance shall be provided prior to permit issuance. The
36 insurance policy shall be written on an occurrence basis, shall name the City as an additional insured using ISO form
37 CG 20 26, or coverage at least as broad, shall be written for a period not less than twenty-four (24) hours prior to the
38 event and extending for a period not less than twenty-four (24) hours following the completion of the event. The
39 Applicant and/or Event Sponsor shall provide the City and all Additional Insureds for the Special Event with written
40 notice of any policy cancellation as soon as practicable within their receipt of such notice.
41

42 **12.09.100 Fees for city services.**
43

44 A. Upon approval of a Special Event permit, the City may provide the Applicant with an estimated cost of providing
45 City personnel and equipment for the Special Event. When said estimate is provided, the Applicant/Event Sponsor
46 shall prepay these estimated costs no later than ten (10) days prior to the Special Event. City services and equipment
47 may include, but are not limited to: the use of police officers and public employees for traffic and crowd control,
48 pickup and delivery of traffic control devices, picnic tables, extraordinary street sweeping, **and** any other needed,
49 requested, or required City services; and the cost of operating the equipment to provide such services.
50

51 B. If the actual cost for City services and equipment on the date (s) of the Special Event is less than the estimated cost,
52 the City will refund the difference to the Applicant **and/or** Event Sponsor in a timely manner. If the actual cost for

1 City services and equipment on the date(s) of the Special Event is greater than the estimated cost, the Applicant/Event
2 Sponsor will be billed for the difference.
3

4 **12.09.110 Cleanup deposits.**
5

6 A. The Applicant and/or Event Sponsor of a Special Event involving the sale of food or beverages for immediate
7 consumption, erection of structures, horses or other large animals, water aid stations, or any other event likely to create
8 a substantial need for cleanup, shall be required to provide a cleanup deposit prior to the issuance of a Special Event
9 permit. The amount of the deposit will be established by condition of the permit.
10

11 B. The cleanup deposit will be returned after the Special Event ~~if once~~ the area used for the permitted Special Event
12 has been cleaned and restored to the same condition as existed prior to the Special Event.
13

14 C. If the property used for the Special Event has not been properly cleaned or restored, the Applicant and/or Event
15 Sponsor shall be billed for the actual cost by the City for cleanup and restoration. The cleanup deposit shall be applied
16 toward the payment of the bill.
17

18 **12.09.120 Revocation of permits.**
19

20 Any permit issued under this chapter may be summarily revoked by the City at any time when, by reason of disaster,
21 public calamity, riot, or other emergency or exigent circumstances, the City determines the safety of the public or
22 property requires such immediate revocation. The City may also summarily revoke any permit issued pursuant to this
23 ordinance if the City finds that the permit has been issued based upon false information, when the permittee exceeds
24 the scope of the permit or fails to comply with any condition of the permit, or when the Special Event is being
25 conducted in violation of any law. Notice of such action revoking a permit shall be delivered in writing to the permittee
26 via personal service, electronic mail, or hard copy mail to the address provided in the permit application.
27

28 **12.09.130 Violation – Penalty.**
29

30 A. It shall be unlawful for any person to sponsor or conduct a Special Event in violation of this ~~C~~chapter or the terms
31 and conditions of any permit.
32

33 B. Any person or organization violating the provisions of this chapter shall be guilty of a misdemeanor, and upon
34 conviction thereof, shall be subject to a penalty of a fine of not more than five hundred dollars (\$500) or by
35 imprisonment of not more than ninety (90) days, or both such fine and imprisonment. In addition, each and every day
36 during any portion of which any violation of any provision of this chapter is committed, continued, or permitted by
37 any person constitutes a separate offense.
38

39 **12.09.140 Rules and regulations.**
40

41 The Mayor, or their designee, is authorized to promulgate additional rules and regulations that are consistent with and
42 that further the terms and requirements set forth within this chapter and the provisions of law that pertain to the conduct
43 and operation of a Special Event.
44

1 Chapter 18.50
2 DISCRETIONARY PERMITS AND ADMINISTRATIVE DECISIONS – REVIEW CRITERIA
3

4 ...

5
6 **18.50.070 Temporary use permits.**
7

8 A. The provisions of this section are designed to provide standards and criteria for temporary relief to situations
9 resulting from strict application of this title. Provisions authorizing temporary uses are intended to permit occasional
10 temporary uses, activities, and structures on property that is not owned by the city when consistent with the purpose
11 of this title and when compatible with the general vicinity and adjacent uses. Special Events may be held on city-
12 owned property and are further defined and regulated under EMC Chapter 12.09 EMC.

