

ORDINANCE NO. 3341

AN ORDINANCE OF THE CITY OF PUYALLUP, WASHINGTON, implementing the requirements of house bill (HB) 1110 related to middle housing requirements, by amending Puyallup Municipal Code Chapter 20.15 and 20.20, and repealing Chapter 20.21.

WHEREAS, in 2023 the Washington State legislature passed House Bill (HB) 1110 (codified as RCW 36.70A.635) related to middle housing; and

WHEREAS, in passing HB 1110 (RCW 36.70A.635) the State legislature found that Washington is facing a housing affordability crisis for its current population and a lack of housing choices, and is not likely to meet affordability goals for future populations; and

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

WHEREAS, the State legislature further found:

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

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

While creating more housing options, it is essential for cities to identify areas at higher risk of displacement and establish anti-displacement policies as required in Engrossed Second Substitute House Bill No. 1220 (2021);

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

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

WHEREAS, HB 1110 is primarily codified in the Revised Code of Washington (RCW) section 36.70A.635; and

WHEREAS, on January 26, 2026, the city transmitted a copy of the proposed ordinance to the Washington State Department of Commerce in accordance with RCW 36.70A.106 at least 60 days in advance of adoption for the required 60-day State review period; and

WHEREAS, on February 11, 2026, the city issued a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) on the proposed ordinance, which is a non-project proposal; and

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

WHEREAS, the city Planning Commission held a work session on December 10, 2025, to study and review matters related to implementing RCW 36.70A.535; and

WHEREAS, on February 11, 2026, the city Planning Commission held a duly noticed public hearing on the proposed ordinance, accepted testimony and made a recommendation to the Puyallup city council; and

WHEREAS, on March 31, 2026, the City Council held a study session to consider the interim zoning prohibition on middle housing in a portion of the volcanic hazard area and found:

The City of Puyallup lies within the lahar inundation zone of Mount Rainier, one of the most hazardous volcanoes in the United States, and portions of the City have been designated as a volcanic hazard area pursuant to Chapter 21.06 PMC, within which a lahar event would require rapid mass evacuation with little or no warning; and

The primary evacuation routes serving the volcanic hazard area have limited capacity, and the ability of residents to evacuate safely in the event of a lahar depends in significant part on the number of vehicles requiring simultaneous egress from the inundation zone; and

The middle housing unit density allowances authorized under RCW 36.70A.635 and implemented in this ordinance, including provisions that eliminate or substantially reduce off-street parking requirements, would, if fully applied within the volcanic hazard area of RS-zoned parcels, foreseeably increase both the number of dwelling units and the number of vehicles dependent on the same limited evacuation corridors; and

RCW 36.70A.635(4) expressly permits cities to limit implementation of the density requirements to up to 75 percent of the lots in the city that are primarily dedicated to single-family detached housing units; and

The City finds that limiting middle housing and accessory dwelling units on RS-zoned parcels within the volcanic hazard area from the full middle housing density standards of RCW 36.70A.635 and this ordinance, while continuing to permit middle housing and higher-density residential development on non-RS-zoned parcels within the same area, constitutes a narrowly tailored, site-specific life-safety measure consistent with the City's obligations

under the Growth Management Act and its duty to protect public health, safety, and welfare;
and

The City finds that this limited exemption is the minimum restriction necessary to address the identified life-safety concern, does not constitute an unreasonable prohibition on middle housing citywide, and is supported by the City's adopted hazard mitigation policies and emergency management planning; and

WHEREAS, on April 14, 2026, the City Council held a meeting to consider the Planning Commission recommendation; and

WHEREAS, adoption of the ordinance will bring the city into compliance with RCW 36.70A.635 and will serve the general welfare of the public;

NOW, THEREFORE, the City Council of the City of Puyallup, Washington, ordains as follows:

Section 1. *Recitals.* The recitals set forth in the preamble of this ordinance are hereby adopted as findings of fact supporting the action taken herein.

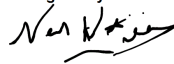
Section 2. *Puyallup Municipal Code.* Chapters 20.15, 20.20, and 20.21 are amended as shown in Attachment A.

Section 3. *Severability.* All sections in this ordinance are hereby deemed severable. Any section found invalid or unconstitutional by a court of law with jurisdiction shall not be deemed to invalidate or find unconstitutional other sections in this ordinance.

Section 4. *Corrections.* The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

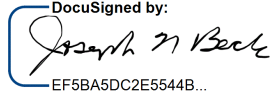
Section 5. *Effective Date.* This ordinance shall become effective five days after publication in the official newspaper of the City of Puyallup.

DATED this 28th day of April, 2026.

Signed by:

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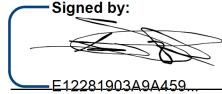
Ned Witting, Mayor

APPROVED AS TO FORM:

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Joseph N. Beck, City Attorney

ATTEST:

Signed by:

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Dan Vessels Jr., City Clerk

PUBLISHED: May 6, 2026 – Tacoma Weekly

ATTACHMENT A

Chapter 20.15 DEFINITIONS

Sections:

20.15.000 Definitions.

20.15.010 “A”.

20.15.015 “B”.

20.15.020 “C”.

20.15.025 “D”.

20.15.030 “E”.

20.15.035 “F”.

20.15.040 “G”.

20.15.045 “H”.

20.15.050 “I”.

20.15.055 “J”.

20.15.060 “K”.

20.15.065 “L”.

20.15.070 “M”.

20.15.075 “N”.

20.15.080 “O”.

20.15.085 “P”.

20.15.090 “Q”.

20.15.095 “R”.

20.15.100 “S”.

20.15.105 “T”.

20.15.110 “U”.

20.15.115 “V”.

20.15.120 “W”.

20.15.125 “X”.

20.15.130 “Y”.

20.15.135 “Z”.

20.15.000 Definitions.

For the purpose of this title, the following words and phrases are defined and shall be construed as set forth in this chapter, unless otherwise expressly stated or the context clearly indicates a different intention. The definitions of words and phrases used in this title and not specifically defined in this chapter shall be their common meaning as may be determined by the director.

20.15.010 “A”.

“Access” means the place or way by which pedestrians and vehicles have safe ingress and egress to a property.

“Accessory building” means a portion of the main building or a detached subordinate building located on the same lot or premises which is devoted exclusively to an accessory use, and which is used exclusively by the occupants of the main building.

“Accessory building, attached” means an accessory structure that is an integral part of the primary building footprint and has a shared common wall/roof with the primary structure. In no case shall an accessory building be considered attached and therefore part of a primary building if such structural attachment is the form of a breezeway, carport, enclosed hallway, fence, trellis, tunnel, arch, or any other architectural embellishments.

“Accessory use” means a use incidental to, related and clearly subordinate to the principal use of a lot or a building or other structure located upon the same lot or premises as the accessory use.

“Acre” means the same as “acre, net” unless otherwise specified.

“Acre, gross” means 43,560 square feet of land area, including public or private streets or road easements.

“Acre, net” means 43,560 square feet of land area, not including public or private streets or road easements.

“Addition” means the result of any work that increases the volume of an existing structure.

“Adjoining grade” means the ground level at a given point adjacent to a structure.

“Adjoining grade, average” means a single reference elevation which indicates the average grade or ground level of the perimeter of a structure, based on the sum of the existing or finished grade elevations, whichever is lower, which are adjacent to an exterior wall. Average adjoining grade (A.A.G.) is calculated by the following:

$$\text{A.A.G.} = \text{SUM}(\text{AE} \times \text{WL}) / \text{SUM WL}$$

where AE is the average ground elevation between each two-foot contour line adjacent to the perimeter of the structure or part of structure for which the A.A.G. is being calculated; and where WL is the wall length between each two-foot contour line described above.

“Adult family home” means a regular family abode of a person or persons who are providing personal care, room, and board to more than one, but not more than six, adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of eight adults may be permitted if the Department of Social and Health Services determines that the home is of adequate size and that the home and provider are capable of meeting the standards and qualifications established in Chapters 70.128 RCW and 388-76 WAC. The quantity of residents allowed shall be consistent with any amendments in state law in the future.

“Affordable retirement apartments” means any residential living facility where all dwelling units are available and intended for occupancy exclusively by households where: (1) each member is at least age 55; (2) at least one member is age 62 or older; and (3) all members in the aggregate earn less than 80 percent of the area median gross income for Pierce County (adjusted for household size).

“Aged person” means a person of the age 65 years or more, or a person of less than 65 years who by reason of infirmity requires domiciliary care.

“Agricultural activity” means a condition or activity which occurs in connection with the production of farm products, either for personal consumption or sale, and includes, but is not limited to, marketed produce at roadside stands or farm markets; noise; odors; dust; fumes; operation of machinery and irrigation pumps; movement including, but not limited to, use of current road ditches, streams, rivers, canals, and drains, and use of water for agricultural activities; ground and aerial application of seed, fertilizers, conditioners, and plant protection products; employment and use of labor; roadway movement of equipment and livestock; protection from damage by wildlife; prevention of trespass; construction and maintenance of buildings, greenhouses, fences, roads, bridges, ponds, drains, waterways, and similar features and maintenance of streambanks and watercourses; and conversion from one agricultural activity to another.

“Agricultural production use” means an intensive agricultural use that is conducted primarily within a structure or enclosed area and may be associated with odors or noise perceptible beyond the property boundaries. Typical uses include feed lots, greenhouse operations, poultry farms and fish hatcheries.

“Agricultural support use” means a use that provides a service or sells commodities for use by agricultural activities. Typical uses include farm equipment sales and repair, farm material sales such as grain, feed and fertilizer, and small-scale farm product processing such as cider mills, dairies, poultry or meat processing, where no more than five persons are employed.

“Alley” means a public right-of-way or city-approved private way which affords access to abutting property.

“Assisted living facility” means a residential care institution that provides resident rooms, or residential units, to disabled or elderly persons. The facility provides, or contracts to provide, supervisory care services, personal care services, or directed care services on a continuous basis. Such uses include, but are not limited to, memory care, Alzheimer’s care, etc.