13 B. The following types of temporary uses, activities, and associated structures that are not otherwise classified as
14 Special Events may be authorized on property that is not owned by the city, subject to specific limitations in this
15 section and such additional conditions as may be established by the eCommunity eDevelopment eDirector or
16 designee:

- 17 1. Model homes or apartments and related real estate sales and display activities located within the
18 subdivision or residential development to which they pertain.
- 19 2. Contractor's office, storage yard, and equipment parking and servicing on the site of an active construction
20 project.
- 21 3. Circuses, carnivals, rodeos, fairs, or similar transient amusement or recreational activities.
- 22 4. Indoor or outdoor art and craft shows and exhibits.
- 23 5. Christmas tree sales lots ~~limited to location on nonresidential lots in Commercial, Business Park or~~
24 ~~Industrial zoning districts.~~
- 25 6. Mobile home residences used for occupancy by supervisory and security personnel on the site of an active
26 construction project.
- 27 7. Indoor or outdoor special sales, including swap meets, flea markets, parking lot and sidewalk sales,
28 warehouse sales, or similar activities, limited to locations on nonresidential lots ~~in commercial or industrial~~
29 ~~districts~~, and when operated not more than 10-seven (7) consecutive days in a 28-day period ~~the same~~
30 ~~month~~, unless otherwise permitted by the eCity.
- 31 8. Temporary use of mobile trailer units or similar portable structures for nonresidential purposes, located in
32 districts where the intended use is permitted.
- 33 9. Seasonal retail sales of agricultural or horticultural products raised or produced on individual farms.
- 34 10. Neighborhood or community garage sales, moving sales, and similar activities for the sale of personal
35 belongings when operated not more than ~~three-five (5)~~ days in the same week or more than ~~twice-four (4)~~
36 times in the same calendar year.
- 37 11. The eCommunity eDevelopment eDirector or designee may authorize additional temporary uses not listed
38 in this subsection when it is found that the proposed uses are in compliance with the requirements and
39 findings of this section.
- 40 12. Temporary Housing Unit. A temporary housing unit may be placed on a lot or tract of land in any zone for
41 occupancy during the period of time necessary to construct a permanent use or structure on the same lot or
42 tract or abutting property leased or owned by the applicant. Existing dwelling units may be converted to a
43 temporary housing unit. A temporary housing unit is subject to the following:

- 1 a. The unit shall be removed from the site within 60 days after final inspection of the project, or within
2 one year from the date the unit is first moved to the site, whichever may occur sooner. The unit is not
3 located in any required yard.
- 4 b. A temporary permit shall be issued by the building division prior to occupancy of the unit on the
5 construction site.
- 6 13. Temporary Housing Units – Relatives. Temporary housing units are permitted in all zones as follows:
- 7 a. A temporary housing permit for a temporary housing unit may be issued by the building division if the
8 applicant can satisfy the criteria set forth in subsection (B)(13)(b) of this section and attests by affidavit
9 that:
- 10 i. The information furnished with the application is true and correct.
- 11 ii. The standards and conditions set forth in the permit will remain satisfied as long as the temporary
12 housing unit remains on the site.
- 13 b. The following are the minimum standards applicable to temporary housing units:
- 14 i. The temporary housing unit shall be occupied by not more than two individuals who are close
15 relatives of the occupants of the principal dwelling.
- 16 ii. An occupant of the temporary housing unit because of age, disability, prolonged infirmity, or other
17 similar incapacitation is unable to independently maintain a separate type of residence without
18 human assistance.
- 19 iii. The temporary housing unit must bear the Housing and Urban Development (HUD) 3280 seal.
- 20 iv. In the event the health department requires the installation of separate water supply and/or
21 sewerage disposal systems, said requirements shall not at a later time constitute grounds for the
22 continuance or permanent location of a temporary housing unit beyond the length of time
23 authorized in the permit or renewal of said permit.
- 24 v. Prior to the issuance of a temporary housing permit, the city shall review the application and may
25 require the installation of such fire protection/detection equipment as may be deemed necessary as
26 a condition to the issuance of the temporary housing permit.
- 27 vi. The temporary housing unit shall be removed from the lot or tract of land not more than 60 days
28 from the date the temporary permit expires or occupancy ceases.
- 29 c. Renewals. Temporary housing permits shall be valid for the period of time the parent or close relative
30 resides in the temporary housing unit; provided, that after obtaining initial approval, annual renewals
31 of the temporary housing permit must be obtained from the building code official or designee. When
32 obtaining a renewal, the building code official or designee shall confirm by affidavit from the applicant
33 that the requirements specified herein are satisfied. Application for renewals must be made 60 days
34 before the expiration of the current permit. Renewals of said permits shall be automatically granted if
35 the applicant is in compliance with the provisions herein and no notice of such renewal is required.
- 36 14. Hosting the homeless by a religious organization is permitted for a total of six (6) months during a year,
37 with a three (3) month separation required between continuous hosting terms of a maximum of four (4)
38 months at any one (1) time in compliance with RCW 35.21.915 and RCW 36.01.290.
- 39 C. Application and Authorization.
- 40 1. A temporary use permit is a Process I application type and subject to all the procedural requirements
41 applicable to this application type.

- 1 2. Complete applications for temporary use permits shall be filed with the community development
2 department. Application shall be made at least 15 days prior to the requested date for commencement of the
3 temporary use.
- 4 3. Unless otherwise stated herein, any temporary use authorized pursuant to this section shall be subject to
5 all of the applicable standards of subsection (D) of this section, and shall not be exempted or relieved from
6 compliance with any other ordinance, law, permit or license applicable to such use, except where
7 specifically noted.
- 8 3.4. Any temporary use permit application submitted for property owned and operated by a public school
9 district that includes an authorized use agreement with said district shall be considered compliant with
10 standards 1, 2, 3 and 5 of subsection (D).
- 11 D. Standards for Temporary Use.
- 12 1. Each site occupied by a temporary use shall be left free of debris, litter or other evidence of temporary use
13 upon completion or removal of the use.
- 14 2. A temporary use conducted in a parking facility shall not occupy or remove from availability more than 20
15 percent of the spaces required for the permanent use.
- 16 3. Each site occupied by a temporary use must provide or have available sufficient off-street parking and
17 vehicular maneuvering area for customers. Such parking need not comply with the development
18 requirements of EMC 18.90.130, Parking, but must provide safe and efficient interior circulation and
19 ingress and egress from the public right-of-way.
- 20 4. No temporary use shall occupy or use public rights-of-way, city parks or other city-owned property
21 public ~~lands~~ in any manner ~~unless specifically approved by the city council~~ without first obtaining the required
22 Special Event or Street Use permit(s).
- 23 5. No temporary use shall occupy a site or operate within the city for more than 90 days within any calendar
24 year, except as follows:
- 25 a. When authorized by the community development director or designee, a temporary use may operate
26 an additional 90 days if it is found that such an extension will be consistent with the requirements of
27 Chapter 18.80 EMC, Land Use Zones, and this subsection (D).
- 28 b. A temporary use may be given an additional extension if unique circumstances exist that necessitate
29 a longer use such as construction office or security housing for an active construction site and such an
30 extension will be consistent with the requirements of Chapter 18.80 EMC, Land Use Zones, and this
31 subsection (D), or can be consistent, subject to conditions of approval.
- 32 6. All signs shall comply with the requirements of Chapter 18.97 EMC, Sign Code, except as otherwise
33 specified in this section.
- 34 7. All temporary uses shall obtain all required city permits, licenses or other approvals, prior to occupancy of
35 the site.
- 36 8. The community development director or designee may establish such additional conditions as may be
37 deemed necessary to ensure land use compatibility and to minimize potential impacts on nearby uses.
38 These include, but are not limited to, time and frequency of operation, setbacks, special yards, and spaces;
39 control of points of vehicular ingress and egress, temporary arrangements for parking, loading and traffic
40 circulation, requirements for screening or enclosure, site maintenance during use, and guarantees for site
41 restoration and cleanup following temporary use.

- 1 E. A temporary use permit shall only be granted when the community development director or designee, after
2 consultation and coordination with all other applicable city departments and other agencies, has determined that:
- 3 1. The temporary use will be compatible with uses in the general vicinity and on adjacent properties.
- 4 2. The temporary use will not create a material adverse effect on the livability or appropriate development of
5 abutting properties and the surrounding community.
- 6 3. The temporary use will not impair the normal, safe and effective operation of a permanent use on the same
7 site.
- 8 4. The temporary use will comply with the requirements of the zone within which it is proposed.
- 9 5. The temporary use shall comply with all applicable standards of the Pierce County health department.
- 10 6. In applying temporary use criteria and determination of appropriate conditions, consideration shall be
11 given, but not limited to:
- 12 a. The harmony and scale, bulk, coverage, and density;
- 13 b. The availability of public facilities and utilities;
- 14 c. The harmful effect, if any, upon a desirable neighborhood character;
- 15 d. The generation of traffic and the capacity of surrounding streets and roads;
- 16 e. The creation of noise, vibration, odors, or other similar nuisances; and
- 17 f. Any other relevant impact on the peace, quiet, comfort, and enjoyment by and of the abutting
18 properties and the surrounding community.
- 19