20.15.015 “B”. “Bed and breakfast house” means a lodging use, within a single dwelling unit with multiple bedrooms, where short-term (i.e., four or fewer nights, or up to 18 nights during the month of September) overnight lodging and meals are provided to unrelated individuals for compensation. Said dwelling shall be the principal residence for the proprietors.

“Boardinghome” means any home or other institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator, and licensed by the state of Washington pursuant to Chapter 18.20 RCW. It shall not include facilities certified as group training homes pursuant to RCW 71A.22.040, nor any home, institution or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution or section thereof. Nor shall it include any independent senior housing, independent living units in continuing care retirement communities, or other similar living situations.

“Boardinghouse” means a residential dwelling with multiple bedrooms where long-term lodging and meals are provided to unrelated individuals for compensation.

“Building” means a structure built for the support, shelter, or enclosure of persons, animals or property of any kind in conformance with the Uniform Building, Plumbing and Mechanical Codes as adopted by PMC Title 17.

“Building department” means the building department of the city.

“Building permit” means a permit authorized pursuant to PMC Title 17.

“Business park use” means a use that involves the manufacturing, compounding or assembly of consumer, business, scientific and medical merchandise, such as electronic equipment, precision instruments, glassware, china, household appliances, cabinets, furniture or jewelry, from the following previously prepared typical materials: clay, cloth or fiber, cork, fur, glass, leather, paper (no milling), precious or semiprecious stones or metals, nonferrous metals, plaster, plastics, shells, textiles, tile and wood. “Business park use” also includes scientific and research laboratories and corporate and general offices. Such uses typically do not employ the use of hazardous materials or volatile chemicals, except as a minor or incidental part of the production process.

20.15.020 “C”.

“Carport” means a roofed structure permanently open on at least two sides to be used for vehicle shelter and/or storage.

“City” means the city of Puyallup.

“City council” means the city council of the city.

“Clinic” means any facility used for the care, diagnosis and treatment of sick, infirm or injured persons, but not providing board or facilities for overnight accommodations.

“Closed record appeal” means an appeal on the record to the city council following an open record hearing on the project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

“Club” means a structure or premises housing a fraternal or other membership organization. A club typically has a meeting room or rooms, cooking and dining facilities, and may include recreation and entertainment facilities.

“Code” means the municipal code of the city.

“Code enforcement manager” means the manager of the code enforcement department of the city, or his or her duly authorized representative.

“Co-living” means a type of multi-family residential development with sleeping units that are independently rented or owned and lockable and provide living and sleeping space with residents sharing kitchen facilities with other sleeping units in the building.

“Commercial recreation use” means a use that provides facilities for the conduct of recreational activities, usually in exchange for remuneration. This use shall be broken into the following two subcategories:

(1) “Commercial recreational use, minor”: those uses involving instructional and related activities of a more minor intensity when compared to major commercial recreation uses, including, but not limited to, dance studios, exercise establishments, art classrooms and other uses of a similar nature and intensity.

(2) “Commercial recreational use, major”: those uses of greater intensity, including amusement parks, drive-in theaters, driving ranges, miniature golf courses, marinas, outdoor theaters, race tracks, sporting ranges and sports arena. Recreational facilities such as health clubs are separately defined and permitted as “commercial recreational facilities/health club.” “Commercial recreational use, major” often involves outdoor facilities, nighttime lighting, the use of flying objects or physical hazards and generates large volumes of traffic during specific short periods of time.

“Commercial use, general” means a use that involves the purchase, sale, lease, rental, repair or other transaction involving the handling of any article, service, substance or commodity commonly used for consumer or household use. Typical uses include arcades, art specialty and retail shops, consumer services enterprises (laundries, dry cleaners, shoe repair, appliance and electronic repair, tailoring, printing shops and photo finishing, etc.), shopping centers or malls, food stores and supermarkets, health spas and studios, hotels and motels, indoor theaters, and restaurants (including sale of alcoholic beverages). “General commercial uses” may be profit or nonprofit and are typically conducted entirely within an enclosed building and do not involve outdoor storage of materials. The term does not include “road service uses.” Small-scale food and beverage producers (including those involving the production of alcohol, such as on-site beer brewing and distilleries), which involve 7,500 square feet or less floor area devoted to such production processes and storage, and which include a retail component wherein the food and/or beverages produced on site are sold to the general public, shall also be considered “general commercial uses.”

“Commission” means the planning commission of the city.

“Community facility use” means a use involving government or community facilities intended to serve a community service function and which has characteristics similar to more intensive heavy commercial or industrial uses. Such characteristics may include large volumes of traffic or substantial truck traffic, noise, visual or other impacts. Typical uses include maintenance yards, utility substations, public parking garages, electric generating plants, or wastewater treatment plants.

“Community garden” means privately or publicly owned land used for the cultivation of fruits, vegetables, plants, flowers, or herbs by multiple users. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained or used by group members.

“Community recreational facility/health club” means a facility housing recreational equipment and programs, including gymnasiums, dance studios, pools, exercise equipment and related recreational items.

Such a facility, intended to be principally internal in nature, may be private, nonprofit, or municipal in nature. This category does not include recreational uses which are primarily outdoor in nature (e.g., miniature golf, amusement parks) or uses typically involving extensive noise or glare (e.g., fire ranges, golf driving ranges).

“Comprehensive plan” means the Puyallup comprehensive plan as adopted by the city council.

“Conditional use permit” means a permit granted by the commission or city council in accordance with the terms of Chapter 20.80 PMC.

“Congregate living facility” means a multiple dwelling residential facility for senior citizens, featuring a central lobby, common dining area, and recreational rooms. The fee structure shall include at least one meal per day in the common dining area. Domiciliary care services may also be provided. Accessory support uses for tenants, such as pharmacies, banking services, barbers/beauticians, etc., may be included. Such uses include, but are not limited to, senior independent living, but do not include middle housing.

“Contiguous properties” means two or more lots or parcels of land sharing a common boundary line.

“Convenience market” means any retail market containing a gross floor area of 2,400 square feet or less, selling food, household goods and other small merchandise intended for domestic consumption. Convenience markets typically do not carry a full complement of merchandise brands.

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

“Courtyard” means an open space unobstructed from the ground to the sky that is bound on three or more sides constituting enclosure of space.

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

“Courtyard, auto” means a courtyard used to provide required parking.

20.15.025 “D”.

“Day care center” means a facility regularly providing care for 13 or more children for periods of less than 24 hours, and licensed for such use by the state. No such center shall be located in a private family residence unless the portion of the residence where the children have access is used exclusively for the children during the hours the center is in operation or is separate from the usual living quarters of the family.

“Day care provider, family” means a home regularly providing care for 12 or fewer children for periods of less than 24 hours and licensed for such use by the state. Such a facility shall be located in the family abode of the person or persons under whose direct care and supervision the children are placed.

“Daytime drop-in center” means a center which has a primary purpose of serving homeless individuals, whose clientele may spend time during day or evening hours, but with no overnight stays. Services may include counseling and/or medication monitoring on a formal or informal basis, personal hygiene supplies, facilities for showering, shaving, napping, laundering clothes, making necessary telephone calls and other basic supportive services. Centers may also provide meals or facilities for cooking.

“Density” means the number of dwelling units per acre or per square feet of lot area.

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

“Department” means the development and permitting services department.

“Director” means the director of the development and permitting services department of the city, or the director’s designated representative.

“Dog kennel” means a compound or pens, located either within or exterior to a structure, for short- or long-term boarding or care for more than three dogs greater than four months of age at any given time, whether said dogs are owned by the kennel operator or others. This definition applies to kennels whether operated as a principal use or as accessory to another use (e.g., veterinary clinic, pet store).

“Dormitory” means a building containing bathroom facilities available for common use by the residents of the building, which is occupied or intended to be occupied as the dwelling for more than six persons who are not related by blood, marriage, or adoption but who are enrolled in, affiliated with or employed by the same educational, religious, or health institution. “Dormitory” shall not include a boardinghouse, motel, hotel, group home, health institution or other type of housing.

“Drive-in” and “drive-through establishment” means any establishment accommodating customers who remain in or are served in their motor vehicles, whether such service is on the premises or at the curb adjacent to the premises.

“Driveway” means vehicular access to off-street parking or loading space.

“Dwelling” means a building meeting the requirements of the Uniform Building Code or portion thereof or a designated manufactured home as defined herein and when permitted in manufactured home subdivisions, used exclusively for residential purposes, including one-family, two-family and multiple dwellings, but not including hotels and motels, lodginghouses, roominghouses, clubs and fraternity houses.

“Dwelling, duplex” means a building used exclusively for occupancy by two households (including their guests and employees) living independently of each other and containing two dwelling units.

“Dwelling, fourplex” means a building used exclusively for occupancy by four households (including their guests and employees) living independently of each other and containing four dwelling units.

“Dwelling, middle housing” means buildings that are complementary in scale and form with single family houses and contain two or more attached, stacked, or clustered homes, including duplexes, triplexes, fourplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

“Dwelling, multiple-family” means a detached building used exclusively for occupancy by multiple households (including their guests and employees) living independently of each other and containing three or more dwelling or sleeping units. “Multiple-family dwelling” also includes any dwelling or sleeping units that are within a mixed-use building and may include middle housing types (triplexes, fourplexes, cottage housing, stacked flats, courtyard apartments, or townhouses).

“Dwelling, single-family” means a detached building or designated manufactured home as defined herein and when permitted in manufactured home subdivisions, used exclusively for occupancy by one household (including their guests and employees) and containing one dwelling unit.

“Dwelling, triplex” means a building used exclusively for occupancy by three households (including their guests and employees) living independently of each other and containing three dwelling units.

“Dwelling unit, accessory” means a size-limited dwelling unit located on the same lot as the principal dwelling unit(s) with provisions for independent cooking, living, sanitation, and sleeping.

“Dwelling unit, auxiliary” means a dwelling unit located within a zoning district that otherwise does not allow residential uses, which dwelling unit is used exclusively by the owner, operator or caretaker (and family) of the associated permitted or conditionally permitted use. An auxiliary dwelling unit must be located upon the same parcel as the principal use or structure it serves, and no more than one auxiliary dwelling unit shall be allowed per parcel.

20.15.030 “E”.

“Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement. For the purpose of this definition, “temporary” shall mean not more than 365 days.

“Emergency housing, congregate” means a type of shared housing in which each individual or family may have a private bedroom or living space but shares with other residents common dining, recreational or other facilities. These shelters shall include on-site staff and services.

“Emergency housing, scattered site units” means a single-family dwelling unit providing for one family, a two-family dwelling unit providing for two families, or a dwelling unit leased from a multifamily building or facility not specifically designated as emergency housing or an emergency shelter.

“Emergency shelter” means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers and/or daytime drop-in centers that do not provide overnight accommodations. Temporary shelter facilities associated with disaster relief are excluded from this use category. For the purpose of this definition, “temporary” shall mean not more than 365 days.

“Emergency shelter, congregate” means a type of shared housing in which each individual or family may have a private bedroom or living space but shares with other residents common dining, recreational or other facilities. These shelters shall include on-site staff and services.

“Emergency shelter, scattered site units” means a single-family dwelling unit providing for one family, a two-family dwelling unit providing for two families, or a dwelling unit leased from a multifamily building or facility not specifically designated as emergency housing or an emergency shelter.

“Extraction and related use” means a use involving the removal of natural earth materials or the dismantling or outdoor storage of manmade materials or equipment. Typical uses include gravel pits or stone quarries, or motor vehicle wrecking yards or scrap yards.

20.15.035 “F”.

“Facade” means the face of a building including architectural features such as exterior walls, windows, and doors.

“Facade, front” means the face of a building primarily oriented toward and exposed to view from a public right-of-way, including architectural features such as exterior walls, windows, and doors.

“Family” means one or more persons related by blood, marriage, adoption, or guardianship and including foster children and exchange students, or a group of unrelated people living together as a single nonprofit housekeeping unit.

For the purposes of this section, a housekeeping unit is not nonprofit if it is operated by or under the sponsorship of an entity which receives payment per resident on a monthly or other periodic basis from any governmental or private agency to provide care or shelter for any resident of the unit who is unrelated to the caregiver; provided, that foster family homes and adult family homes shall be considered to be nonprofit housekeeping units. Nothing in this definition shall be applied so as to prevent the city from making reasonable accommodations as may be necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling as required by the Fair Housing Act Amendments of 1988.

“Fence” means a freestanding structure resting on or partially buried in the ground and rising above the ground level, and used for confinement, privacy, protection, screening or partition purposes.

“Floodplain” means the land area susceptible to being inundated by floodwaters having an average occurrence of once in 100 years or as having one percent chance of being equaled or exceeded in any given year.

“Floodproofing” means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved property, water and sanitary facilities, structures and their contents.

“Floodway” means that area necessary to convey and discharge floodwaters during flooding events having a one percent chance of being equaled or exceeded in any given year, as delineated under the National Flood Insurance Program.

“Floodway fringe” means that portion of the floodplain that is not located within the floodway.

“Floor” means a continuous supporting surface extending horizontally throughout a building. The “floor” shall be considered to include interior elevator shafts, stairwells and other similar interior spaces.

“Floor area” means the total horizontal area expressed in square feet of all floors, platforms and stairwells within the surrounding walls and below the roof of all structures on a subject lot. Floor area is calculated from the exterior surface of the building walls. Floor area shall not include the area of:

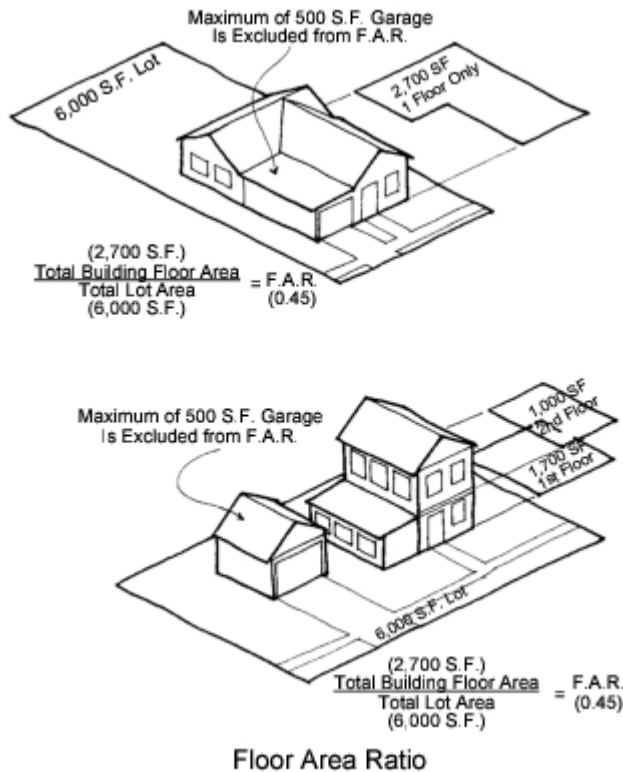
- (1) Roofed decks which are open/unenclosed on at least one side;
- (2) Attics and storage spaces containing less than five feet of headroom between floor and ceiling;
- (3) Multifamily, commercial or industrial garages devoted primarily to vehicle parking or loading which are located on the first or subsurface floors;
- (4) Basements and cellars when the finished ceiling of such basements or cellars is less than two feet above the lowest point of the finished adjacent grade;
- (5) Detached accessory structures 200 square feet and smaller; and
- (6) Carports, regardless of size.

For the purpose of calculating floor area ratio for a lot whose principal use is single-family residential, garages and carports shall be excluded up to a maximum area of 500 square feet per parcel; all garage

space in excess of 500 square feet per parcel shall be included as part of the floor area calculation. Accessory dwelling units, both attached and detached, shall be counted towards floor area.

For the purposes of the downtown planned action area, “floor area” means the total horizontal area expressed in square feet of all floors, platforms and stairwells within the surrounding walls and below the roof of all structures on a subject lot. “Floor area” is calculated from the exterior surface of the building walls. Floor area shall not include the area of roofed decks which are less than 50 percent enclosed, attics and storage spaces containing less than five feet of headroom between floor and ceiling. Also, floor area shall not include structured parking when the structured parking is provided on site with the use it serves.

“Floor area ratio” means the numerical value obtained by dividing the total floor area of a structure or structures by the total area of the lot on which such structure or structures are located.



20.15.040 “G”.

“Garage, private” means an accessory building or an accessory portion of the main building designed and/or used for shelter or storage of vehicles owned or operated by the occupants.

“Garage, public” means a structure other than a private garage used for the shelter or storage of vehicles.

“Garage/yard sale” means the offering of used/secondhand household items for sale at a residence pursuant to the standards of Chapter 20.70 PMC.

“Generally accepted agricultural and best management practices” means sound, economically feasible farming techniques and best management practices as defined and/or recommended by the American Society of Agronomy, United States Department of Agriculture Soil Conservation Service, Washington State Cooperative Extension Service, and other professional or industrial agricultural organizations.

“Grocery store” means a retail establishment selling food as well as other convenience and household goods.

“Guest house” means living quarters within an accessory building for the sole use of family and/or the occupants of the premises, persons employed on the premises or for temporary use by the guests of the occupants of the premises. Guest houses shall have no “kitchen” facilities (but may contain a “kitchenette”) and shall not be rented or otherwise used as a separate dwelling.

“Guest room” means any habitable room which does not contain cooking facilities and is designed or used for occupancy by one or more persons, other than a dwelling unit.

20.15.045 “H”.

“Hazardous waste” means all dangerous and extremely hazardous waste as defined in RCW 70.105.010.

“Hazardous waste storage” means the holding of dangerous waste for a temporary period as regulated by state dangerous waste regulations, Chapter 173-303 WAC.

“Hazardous waste treatment” means the physical, chemical or biological processing of dangerous waste to make wastes nondangerous or less dangerous, safer for transport, amenable for energy or material resource recovery, amenable for storage, or reduced in volume.

“Hazardous waste treatment and storage facility, off-site” means those treatment and storage facilities which treat and store waste from generators on properties other than those on which the off-site facilities are located. These facilities must comply with the state siting criteria as adopted in accordance with RCW 70.105.210.

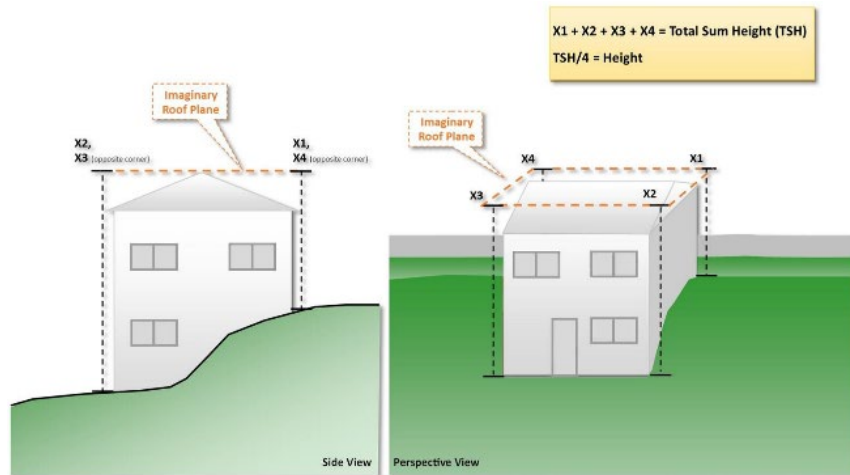
“Hazardous waste treatment and storage facility, on-site” means those treatment and storage facilities which treat and store wastes generated on the same geographically contiguous or bordering property. These facilities must comply with the state siting criteria as adopted in accordance with RCW 70.105.210.

“Hearing examiner” means the hearing examiner of the city of Puyallup.