1 **12.10.045 Government sponsored or co-sponsored events in city parks.**
2

3 A. Events in city parks sponsored or co-sponsored by the eCity or other government agency may be approved by the
4 director without obtaining a Special Event permit pursuant to EMC Chapter 12.09 EMC or a temporary use permit
5 pursuant to EMC 18.50.070; provided the following criteria are met:

- 6 1. The sponsor and/or co-sponsor of the event provides the eCity with at least thirty (30) days' advance written
7 notice of intent to hold the event, listing the location, date, time, general description of the event,
8 anticipated number of attendees, and anticipated impact on traffic, parking, police, and fire services;
- 9 2. Any noncity sponsors and/or co-sponsors sign an indemnification agreement with the eCity, agreeing to
10 defend, indemnify and hold harmless the eCity, its officers, employees, and agents, for any and all suits,
11 claims, or liabilities caused by or arising out of the event;
- 12 3. The event will not cause unreconcilable interference with previously approved and/or scheduled
13 construction, maintenance, or other activities;
- 14 4. The event is open to the general public and has a demonstrated benefit to the community and/or is a
15 community heritage event;
- 16 5. The event will not constitute a public nuisance, endanger the public health or safety, or endanger public
17 property;
- 18 6. The event, as proposed, can be shown to function safely;
- 19 7. The diversion of police and fire resources to support the event, if any, will not deny reasonable police and
20 fire protection to the eCity;
- 21 8. All other provisions of this chapter are met.

22 B. The director will approve or deny the request in writing at least fifteen (15) days prior to the proposed date of the
23 event. The director may impose conditions on the event, including, but not limited to: reasonable adjustments in the
24 date, time, route, or location of the proposed event; accommodations of pedestrian or vehicular traffic and parking;
25 insurance coverage; compliance with health and sanitary regulations; emergency services; and security. The
26 director's decision may be appealed to the Mayor within five (5) days of issuance. The Mayor's decision shall be
27 final.

28 C. For purposes of this section, "sponsor" or "co-sponsor" means the person or group responsible for the event to be
29 held.



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: March 9, 2026

Title: Electric Alarms Systems, Fencing, and Retaining Wall Regulations Amendments

Attachments: Attachment A. EMC 18, Redlines

Submitted By: Josh Kubitz, AICP – Planning Manager

Background Information:

The City Council was contacted by a local business owner in late 2023 seeking a solution to ongoing theft and security issues being experienced on their property along West Valley Highway. The Edgewood Police Department met with the business owner in December 2023, where suggestions were made for how vehicles and equipment are stored on the site. While some improvement was experienced due to these changes, theft and security concerns remain. The business owner is interested in a perimeter security solution, such as the Electric Guarddog by Amarok (Attachment A) or similar device.

Edgewood Municipal Code (EMC) 18.90.060 contains regulations regarding fences and “artificially constructed barriers”. While the proposed perimeter security solution is clearly an “artificially constructed barrier”, the term “fence” is not explicitly defined, so it is not clear if the requested security device meets the definition of a fence as currently described in the code, and therefore unclear if the device would qualify as an “electric fence”. EMC 18.20.220 does define a “security barrier” as “a wall, fence, or berm that has the purpose of securing a wireless telecommunications facility’s wireless service facility from unauthorized entry or trespass,” which is a very narrowly defined scope.

On September 9, 2024, staff introduced this topic to the Planning Commission. However, further discussion on this item was delayed due to the 2024 Comprehensive Plan Periodic Update and associated required development regulation updates. You can view the previous Planning Commission introduction [here](#).

Since staff’s introduction in 2024, the state has completed an [Electric Security Alarm System Report](#) to the Legislature that led to the state legislature passing Engrossed Substitute House Bill 1688 in 2025 (Attachment B). HB 1688 establishes statewide standards for installing and operating electric security alarm systems where local governments have not adopted alternative regulations. This bill includes new definitions, requires two public hearings for any development regulation update that includes electric security systems, and some basic regulations.