“Heavy industry” means a use involving the manufacture, processing, refining, outdoor storage, or treatment of large equipment, or raw or hazardous materials (e.g., timber, coal, oil, volatile gases) or extractive land uses. In heavy industry the intensity, scale, and/or characteristics of operation and materials used have the potential to result in externalities or effects on surrounding land uses or the community due to noise, odor, toxic chemicals, or other activities posing a hazard to public health and safety. Typical uses include automobile assembly plants, asphalt or concrete mixing plants, fuel generation plants, grain elevators, meat packing plants or slaughterhouses, resource recovery facilities and junk or vehicle wrecking yards. The term also includes transportation terminals such as landing fields, heliports, or railroad or trucking yards.

Height, Building or Structure. “Building or structure height” means:

The vertical distance from the finished adjoining grade to an imaginary plane projected from the highest part of the roof. Building height shall be determined by the average of the vertical distances to the imaginary plane from the four corners of the structure (“total sum height” – see example below). The vertical distance shall be measured from the finished grade which coincides with the drip line of the roof eaves immediately above the finished grade.



Church steeples, chimneys, elevator penthouses, vents and similar enclosures or equipment shall not be considered for the purpose of determining building or structure height, as long as such enclosures or equipment do not cover a significant portion of the roof area.

“Home occupation” means an occupation, business or profession which is conducted on a property that is principally in residential use and is zoned for residential purposes. A home occupation is carried out solely by the residents of said property, and is clearly incidental and secondary to the use of the property for residential purposes. See Chapter 20.75 PMC for regulations governing home occupations.

“Horticultural activity” means the raising of plants for the use of the plants or their products, generally for food production, but may also include ornamental uses; examples include vegetable raising, P-Patch community gardens, raising flowers, orchards, vineyards and similar activities.

“Hotel (motel)” means a building or group of buildings in which there are guest rooms where temporary lodging with or without meals is provided for compensation. “Hotel” shall not include jails, hospitals, asylums, sanitariums, orphanages, prisons, detention homes, and similar buildings where human beings are housed or detained under legal or medical constraint, nor shall “hotel” include “bed and breakfast house.”

20.15.050 “I”.

“Independent cooking” means an area within a structure that is used or designed to be used for the preparation or cooking of food, typical of a full kitchen for a single-family residence.

Independent cooking areas contain a kitchen sink and rough-in electric or gas supply to accommodate built-in oven and range cooking appliances.

20.15.055 “J”.

Reserved.

20.15.060 “K”.

“Kitchen” means any room or part of a room which is used, intended, or designed to be used for cooking or preparing of food. The kitchen includes facilities, or utility hookups for facilities, sufficient to prepare,

cook, and store food, and wash dishes, including, at a minimum, any room having countertops, a kitchen-style sink, space and utilities sufficient for a gas or 220/240v electric stove and oven, and a refrigerator.

“Kitchen, shared” means a kitchen that is used, intended, or designed to be used by residents of multiple dwelling or sleeping units for preparing food simultaneously.

“Kitchenette” means a room or part of a room which is used, intended, or designed to be used for basic food preparation, with a sink and at least one 120v electrical outlet, and with no 240v outlet.

20.15.065 “L”.

“Landscaping” means landscape elements including plant materials (grass, groundcover, annuals, perennials, shrubs, vines and trees), landscape light fixtures, trash receptacles, benches, fountains and other street furniture and including paving or decking used for ornamental purposes.

“Large farm animal” means varieties of large animals used in urban agricultural activities for production of food, their products, or use such as cows, sheep, goats, horses, swine and other similar sized farm animals. Miniature varieties of farm animals such as pygmy goats shall not be considered large farm animals.

“Limited animal husbandry” means the keeping of animals for the use or the sale of their products, such as meat, milk or eggs. Examples of animal husbandry uses are raising poultry for eggs and meat, raising rabbits for meat, keeping goats or cows for milk or meat, keeping bees for honey or pollination of plants and other similar activities.

“Limited manufacturing/light industrial use” means a use involving the manufacture, assembly, processing or treatment of parts, materials, goods, foodstuffs and products intended for general distribution. Production processes may not employ the extensive use of hazardous or volatile materials or chemicals, or continuous high levels of noise or odor. Typical uses include contractors shops, metal fabrication, custom boat building, indoor storage of bulk materials and machinery, nonflammable gas production, warehouse and distribution facilities, publishing plants, vehicle repair facilities, storage units, or towing yards.

“Loading facilities” means an area other than a street or alley, either open or enclosed, or partially enclosed within a structure or portion thereof, designed or used for the temporary parking of commercial vehicles while loading or unloading goods or materials.

“Long-term residential care facility” is the specific use category that encompasses certain residential care facilities which are licensed by the state to provide long-term health and rehabilitative care services in a residential setting. Such uses include, but are not limited to: adult family homes, boardinghomes, nursing homes, residential care/treatment facilities, etc.

“Lot” means a parcel of real property shown as a delineated parcel of land with a number, letter or other designation on a final plat or short plat of subdivision recorded in the office of the county recorder and subdivided pursuant to PMC Title 19 and in accordance with state law or a contiguous parcel of real property legally established in accordance with city and state regulations.

“Lot area, gross” means the total area, including public and private streets, alleys, and road easements within the boundary lines of a lot.

“Lot area, net” means the total area, exclusive of streets, alleys, road easements or private roads within the boundary lines of a lot.

“Lot, corner” means a lot situated at the intersection of two or more streets, which streets have an angle of intersection measured within said lot of not more than 135 degrees.

“Lot coverage” means that percentage of a lot which, when viewed directly from above, would be covered by a structure or structures, or any part thereof, including any area under roof, cantilevered decks, balconies, roof overhangs, and eaves. Paved areas, decks, detached accessory structures 200 square feet and smaller, and other similar structures constructed at or below grade level, or in no event higher than 30 inches above the adjoining grade of said structures, and swimming pools shall be not considered as “lot coverage.”

“Lot depth” means the horizontal length of a straight line drawn perpendicularly to the front lot line from the midpoint of the rear lot line to the front lot line. On panhandle lots, the access strip portion shall be excluded when calculating lot depth.

“Lot, double frontage” means a lot having frontage on two generally parallel streets, but not including a corner lot.

“Lot, interior” means a lot other than a corner lot. “Lot line” means a line specified by recorded deed or subdivision map delineating the boundaries of a lot.

“Lot line, front” means:

- (1) In the case of an interior lot, a lot line separating a lot from the street right-of-way line;
- (2) In the case of a corner lot, a lot line separating the narrower street frontage from the street right-of-way line. Alternatively, at the applicant’s request, the director shall have the authority to determine, for purposes of determining setbacks, that either street frontage may be deemed the front lot line, with the other frontage becoming the street side yard lot line. This is contingent upon finding that the resulting lot line determination is consistent with existing or proposed site improvements, that site access meets applicable city engineering standards, and that overall site development would not result in a situation injurious to or incompatible with the surrounding vicinity;
- (3) In the case of either an interior or corner lot which extends from one street to another, the lot lines separating the lot from the street right-of-way lines on both frontages; except where the right of vehicular access has been waived to one of the streets as required by governmental agency, the lot line separating the lot from the street right-of-way line upon which access has been waived becomes the rear lot line;
- (4) In the case of a panhandle or flag lot, a lot line which is most nearly perpendicular to the access strip and whose prolongation would divide the access strip from the main body of the lot;
- (5) In the case of a lot which has no street frontage, a lot line which is most nearly parallel and closest to the street right-of-way line from which the property gains access.

“Lot line, rear” means the property line which is opposite and most distant from the front lot line. If the rear lot line is less than 10 feet in length or if the lot comes to a point at the rear, the rear lot line shall be determined to be a line not less than 10 feet in length lying parallel to the front lot line, and located entirely within the lot and farthest from the front lot line.

“Lot line, side” means any lot line that is not a front or rear lot line.

“Lot, panhandle” means a lot whose largest area is located to the rear of another lot or lots and which lot has its only access by means of a narrow, contiguous strip of land connecting such lot to a street; the same as a flag lot.

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

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

“Lot width” means the horizontal distance between the side lot lines measured at right angles to the line comprising the depth of the lot at a point midway between the front and rear lot lines.

“Low impact development (LID)” is a storm water management strategy that emphasizes conservation and use of existing natural site features integrated with distributed, small-scale storm water controls to more closely mimic natural hydrologic patterns in residential, commercial and industrial settings. LID implements engineered small-scale hydrologic controls to replicate the predevelopment hydrologic regime of watersheds through infiltrating, filtering, storing, evaporating and detaining runoff close to its source. Examples of LID include: permeable paving, bio-infiltration facilities (e.g., “rain garden”), bio-filtration facilities, green roofs, rainwater collection, tree retention, soil amendments, clustered site design, native landscaping/minimization of turf lawn, minimal excavation foundation systems, retention of natural site contours, impervious surface minimization, etc.

20.15.070 “M”.

“Major transit stop” means a stop on a high-capacity transportation system funded or expanded under the provisions of Chapter 81.104 RCW:

- (1) Commuter rail stops;
- (2) Stops on rail or fixed guideway systems, including transitways;
- (3) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or
- (4) Stops for a bus or other transit mode providing actual fixed route service at intervals of at least 15 minutes for at least five hours during the peak hours of operation on weekdays.

“Manufactured home, designated” means a manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, which:

- (1) Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;
- (2) Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch; and
- (3) Has exterior siding similar in appearance, as determined by the director, to siding materials commonly used on conventional site-built International Building Code single-family residences.

“Manufactured home, new” means any manufactured home required to be titled under RCW Title 46, which has not been previously titled to a retail purchaser, and is not a “used mobile home” as defined in RCW 82.45.032(2).

“Manufactured/mobile home” means a structure designed and constructed to be transportable in one or more sections, and is built on a permanent chassis, and designed to be used as a dwelling unit with or without a permanent foundation, when connected to the required utilities that include plumbing, heating and electrical systems contained therein. The structure must comply with the National Mobile Home Construction and Safety Standards Act of 1974 as adopted by Chapter 43.22 RCW if applicable.

“Manufactured home” does not include a modular home. A structure which met the definition of mobile home at the time of manufacture is still considered to meet this definition notwithstanding that it is no longer transportable. The term does not include a recreational vehicle.

“Manufactured/mobile home park” means a group of two or more manufactured/mobile homes contained on a single parcel of property at least two acres in size, under unified control or ownership.

“Marijuana” means all parts of the plant Cannabis, whether growing or not, with a THC concentration greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. The term does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

“Marijuana-infused products” means products that contain marijuana or marijuana extracts and are intended for human use. The term “marijuana-infused products” does not include useable marijuana.

“Marijuana processor” means a person or entity that complies with Chapter 69.50 RCW and Chapter 314-55 WAC, and is issued a license by the Washington State Liquor and Cannabis Board to process marijuana into useable marijuana and marijuana-infused products, package and label useable marijuana and marijuana-infused products for sale in retail outlets, and sell useable marijuana and marijuana-infused products at wholesale to marijuana retailers.

“Marijuana producer” means a person or entity that complies with Chapter 69.50 RCW and Chapter 314-55 WAC, and is issued a license by the Washington State Liquor and Cannabis Board¹ to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers.

“Marijuana retailer” means a person or entity that complies with Chapter 69.50 RCW and Chapter 314-55 WAC, and is issued a license by the Washington State Liquor and Cannabis Board¹ to sell useable marijuana and marijuana-infused products in a retail outlet.

“May” is permissive, not mandatory.

“Methadone clinic” means a medical provider that has been certified by the state to administer methadone to patients in an outpatient capacity as part of an opiate substitution treatment program.

“Mixed-use development” means a tract of land, building or structure with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public or entertainment, in a compact urban form.

“Mixed-use structure” is a single structure containing at least two complementary, integrated, or mutually supporting uses (such as housing, offices, manufacturing, retail, public service, or entertainment). The structure must achieve physical and functional integration within itself.

“Motor vehicle” means a self-propelled device used or intended to be used for the transportation of freight or passengers upon a street or highway, excepting a device moved by human power or a device used exclusively upon stationary rails or tracks.

“Municipal code” means the municipal code of the city.

20.15.075 “N”.

“Nonconforming building” means an existing building lawfully erected and maintained which does not conform to the density, coverage, height, setback or other requirements of the applicable zoning classification, either as of the effective date of the ordinance codified in this title, or as a result of prior or subsequent ordinances which make such building nonconforming.

“Nonconforming lot” means an existing lot lawfully established and maintained which does not conform to the area, street frontage, width or depth requirements of the applicable zoning classifications, either as of the effective date of the ordinance codified in this title, or as a result of prior or subsequent ordinances which made such lot nonconforming.

“Nonconforming use” means an existing use lawfully established and continued which is not listed as a permitted use in the applicable zone classifications, either as of the effective date of the ordinance codified in this title, or as a result of prior or subsequent ordinances which make such use nonconforming.

“Nursing home” means any home, place or institution which operates or maintains facilities providing convalescent or chronic care, or both, for a period in excess of 24 consecutive hours for three or more patients not related by blood or marriage to the operator. This definition shall not be construed to include general hospitals or other places which provide care and treatment for the acutely sick and maintain and operate facilities for major surgery.

20.15.080 “O”.

“Off-street parking space” means an area of land, not located on public right-of-way that is reserved exclusively for the purpose of motor vehicle parking.

“Open record hearing” means a hearing, conducted by the hearing examiner, that creates the city’s record through testimony and submission of evidence and information, under the procedures described under Chapter 2.54 PMC and elsewhere in this code. An open record hearing may be held on an appeal if no open record hearing has been held on the project permit.

“Open space, common” means land available for recreational, park or environmental amenity for collective enjoyment by occupants of the development.

(1) Common open space shall not include public or private streets, driveways, parking areas, storage, or utility/trash service areas.

(2) In projects consisting of six or fewer dwelling units, common open space may include the required yards for buildings or structures. For all projects larger than six dwelling units, common open space shall be separate from private open space.

(3) Common open space may include land occupied by noncommercial recreational buildings or structures serving residents of the project site area.

(4) Common open space shall be landscaped. All required landscaping shall be maintained in a neat and healthy condition.

(5) Common open space may include environmentally critical areas and buffers; however, at least five percent of the net lot area shall be devoted to amenity areas for active use by residents of site units.

(6) Common open space may contain structures or improvements as are necessary and appropriate for the out-of-doors enjoyment of residents of the development.

(7) Safe age-appropriate amenities shall be provided in common open space for the provision of play and other activities corresponding to the needs of the intended resident types (e.g., full spectrum of age groups and household types, family housing, special needs housing for elderly or handicapped, housing for singles and couples).

“Open space, private” means a yard, garden, patio, or balcony that is attached or directly accessible to each dwelling unit and provided with vegetative screening, berms or structural screening to achieve a degree of vertical closure of the space and to obstruct the view from common open space or public rights-of-way. Required private open space attached to ground floor dwelling units open space shall be landscaped. All required landscaping shall be maintained in a neat and healthy condition.

“Outdoor storage” means the storage of any product, material, vehicle, equipment, junk or scrap outside the confines of an enclosed building or structure, and more specifically defined as:

(1) Merchandise Display. Display of products and materials, and operable vehicles and equipment, for the principal purpose of offering for sale at retail, and incidental to the business existing on the premises:

(a) Complete Merchandise. Merchandise which is assembled and functional in its displayed form including operable vehicles and equipment, structures, plants, etc.; and

(b) Component Merchandise. Merchandise which is not assembled and functional in its displayed form including building and landscaping materials, auto parts, etc.;

(2) Equipment and Material Storage. Storage of any equipment or materials in usable condition which are not being specifically displayed as merchandise or offered for sale at retail; and

(3) Junk and Scrap Storage. Storage of used products or scrap materials such as wood, cloth, paper, glass, metal, plastic, or rock material which could be refurbished, recycled, or converted into usable stock or material.

“Owner” means the holder of the fee title to property, whether a person, partnership, corporation or other entity recognized by law, and his or its lessees, permittees, assignees or successors in interest.

20.15.085 “P”.

“Parcel” means a contiguous quantity of land in the possession of, owned by, controlled by, or recorded as the property of the same owner or joint owners.

“Pedestrian-oriented development” means a public or private project that is designed to provide priority to pedestrian and nonmotorized transportation mobility. Pedestrian-oriented projects are designed to ensure safety and accessibility for all users, ensure comprehensive connections to other facilities/destinations are provided, ensure easily identifiable, safe and weather-protected corridors are present, ensure that the pedestrian environment is a place for various activities as well as provide a counterbalance to the

dominant mode of automobile transportation. Pedestrian orientation can also relate to the scale of buildings in relation to the adjacent walking environment.

“Pedestrian-oriented plaza space” means an area opening to public sidewalk consisting of paver treatment, seating area, and optionally public art, water features, trash receptacles, bicycle racks, landscaping and lighting.

“People with functional disabilities” means persons who, because of a recognized chronic physical or mental condition or disease, are functionally disabled to the extent of:

- (1) Needing care, supervision or monitoring to perform activities of daily living or instrumental activities of daily living; or
- (2) Needing support to ameliorate or compensate for the effects of the functional disability so as to lead as independent a life as possible; or
- (3) Having a physical or mental impairment which substantially limits one or more of such person’s major life activities; or
- (4) Having a record of having or being regarded as having such an impairment;

provided, that such term does not include current, illegal use of or active addition to a controlled substance.

“Permanent supportive housing” is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident’s health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in Chapter 59.18 RCW.

“Plaza” means, for the purposes of the plaza requirements applicable to the downtown planned action area, an open space that is accessible to the public at all times, predominantly open to the sky, and for use principally by people, as opposed to merely a setting for the building.

“Premises” means any portion of any parcel or any building or structure contained thereon.

“Private road or easement” means a parcel of land not dedicated as a public street but intersecting or connecting with a public street, or another private street, and for which a private easement for road purposes has been granted to owners of property contiguous or adjacent thereto and which has been recorded with the office of the county recorder.

“Professional offices and services” means a use that provides services for individuals, in contrast to sales or services of objects, or an office for business, professional, educational or government use. The service or office may be public or private, profit or nonprofit. Typical uses include barber and beauty shops, financial institutions, insurance stockbrokers, clinics, governmental, business or medical offices, including architects, lawyers, real estate or travel agents.

“Project” means a development with the necessary site improvements on a particular parcel of land.

“Project permit” or “project permit application” means any land use or environmental permit or license required by the city for a project action, including, but not limited to, building permits, subdivisions, binding site plans, planned developments, conditional use permits, variances, shoreline substantial development permits, clearing and grading permits, storm water permits, flood zone permits, permits required by the critical areas ordinance, and site-specific rezones authorized by the comprehensive plan. The term does not include the adoption or amendment of the comprehensive plan or development regulations.

“Public meeting” means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the city making a decision. A public meeting may include, but is not limited to, a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing or an applicant-initiated pre-application meeting with the Design Review & Historic Preservation Board. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the city’s project permit application file.

“Public service use” means a use involving government or community function or public service or utility. Typical uses include emergency service (ambulance or rescue), public parking lots (but not garages), emergency service facilities, major regional utility corridors (large transmission lines, underground pipelines) which affect greater than a 40-foot-wide swath of surface land, sewer pump stations, and public parks and open spaces.

“Public way” means any street, alley, pedestrian way, channel, viaduct, subway, tunnel, bridge, easement, right-of-way or other way in which the public has a right of use.

20.15.090 “Q”.

Reserved.

20.15.095 “R”.

“Recreational vehicle” means a travel trailer, camper, motorized home, boat, boat trailer, dune buggy, or similar motorized or towed vehicle intended solely for recreational purposes.

“Recreational vehicle park” means a road service use that provides space for temporary occupancy of a recreational vehicle.

“Regional shopping center” means a development complex consisting of at least 500,000 square feet of enclosed leasable space.

“Residential care facility” means housing used for the care of persons with functional disabilities as defined herein, licensed by the state of Washington, that has not been licensed as an adult family home pursuant to RCW 70.128.175.