Lastly, staff would like to take this opportunity to suggest additional amendments to EMC 18.90.060, addressing outdated language, fence height restrictions within building setback areas along arterial and collector streets, and retaining wall height and setback regulations.

Current Discussion:

Staff have prepared code amendments for Planning Commission’s review which incorporates the guidance and discussion from the January 12, 2026, and February 9, 2026, Planning Commission Meetings. The following provides discussion items:

Fencing Regulations:

1. Fence Definition

The proposed fence definition excludes hedges from being defined as a fence as directed by the Planning Commission.

2. Residential and Mixed-Residential Maximum Fence Height

The Planning Commission voiced concern that fencing along arterial and collector roads would create a less pedestrian friendly environment along the street. As such, the proposed amendments include a requirement that residential fences above four feet along an arterial or collector right-of-way shall be located behind 5 feet of pedestrian-oriented landscaping that is maintained by the property owner. The pedestrian-oriented landscaping is meant to be a mixture of shrubs, trees, and ground cover, and it can be located within the right-of-way.

- Staff Question: Does the Planning Commission have any comments or additional suggestions regarding this proposed change?

3. Non-Residential Maximum Fence Height

The Planning Commission voiced general support for the proposed changes and didn’t have additional guidance or questions.

4. Barbed Wire Fencing:

The Planning Commission voiced general support for the proposed changes and didn’t have additional guidance or questions.

Retaining Wall Regulations:

Overall Amendment Goal: To determine if retaining wall heights should be limited when facing street rights-of-way and neighboring properties.

1. Maximum Retaining Wall Height

The municipal code currently allows retaining walls up to 4 feet within front-yard setbacks and up to 8 feet within interior and rear-yard setbacks. However, if a zoning district does not have a setback, a retaining wall can theoretically reach the maximum height allowed for a building. Additionally, there is currently no height limit for retaining walls located outside of the setbacks. The proposed amendments would limit the maximum height of a single retaining wall (without terracing). However, exceptions would be made for taller walls that are not visible from adjacent properties or public spaces, provided the deviation offers a greater public benefit.

In the February 9, 2026, meeting, the Planning Commission generally supported limiting the retaining wall height and may be interested in not allowing retaining walls that could potentially disrupt the walkability in the Town Center. The Planning Commission requested example photographs of retaining walls to assist in their decision making. The following are a variety of photographs within Edgewood that staff will go over during the meeting:

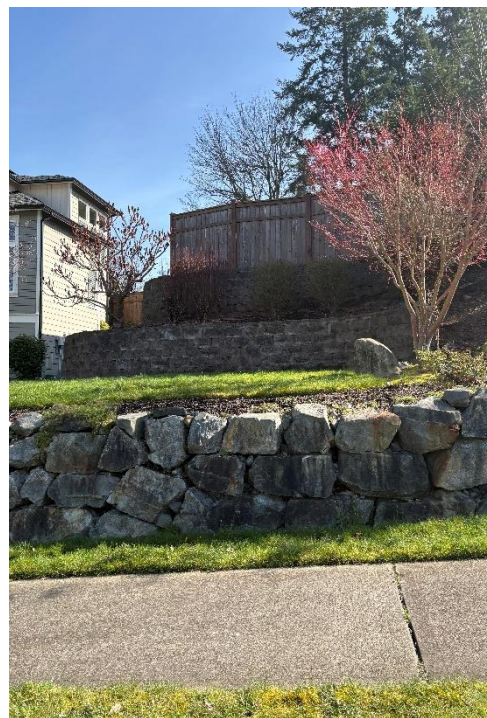
Large Retaining Wall Adjacent Property Example:



Residential Retaining Walls Along a Public Street Without Terracing Examples:



Residential Retaining/Landscape Wall Terracing Facing Public ROW Examples:



Residential Retaining/Landscape Wall Facing Other Properties Examples:



Residential Retaining/Landscape Wall in Backyard Example:



Stormwater Retaining Wall Example:



Multi-Family Retaining/Landscape Wall Facing Meridian Examples:



Commercial Retaining Wall Facing Meridian or Adjacent Property Examples



- Staff Question: Does the Planning Commission have any input regarding reducing the maximum retaining wall height from 8 feet to 6 feet within setbacks or rights-of-way? Should the Town Center and Mixed-Use zoning districts be limited to 4-foot retaining walls along the right-of-way?

Electric Security Alarm System (electrical fencing):

Overall Amendment Goal: To develop electric security alarm system regulations that align with HB 1688.