“Residential treatment facility” means a residential building that is licensed by the state to provide residential and domiciliary care to five or more individuals, or to provide rehabilitative treatment or services to individuals. Residential treatment facilities generally provide a limited-term living arrangement for their residents in a family-like setting. Such facilities also provide rehabilitative services other than basic living skills training, often intended to provide residents with the future ability to live

independently. Such facilities may provide medical treatment as an integral part of a rehabilitative program.

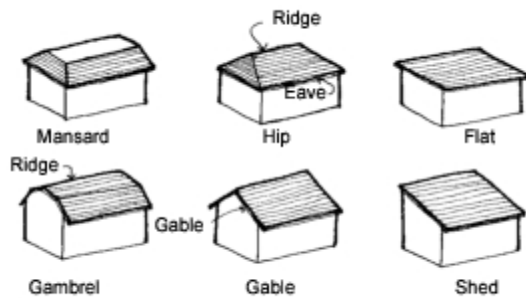
“Retirement apartments” means a multiple-family dwelling or a development consisting of multiple dwellings in more than one structure intended solely for occupancy by senior citizens or handicapped persons. Retirement apartments may contain communal recreation and dining facilities, and may contain accessory administrative offices and one dwelling unit for occupancy by the apartment manager and his or her immediate family.

“Right-of-way” means an area of land reserved for public or private road, railroad, utility, or other access purposes.

“Road service use” means a highway-oriented use catering to the needs and convenience of motor vehicle operators. Typical uses include motor vehicle sales, rental, storage, service and/or repair, body shops, automotive detailing, gasoline or diesel service stations, electric vehicle battery exchange stations, recreational vehicle parks, and, when not part of a commercial center or business park, and drive-through establishments. Such uses often involve outdoor storage as an integral but not predominant element of the use, as in the case of a retail building supply center, and often generate higher volumes of traffic than general commercial uses.

“Roadway” means that portion of a right-of-way for a street, highway or alley designed or used for accommodating the movement of vehicles.

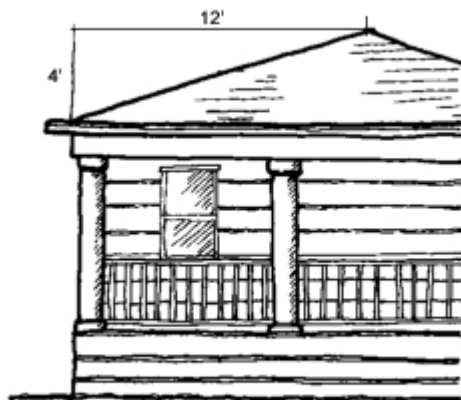
“Roof form” means one or more roof types used in a structure, including but not limited to: gable end, gable side, gabled “L,” hip, gambrel, shed, mansard, flat, and dormers.



Roof Form Examples

“Roofline” means the highest horizontal line, typically the ridge line, of the roof formed by the intersection of two roof surfaces for pitched roofs and the intersection of the roofline and building edge for a flat roof.

“Roof pitch” means the angle of slope of a roof expressed as a ratio of vertical distance to 12 units of



Roof Pitch Example

horizontal distance.

20.15.100 “S”.

“Screening” means an arrangement of natural or manmade materials installed for the purpose of concealing a specific area from view. The term includes, but is not necessarily limited to, solid walls and fencing or dense hedges and landscaping.

“Senior citizen” means an individual of 55 years of age or older. For the purposes of this code, spouses younger than 55 years of age may be permitted within retirement apartments or senior housing complexes.

“Senior housing complex” means a planned residential community, with occupancy restricted to senior citizens, which includes more than one of the following living arrangements:

- (1) Detached single-family or duplex dwellings;
- (2) Retirement apartments;
- (3) Congregate living facilities; and/or
- (4) Nursing homes.

“Setback line” means a line which defines the front, rear or side yard as required by this title, other than a property line, between which line and the property line no building, structure, or portion thereof shall be permitted, erected, constructed, or placed unless specifically permitted by this title. Light standards and flag or utility poles which otherwise meet structural height limits for their respective zone districts and sight distance requirements shall not be considered structures for purposes of enforcing setbacks.

“Shall” is mandatory.

“Shipping container” means a unit originally or specifically used or designed to store goods or merchandise during shipping or hauling by container ships and/or vehicles.

“Sign” means any word, letter, placard, board, notice, logo, insignia, flag, banner or other device used to communicate information to any person.

“Site” means any parcel or combination of contiguous parcels, or right-of-way or combination of contiguous rights-of-way, under an individual’s ownership or control.

“Sleeping unit” means an independently rented or owned and lockable unit that provides living and sleeping space.

“Small farm animal” means varieties of small animals used in urban agricultural activities for production of food, their products, or use such as domestic fowl, rabbits, miniature goats, and beekeeping.

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

“Storm water” means runoff during and following precipitation and snowmelt events, including surface runoff, drainage or interflow.

“Story” means that portion of a building included between the top surface of any floor and the top surface of the floor next above it.

“Street” means a thoroughfare dedicated or deeded, and accepted for public uses and/or which affords primary means of vehicular access to abutting property, including boulevard, avenue, place, drive, court, lane or other thoroughfare dedicated to such public travel. “Street” shall not include an alley or walk as defined herein, except that where lots have been recorded which abut only on an alley or walk, said alley or walk shall be construed to be a street.

“Street frontage” means the distance measured along a property line of a lot or parcel where said property line separates the lot or parcel from a street right-of-way. In case of a curved front lot line, the street frontage shall be the length of the chord of the curve.

“Structural alterations” means any change in the supporting members of a building such as foundations, bearing walls, column beams, floor or roof joists, girders or rafters.

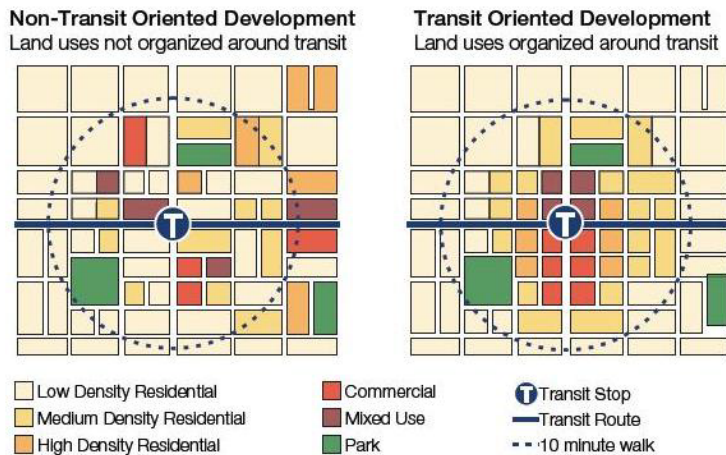
“Structure” means anything constructed or erected which requires location on or in the ground or attachment to something having a location on or in the ground. “Structure” shall include any kind of building, porch, pier, column, post, sign, or billboard.

20.15.105 “T”.

“Townhouse” means multiple-family units that are separated from any other unit by one or more vertical common wall and no unit is located over another unit.

“Traditional street system orientation” means the location of buildings organized according to discernible blocks and facing a continuous paved surface.

“Transit-oriented development (TOD)” is a mixed-use residential or commercial area designed to maximize access to public transport and often incorporates features to encourage transit ridership, such as limited parking areas to limit the ease of using private automobiles to access transit-oriented areas. A TOD neighborhood typically has a center with a transit station or stop (train station, metro station, tram stop, or bus stop), surrounded by relatively high-density development with progressively lower-density development spreading outwards from the center. TODs generally are located within a radius of one-quarter to one-half mile from a transit stop, as this is considered to be an appropriate scale for pedestrians.



“Transitional housing” means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

20.15.110 “U”.

“Urban agriculture” means and includes a range of agricultural activities at various intensities. Agricultural activities falling under this definition include both “horticulture” and “limited animal husbandry” uses. Urban agriculture is permitted under limitations considering compatibility with other land uses in the context of the urban environment and associated land use/zoning designations.

“Use” means the purpose for which land or structures are arranged, designed or intended, or for which land or structures are, or may be occupied or maintained. “Use” includes construction, establishment, maintenance, alteration, moving onto, enlargement, operation or occupancy.

“Use, conditionally permitted” means a use for which a conditional use permit is required pursuant to the provisions of this title.

“Use, principal or primary” means the main or primary purpose for which a structure or lot is designed, arranged or intended, or for which either may be used, occupied or maintained under the provisions of this title.

“Use, temporary” means a use of land or structure not intended to be of permanent duration, as regulated by Chapter 20.70 PMC.

20.15.115 “V”.

“Variance” means a modification of the specific regulations of this title granted by the hearing examiner in accordance with the terms of Chapter 20.85 PMC.

“Veterinary clinic” means any establishment or premises operated under the supervision of a duly licensed veterinarian for surgical or medical treatment of domestic animals and pets.

20.15.120 “W”.

Reserved.

20.15.125 “X”.

Reserved.

20.15.130 “Y”.

“Yard” means an open space on a lot, unoccupied by any structure, except as otherwise provided in this title, and located on the same lot with the building or use which it serves.

“Yard, front” means a yard extending between the side lot lines across the full width of the lot and lying between the front lot line and a parallel setback line having a perpendicular distance from said front lot line equal to the prescribed front yard setback in the property development standards for the zone classification in which the lot is located. When a lot lies partially within a planned street indicated on a precise plan for such a street, the depth of the front yard shall be measured from the contiguous edge of such planned street right-of-way in the manner prescribed by this title.

“Yard, interior side” means a yard extending between the front and rear lot lines along the full length of the lot and lying between the side lot line that does not abut a public way and a parallel setback line having a perpendicular distance from said interior side lot line equal to the prescribed interior side yard setback in the property development standards for the prescribed zone classification in which the lot is located.

“Yard, rear” means a yard extending between the side lot lines across the full width of the lot and lying between the rear lot line and a parallel setback line having a perpendicular distance from said rear lot line equal to the prescribed rear yard setback in the property development standards for the zone classification in which the lot is located.

“Yard, street side” means a yard extending between the front and rear lot lines along the full length of the lot and lying between the side lot line that abuts a public way, excluding alleys, and parallel setback line having a perpendicular distance from said street side lot line equal to the prescribed street side yard setback in the property development standards for the prescribed zone classification in which the lot is located.