1. Applicability:

The Planning Commission voiced general support for the proposed changes and didn't have additional guidance or questions.

2. Performance Standards:

a. Electric Security Alarm System and Electric Fence Setback

The Planning Commission voiced general support for 5-foot setback to adjacent sensitive uses and limit these systems to 8-feet if located within a building setback.

- b. Minimum perimeter barrier height.

The Planning Commission voiced general support for a minimum of 6-foot perimeter barrier height.

Staff Recommendation:

The Planning Commission is invited to review the attached materials and provide feedback.

Chapter 18.20
DEFINITIONS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

18.20.050 B definitions.

.....
.....
"Bulkhead" means a type of retaining vertical wall of steel, timber or concrete used to hold back earth and provide a solid surface to resist wave action from an abutting water body. Bulkheads are considered a hard armoring technique for erosion protection or as a retaining wall.

18.20.080 E definitions.

.....
"Electric security alarm system" means an outdoor alarm system that connects a wire structure to an alarm system and transmits a signal intended to detect and alert the property owner of an intrusion by utilizing an electric charge, as defined under RCW 35.21.993.

18.20.090 F definitions.

.....
"Fence" means a wall or barrier for the purpose of enclosing space, separating property, providing security, visual impacts. The term "fence" does not include retaining wall or landscaping features including but not limited to trees, shrubs, hedges or other vegetation.

18.20.210 R definitions.

.....
"Retaining wall" means any structure used to resist the lateral displacement of any material.

18.20.220 S definitions.

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

1 **Chapter 18.90**
2 **DEVELOPMENT STANDARDS – CITYWIDE APPLICABILITY**
3

4 **18.90.060 Fences, ~~bulkheads and retaining walls,~~ and electronic security alarm systems.**

5 ~~A. Artificially constructed barriers to enclose, screen, or separate areas may be erected within required setbacks as~~
6 ~~follows, provided fences or other barriers:~~

7 ~~1. Do not obstruct the sight distance of a driveway, private street, or public street;~~

8 ~~2. Within the interior and rear setbacks do not exceed a maximum height of six feet;~~

9 ~~3. Within the front yard setbacks do not exceed a maximum height of four feet:~~

10 ~~a. Except the back half of a front yard setback on a corner lot, the rear lot line and the rear of the structure~~
11 ~~may be enclosed with a maximum six-foot high fence, and~~

12 ~~b. Except that within the required front yard setback of a lot fronting on a principal arterial street, the~~
13 ~~maximum height shall be six feet;~~

14 ~~4. Razor wire, embedded glass, or other similar materials construction not to include electric fences or~~
15 ~~barbwire, or anti-entry techniques, which may cause injury, shall not be permitted.~~

16 A. Intent. The intent of this section is to establish minimum requirements for fences, retaining walls, and electric
17 security alarm systems in order to promote safety, provide screening, and protect neighborhood character.

18 B. Permit. Unless exempt pursuant to EMC 15.20.030, a building permit is required for fences and retaining walls.
19 For the purposes of permit exemption, a free-standing wall is regulated as a fence.

20 C. Fences and free-standing walls performance standards.

21 1. Measurement.

22 a. The height shall be measured from the lowest point on the finished ground surface immediately adjacent
23 to the feature to the top of the feature.

24 b. In the case of a fence located on or within two horizontal feet of a retaining wall, the total height shall be
25 measured from the lowest side of the retaining wall to the top of the fence. In this case, the maximum
26 combined height shall not exceed 10 feet.

27 2. Features shall not obstruct the required minimum sight distance of any vehicular access.

28 3. Residential (R-1 and R-2) and Mixed Residential (MR-1 and MR-2) Zoning Standards:

29 a. Front Setback. Features shall not exceed 4 feet in height within the required front yard setback, except
30 when lots fronting on arterial or collector roads where the maximum height shall be 6 feet if located
31 behind 5-feet of pedestrian oriented landscaping maintained by the property owner.

32 b. Interior/Rear Setback. Features not exceeding 6 feet in height may be located anywhere on the lot
33 outside of the required front yard.

34 c. Prohibited Materials: Barbed wire, razor wire, and similar anti-entry techniques are prohibited. In case
35 of legal non-conforming industrial use, barbed wire may be permitted subject to complying with the
36 standards provided in EMC 18.90.060(C)(4)-(f).

1 4. All Other Zoning District Standards

2 a. Front Setback. Features shall not exceed 4 feet in height, unless otherwise approved below.