20.15.135 “Z”.

“Zero lot line” means the location of a building on a lot in such a manner that one or more of the building’s sides rests directly on a lot line.

“Zoning map” means the designated official map or maps which show the location and boundaries of the zone districts established by this title which are referred to as the “zoning map” and incorporated as part of this title. Said “zoning map,” together with everything shown thereon and all amendments thereto, are as much a part of this title as if fully set forth and described in context.

Chapter 20.20

RS SINGLE-FAMILY RESIDENTIAL ZONES

Sections:

- 20.20.000 RS zones.**
- 20.20.005 Description and purpose.**
- 20.20.006 *Repealed.***
- 20.20.010 Permitted uses – RS single-family residential zones.**
- 20.20.015 Conditionally permitted uses – RS single-family residential zones.**
- 20.20.018 Commercial leasing prohibited – Clustering of sex offenders and felons in RS zone.**
- 20.20.020 Property development standards – RS zones.**
- 20.20.021 Cottage housing development standards.**
- 20.20.022 Middle housing affordable housing bonus.**
- 20.20.023 Front/rear yard setback averaging.**
- 20.20.025 Interior side yard setback.**
- 20.20.028 Maximum floor area ratios.**
- 20.20.029 Minimum and maximum density limits in RS zones.**
- 20.20.030 Required parking.**
- 20.20.035 Signs.**
- 20.20.040 Performance standards – RS zones.**

20.20.000 RS zones.

The following RS zones are established. Properties so designated shall be subject to the provisions contained in this chapter:

- RS-35 Very low density single-family residential zone
- RS-10 Low urban density single-family residential zone
- RS-08 Medium urban density single-family residential zone

RS-06 Urban density single-family residential zone

RS-04 High urban density single-family residential zone

20.20.005 Description and purpose.

The RS single-family residential zones are intended to provide opportunities for a variety of housing options at lower development intensities, and at a range of densities consistent with the Puyallup Comprehensive Plan. They further intend to protect the public health, safety and general welfare by ensuring adequate access to light, air, privacy and open space; minimizing traffic congestion and utility overload; protecting residential properties from noise, direct illumination, unsightliness, odors, smoke and other objectionable influences; and facilitating the provision of public facilities and services commensurate with anticipated population and dwelling unit densities.

20.20.006 Special purpose – RS-06 zone.

Repealed by Ord. 2683.

20.20.010 Permitted uses – RS single-family residential zones.

The following uses are permitted for all RS single-family residential zones unless otherwise specified:

(1) One single-family dwelling on each lot. Each single-family dwelling unit permitted on or after July 1, 2005, shall have a permanent concrete or masonry block foundation constructed to building code standards or an alternative foundation as approved by the building official. Designated manufactured homes are subject to the following requirements:

- (a) The manufactured home shall be new;
- (b) The manufactured home shall be set upon a permanent foundation, as specified by the manufacturer, and the space from the bottom of the home to the ground shall be enclosed by concrete or an approved concrete product which can be either load bearing or decorative and shall be sufficient to resist wind and seismic lateral forces as well as the gravity loads as specified in the International Residential Code;
- (c) The manufactured home shall comply with all design and zoning standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;
- (d) The manufactured home shall be thermally equivalent to the state energy code;
- (e) The manufactured home otherwise meets all other requirements for a designated manufactured home as defined in RCW 35.63.160;
- (f) The roof shall be designed to support 25 pounds per square foot in conformance with the International Building and Residential Codes;
- (g) Light and ventilation in manufactured homes shall meet the requirements of Section R303 of the International Residential Code; and

(h) All manufactured homes set on property as permitted by subsection (1)(b) of this section shall be deemed an improvement to and attach to the real property on which they stand for purposes of applying property taxes.

(2) Accessory buildings and uses customarily incidental to a permitted or conditionally permitted use; provided, that in all RS zones, except in the RS-35 zone, there shall be no more than one detached accessory building greater than 200 square feet in size per lot. In the RS-04, RS-06, RS-08 and RS-10 zones, where the lot size exceeds four acres in size, no more than two detached accessory structures over 200 square feet may be permitted; there shall be no quantity limit of detached accessory structures in the RS-35 district. Further, there shall be no limit to the quantity of structures 200 square feet or less in any RS zone district. This does not include accessory dwelling units.

(3) The renting of not more than one room and/or providing of table board to not more than one person.

(4) Family day care provider, subject to compliance with all city building, fire and sign codes. The community development director may notice abutting property owners upon the establishment of a family day care provider facility and conditions may be imposed relative to the facility's hours of operation to aid neighborhood compatibility.

(5) Recreational facilities intended for the use of residents, including swimming pools, saunas, tennis courts and exercise rooms.

(6) Urban agricultural activities on lots less than one acre in size are permitted as an accessory use to a residence as follows:

(a) Horticultural activity for personal use and incidental sales or distribution on site and off site at a farmers market or approved retail area.

(b) Limited animal husbandry of small farm animals for personal use and incidental sales or distribution on site and off site at a farmers market or approved retail area, including domestic fowl and rabbits, miniature goats, and beekeeping, subject to the provisions of Chapter 8.08 PMC.

(7) Urban agricultural activities on lots one acre or greater in size are permitted as an accessory use to a residence as follows:

(a) All uses permitted under subsections (6)(a) and (b) of this section;

(b) Large farm animals, including cows, horses, sheep and hogs, subject to the provisions of Chapter 8.08 PMC.

(8) Community gardens, not to exceed one acre in size, subject to the following standards and criteria:

(a) Limited animal husbandry of small farm animals is allowed;

(b) The proposed use does not negatively impact sensitive areas on or adjacent to the subject site;

(c) The proposed use will not result in excessive noise or emissions that are not typically associated with operation of household mechanical equipment;

(d) On-site parking needs, if any, are addressed;

(e) On-site contaminated soils, if any, are addressed; and

(f) A set of operating rules addressing the governance structure of the garden, hours of operation, maintenance, security requirements, and the name and contact information of the garden coordinator shall be kept on file with the development services department.

(9) Home occupations as governed under Chapter 20.75 PMC.

(10) Temporary uses as governed under Chapter 20.70 PMC.

(11) Accessory dwelling units are subject to the following standards and criteria:

(a) The property is in an RS zone; and

(b) Up to two attached and/or detached accessory dwelling units are permitted on a lot that is meeting or exceeding the required lot area for the zone in addition to the principal dwelling unit; and

(c) On any lot less than the required lot area for the zone, only one accessory dwelling unit is allowed in addition to the principal dwelling unit or up to two accessory dwelling units if they are proposed in the following configurations:

(i) Two attached or detached stacked units (e.g., where one unit is located over another);

(ii) One detached unit and one attached unit;

(iii) Conversion of an existing structure and the addition of a new unit (either attached or detached); and

(d) Accessory dwelling units may not have more than three bedrooms; and

(e) Accessory dwelling units (attached or detached) shall not exceed 1,000 square feet in floor area. The floor area of an accessory dwelling unit shall not include any garage, workshop, unfinished storage space, or similar nonliving areas; and

(f) Parking. See PMC 20.55.010 for accessory dwelling unit parking requirements; and

(g) Setbacks.

(i) Detached accessory dwelling units shall meet the following setbacks:

(A) Any required front yard and street side yard setback for the applicable zone district;

(B) A minimum five-foot rear and interior side yard setback;

(C) A minimum 10-foot separation between all accessory dwelling units and principal dwelling units on the same parcel. If the conversion of existing detached structures results in a separation of less than 10 feet, the accessory dwelling unit(s) shall be fire-rated in accordance with building codes; and

(D) Any detached accessory dwelling unit with access from a public alley may be sited at the property line coinciding with the alley boundary line adjoining the property line, unless the city routinely plows snow on the public alley.

(ii) Attached accessory dwelling units shall meet the same setbacks and other dimensional standards as the principal dwelling unit; and

(h) Height. Accessory dwelling units shall be permitted at the same height allowances as the principal dwelling unit; and

- (i) The scale, bulk, architectural style and location on the lot of all accessory dwelling units shall be compatible with the design standards applicable to the principal dwelling unit(s); and
 - (j) An attached accessory dwelling unit may be created either through internal conversion of a portion of the principal dwelling unit or through construction of an addition to the principal dwelling unit. Accessory dwelling units may be converted from existing structures, including but not limited to detached garages (see PMC 20.65.030(3)). If the addition contains component parts of an accessory dwelling unit, but would not result in a separate fire wall with separate exterior entrance to the unit, then it shall not constitute an attached accessory unit but an addition to the existing dwelling unit only; and
 - (k) An accessory dwelling unit may be sold or conveyed as a condominium unit or through a unit lot subdivision independent of the principal dwelling unit; and
 - (l) All owners of illegal accessory dwelling units shall also be required to either legalize the unit or remove it.
- (12) Middle housing subject to the following:
- (a) Housing types. Duplexes, triplexes, fourplexes, stacked flats, townhouses, courtyard apartments, and cottage housing.
 - (b) Unit density.
 - (i) Two middle housing units are permitted per lot; or
 - (ii) Up to four middle housing units per lot if the lot is located within one-quarter mile walking distance of a major transit stop, as defined in Chapter 20.15 PMC. Properties that meet this criterion are shown in the City's official Transit Walkshed Map, on file with the City Clerk's Office; or
 - (iii) Up to four middle housing units per lot if at least one unit is affordable, as provided in Section 20.20.022.
 - (c) Exceptions. The standards of subsection (12)(b) do not apply to lots smaller than 1,000 square feet (this does not apply to unit lots).
 - (d) Accessory dwelling units shall count towards the maximum middle housing unit density permitted on a lot.
- (13) Adult family home.
- (14) Wireless communication facilities are permitted as principal or accessory uses subject to the provisions of Chapter 20.59 PMC.
- (15) Boardinghomes which provide care to no more than six individuals, when operated by a resident proprietor.
- (16) Residential care facilities which provide care to no more than four persons with functional disabilities, when operated by a resident proprietor.
- (17) Grocery stores in existence as of November 20, 1995.
- (18) Manufactured/mobile homes located within a manufactured/mobile home park established prior to July 1, 2005.