3 b. All other areas. Features shall not exceed 6 feet in height if located within 5 feet of a property line or
4 within the required perimeter landscaping strip. If located on the interior edge of the required perimeter
5 landscaping areas, features shall not exceed 8 feet in height in nonindustrial zones and 10 feet in Industrial
6 zones.

7 c. Recreational Exception. Golf driving range nets, baseball nets, and other similar recreational safety nets
8 and fences are exempt from the above listed height standards.

9 d. Chain link fencing. Except in Industrial and Public zoning districts, chain link fencing is not permitted
10 between the building and street right-of-way, except for wetland preservation, recreation uses, stormwater
11 facilities, or as may be approved through design review. In all allowed locations, chain link fencing shall
12 be black or green vinyl-coated.

13 e. Barbed or razor fencing. All industrial and public zones and legal nonconforming industrial and public
14 uses may utilize barbed or razor wire subject to the following standards:

15 i. Barbed or razor fencing is limited to those areas not visible to adjacent residential use.

16 ii. Barbed or razor fencing is setback a minimum of 5-feet from front lot lines and located outside
17 any required perimeter landscaping areas.

18 iii. Barbed or razor fencing maximum height shall not exceed 10 feet, with no more than 2 feet of
19 barbed or razor wire on top of the fence.

20 iv. On existing developed sites, the Director may approve deviations from these standards.

21 ~~DB. Bulkheads and Retaining walls –performance standards. Any structure constructed and erected between lands-~~
22 ~~of different elevations which is used to resist the lateral displacement of any material, control erosion, or protect-~~
23 ~~structures may be placed within required setbacks to a maximum height of four feet on front property lines and eight~~
24 ~~feet on side and rear property lines, provided all applicable site distance requirements and building permit-~~
25 ~~requirements are met.~~

26 1. Retaining walls may be erected within required setbacks to a maximum of four feet on front property lines
27 and six feet on interior/side and rear property lines.

28 2. Retaining walls within the Town Center and Mixed-Use Residential zoning districts, and located adjacent to
29 public right-of-way, shall utilize terracing such that no individual wall exceeds two feet. In all other areas, and
30 outside of required setbacks, terracing shall be utilized such that no individual retaining wall exceeds 6 feet in
31 height.

32 3. Terracing Standards. The minimum terracing width, or the distance between structures, shall be a minimum
33 of 2 feet and landscaped to soften the view of the wall.

34 4. The Director may allow deviations for retaining wall height if the structures are not visible from adjacent
35 properties, stormwater public open space, public and private streets or if associated with a stormwater facility
36 and is requested as part of the overall design review application. In this case, the applicant must demonstrate, to
37 the satisfaction of the Director, that the proposed height deviation provides for better visual and aesthetic public
38 benefit than the code requirement.

1 5. Retaining walls in nonresidential and multifamily development are subject to the blank wall design standards
2 provided in EMC 18.95.040(H).

3 ~~C. Access control shall be applied, at the discretion of the community development director or designee, to all street~~
4 ~~frontages to minimize traffic conflicts and, where appropriate, to preserve on-street parking and promote~~
5 ~~nonmotorized modes.~~

6 E. Electric security alarm systems and electric fencing.

7 1. Applicability. Electric security alarm systems or electric fencing are allowed around the outdoor storage
8 areas within the Commercial (C), Business Park (BP), and Industrial (I) zoning districts, and on parcels in any
9 zone used for livestock, provided that they comply with all of the performance standards provided in EMC
10 19.090.060(E)(2). This section does not apply to underground or invisible pet fences.

11 2. Performance Standards:

12 a. Electric fencing shall be prohibited between the front of a building and the adjacent street(s), except
13 when located within the Industrial zoning district, and complies with appropriate landscaping and
14 screening standards.

15 b. When adjacent to a dwelling or dwellings, a playground, a school, a park, other recreation area, or right-
16 of-way, the electric fence shall be setback a minimum of 5 feet from property line and no taller than 8-feet.
17 Otherwise, the electric security alarm system may be up to two feet higher than the perimeter barrier,
18 fence, or wall, whichever is greater.

19 c. A minimum six-foot-tall perimeter barrier, fence, or wall, is located around the exterior of the electric
20 security alarm system. If the perimeter barrier is an existing fence or wall, it must have been installed in
21 compliance with the fence code at the time of installation.

22 d. Electric fences shall comply with minimum critical area setbacks, as defined in EMC Title 14, and shall
23 not surround said critical area.

24 e. The electric security alarm is powered by an energizer that is driven by a battery of no more than 12
25 volts of direct current and that does not produce an electric charge on contact that exceeds energizer
26 characteristics set forth in IEC 60335-2-76;

27 f. The electric security alarm is marked with conspicuous warning signs that are located on the system at
28 not more than 30-foot intervals that have clear infographics and contain the phrase "Warning: Electric
29 Fence."

30 g. The electric security alarm includes a device such as a rapid entry device that enables first responders to
31 deactivate the electric security alarm system in response to an emergency.

32 3. Enforcement. Electric security alarm systems or electric fencing that do not meet the standards of this section
33 are subject to Title 7 Code Enforcement.

34

35



**CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM**

Date: March 9, 2026

Title: Home Businesses & Licensing Regulations

Attachments: None

Submitted By: Josh Kubitzka, AICP – Planning Manager

Background Information:

EMC 18.100.070 (Home Business) and EMC 18.100.080 (Limited Home Business) establish regulations for home-based businesses. These rules were primarily enacted in 2003 and last significantly updated in 2015. The city has made only minor tweaks since 2015 to address conflicts with other sections of the municipal code.

In December 2024, the City Council adopted the City’s 2024 Comprehensive Plan Periodic Update following several years of review with the Planning Commission and Economic Development Advisory Board. The update included the following home-based business goals:

- ED.3a: Provide support for existing small businesses, home-base businesses, and entrepreneurs with initiatives such as facilitating regular meetings for home-based businesses, maintaining and circulating a list of local small businesses, and providing education and resources.
- ED.3b: Encourage home-based businesses that do not impact the residential character of the neighborhood. Limit signs, parking and truck deliveries, and other potential adverse impacts and consider an amnesty program for existing unlicensed or unregistered home-based businesses.

City Staff and the Economic Development Advisory Board (EDAB) have flagged the Home Business and Limited Home Business regulations as being repetitive and convoluted, which can be a significant deterrent to home-based businesses.

Finally, the Department of Revenue (DOR) and Association of Washington Cities (AWC) have both flagged Edgewood’s business licensing regulations for an update to comply with recent changes in state law. In short, we are required to update EMC 5.05 to include indexing language before the state’s minimum threshold exceeds \$5,000. Staff does not expect this to occur until late 2029, but is considering this opportunity to update that code as well.

Resources:

EMC 5.05 General Business License Code: [Here](#)

EMC 18.100.070 Home Business Code: [Here](#)

EMC 18.100.080 Limited Home Business Code: [Here](#)

Current Discussion:

Staff will review the home business, limited home business, and business licensing regulations and provide initial code revisions that comply with state law and the following amendment goal:

Ensure that home business regulations and business licensing municipal code chapters and sections are consistent with the 2024 Comprehensive Plans goals ED.3a and ED.3b.

Planning Commission Discussion: Does the Planning Commission have any specific regulations or guidance that staff should consider as it relates to reviewing the home business, limited home business, and business licensing regulations?

Staff Recommendation:

The Planning Commission is invited to review the attached materials for further discussions in future meetings.



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: March 9, 2026

Title: Climate Planning Phase 2

Attachments: None

Submitted By: Josh Kubitza, AICP – Planning Manager

Background Information:

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

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

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

A copy of HB 1181 is provided here: [1181-S2.SL.pdf](#)

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

Project History

The city completed Phase 1 of the Climate Planning Process in June 2025. This work included a draft Climate Impact Assessment, a draft Comprehensive Plan Gap Analysis, and a Climate Planning Public Participation Plan.

In February 2026, the Washington State Department of Commerce (Commerce) granted the city the remaining \$395,000 to complete the climate planning work by June 2027. Phase 2 will include forming a Climate Advisory Team (CAT) and holding regular meetings, finalizing the draft reports, conducting a greenhouse gas analysis, developing vulnerability and risk assessments, drafting the Climate Resilience and Greenhouse Gas Comprehensive Plan subelements, and holding an open house.

Current Discussion:

City staff will meet with the Climate Planning Consultant (Measure Meant) after the Planning Commission Agenda Packet is issued to discuss project scheduling and the Climate Advisory Team. Staff will present additional information at the Planning Commission meeting.

Staff Recommendation:

The Planning Commission is invited to visit [Climate Planning | Edgewood, WA](#) to view previously completed documents or review the story map summarizing the draft assessment and climate planning process at <https://arcg.is/0zWGqO0>.