(19) Electric vehicle infrastructure, Levels 1 and 2 only, subject to the provisions of Chapter 20.56 PMC.

(20) Transitional housing and permanent supportive housing, subject to the standards of Chapter 20.74 PMC.

(21) Scattered site emergency housing units and scattered site emergency shelter units, subject to the standards of Chapter 20.72 PMC.

20.20.015 Conditionally permitted uses – RS single-family residential zones.

The following uses are conditionally permitted uses in all RS single-family residential zones unless otherwise specified. A conditional use permit pursuant to Chapter 20.80 PMC, or administrative conditional use permit pursuant to 20.81 PMC, where specified, shall be required and in full force and effect in order to establish said uses:

(1) Public parks and recreational facilities.

(2) Public and private educational institutions, including schools, religious schools, colleges and universities.

(3) Churches, convents, monasteries and other religious institutions.

(4) Day care centers, subject to the following:

(a) The subject property is bounded on at least one side by either a collector or a principal or minor arterial;

(b) The subject property has a minimum net lot area of 10,000 square feet. Further, adequate fencing shall be located on all rear and interior side yard lot lines of any day care center;

(c) A minimum 15-foot-wide landscape buffer strip shall be provided on the subject property along any property line that is common to an adjacent RS- or RM-zoned property;

(d) In lieu of requirements specified in subsection (4)(c) of this section, the property shall contain landscaping equivalent to 25 percent of the net lot area of the property. Said landscaping shall conform to a landscape plan approved by the hearing examiner pursuant to Chapter 20.80 PMC.

(5) Public service uses, subject to the following:

(a) Such facilities do not include public utility offices or radio transmission facilities;

(b) Such facilities shall be screened from adjacent properties and public rights-of-way by a minimum 10-foot-wide landscaped buffer strip.

(6) Convenience markets subject to the following:

(a) The property is zoned RS-10, RS-08 or RS-06;

(b) The subject property is a corner lot bounded on two sides by a principal or minor arterial, and such streets are improved to city design standards;

(c) The subject property has a minimum net lot area of 15,000 square feet;

(d) A sight-obscuring fence and minimum 15-foot-wide landscape buffer strip shall be provided on the subject property along any property line that is common to an adjacent RS- or RM-zoned property;

- (e) In lieu of requirements specified in subsection (6)(d) of this section, the property shall contain landscaping equivalent to 25 percent of the net lot area of the property. Said landscaping shall conform to a landscape plan approved by the hearing examiner pursuant to Chapter 20.80 PMC;
- (f) Hours of operation shall be restricted to the time period between 7:00 a.m. through 11:00 p.m.;
- (g) Total gross floor area of all buildings on the property shall not exceed 2,400 square feet;
- (h) Sale of gasoline or diesel fuel shall not be allowed.
- (7) Nursing homes and assisted living facilities subject to the following:
 - (a) The property is zoned RS-10, RS-08, or RS-06;
 - (b) No more than 75 percent of the property shall be covered with buildings and parking lots, the remainder to be landscaped;
 - (c) Minimum lot size shall be double the area otherwise required within the applicable zoning district as set forth by PMC 20.20.020.
- (8) Public fire and police stations, including accessory radio transmission facilities.
- (9) Accessory buildings and uses customarily incidental to the approved conditionally permitted use.
- (10) Residential treatment facility, subject to the following:
 - (a) No more than five individuals in addition to a resident family unit shall reside at, be served by or be clients of the facility at any given time;
 - (b) A residential treatment facility shall be located no nearer than 1,500 feet from another residential treatment facility;
 - (c) In no way shall the appearance of the structure or premises and properties be so altered, or the conduct of the facility be such that the structure or premises may be reasonably recognized as serving other than a residential function.
- (11) Bed and breakfast houses, subject to the following standards and criteria:
 - (a) The property is zoned RS-04, RS-06, RS-08, RS-10, or RS-35;
 - (b) Minimum lot area for a bed and breakfast house shall be 6,000 square feet in the RS-04 zone and shall be the minimum lot area per building site in all other RS zones;
 - (c) Not more than eight lodging rooms shall be present and may be located in the primary or accessory structure;
 - (d) The scale, bulk and architectural style of the bed and breakfast structure shall not be altered so as to be incompatible with the surrounding residential neighborhood. Upon establishment of a bed and breakfast house, the property shall contain landscaping equivalent to 25 percent of the net lot area;
 - (e) One off-street parking space shall be required for each bedroom to be occupied by guests over the initial two guest bedrooms. All off-street parking shall be consistent with the standards of Chapter 20.55 PMC;

- (f) No exterior signage is permitted other than a single sign, consistent with the standards of Chapter 20.60 PMC, not to exceed eight square feet in area;
 - (g) Meals may be prepared only for guests of the bed and breakfast house, as opposed to the general public;
 - (h) Other than the proprietors who reside on site, operation of the bed and breakfast house may not involve more than two outside employees;
 - (i) Large banquets, weddings, conferences, and similar group gatherings are not permitted at bed and breakfast houses;
 - (j) Bed and breakfast houses are subject to applicable business license requirements of PMC Title 5.
- (12) Boardinghomes which provide care to seven or eight individuals may be allowed by administrative conditional use permit pursuant to Chapter 20.81 PMC; those providing care for more than eight individuals may be allowed by conditional use permit pursuant to Chapter 20.80 PMC. In both instances, the boardinghome shall be operated by a resident proprietor.
- (13) Residential care facilities which provide care to five or six individuals may be allowed by administrative conditional use permit pursuant to Chapter 20.81 PMC; those providing care for more than six individuals may be allowed by conditional use permit pursuant to Chapter 20.80 PMC. In both instances, the facility shall be operated by a resident proprietor.
- (14) Retirement apartments and congregate living facilities, containing no more than 25 dwelling units, subject to the following:
- (a) The site must be located on a major, minor, or collector arterial street;
 - (b) Any portion of a structure within 50 feet of other RS-zoned properties shall not exceed two stories in height;
 - (c) Parking shall be provided as follows:
 - (i) One space per each dwelling in a retirement apartment;
 - (ii) One space per each two units in a congregate living facility;
 - (d) The overall density of a project shall not exceed the maximum density permitted in the underlying zone.
- (15) Senior housing complexes, subject to the following standards and criteria:
- (a) The site must be located on a major, minor, or collector arterial street;
 - (b) The minimum site area shall be no less than two acres;
 - (c) Any portion of a structure within 50 feet of other RS-zoned properties shall not exceed two stories in height;
 - (d) Parking shall be provided according to the mix of dwelling types included in the project, as follows:
 - (i) One space per detached single-family home or duplex unit;
 - (ii) One space per each dwelling for a retirement apartment;

- (iii) One space per each two dwellings in a congregate living facility;
- (iv) One space per each two beds in a nursing home;
- (e) Any accessory support use shall be located within a structure containing residential units and shall feature no exterior signage;
- (f) The overall density of the project shall not exceed the maximum density permitted in the underlying zone.

(16) Planned developments, subject to the standards of Chapter 20.40 PMC.

(17) Commercial retail or wholesale nurseries.

(18) Certain detached accessory structures may be permitted through an administrative conditional use permit when the following applies to the subject property:

- (a) When a detached accessory structure is related to an ongoing agricultural use or where the proposed detached accessory structure will exceed the size limitation of PMC 20.20.040(5) and it is located on a lot larger than one acre. See PMC 20.20.040(5) for size limitations.

20.20.018 Commercial leasing prohibited – Clustering of sex offenders and felons in RS zone.

No owner, occupant, or other person or entity in control of a dwelling shall knowingly lease to or allow two or more persons to reside in a dwelling located in RS zone when such persons are required to register as a sex offender pursuant to RCW 9A.44.130 and/or have been convicted of any of the following offenses: a serious violent offense as defined in RCW 9.94A.030(45), a violent offense as defined in RCW 9.94A.030(54), residential burglary (RCW 9A.52.025), burglary 2 (RCW 9A.52.020), malicious mischief 1 (RCW 9A.48.070), or theft 1 (RCW 9A.56.030).

20.20.020 Property development standards – RS zones.

The following table (Table 20.20.020) sets forth the required development standards applicable to properties located in the RS zones, unless otherwise established by approval of a planned development. Unless otherwise indicated, the standards listed in this section represent number of feet:

Table 20.20.020

Property Development Standards – RS Zones						
		RS-35	RS-10	RS-08	RS-06	RS-04
(1)	Minimum lot area per building site in square feet	35,000	10,000	8,000	6,000	4,000
(2)	Minimum/Maximum development density in residential lots per gross acre	No minimum – 1.0	No minimum – 4.0	No minimum – 5.0	4.0 – 6.0	6.0 – 8.0
(3)	Minimum lot width	125 ^a	50 ^a	40 ^a	40 ^a	40 ^a

Table 20.20.020

Property Development Standards – RS Zones						
		RS-35	RS-10	RS-08	RS-06	RS-04
(4)	Minimum lot depth	150	0	0	0	0
(5)	Minimum front yard setback	35	25	20	15	15
(6)	Minimum rear yard setback	35	25	20	20	15
	<i>For rear yard setbacks for accessory structures, see PMC 20.20.040(7)(e)</i>					
(7)	Minimum interior side yard setback	15	Refer to PMC 20.20.025	5	5	5
(8)	Minimum street side yard setback	25	15	15	15	10
(9)	Maximum building height - permitted uses	36	36	36	36	28
(10)	Maximum building height - conditionally permitted uses	28	28	28	28	25
(11)	Maximum lot coverage	–	40%	45%	45%	50%
(12)	Minimum street frontage	30	20	20	20	15
(13)	Maximum floor area ratio	–	0.45:1	0.55:1	0.55:1	0.6:1
		Refer to PMC 20.20.028				
(14)	Minimum separation between detached dwelling units on the same parcel ^b	10	10	10	10	10

^a PMC 20.20.020(3): Per PMC 19.12.060(2)(b), corner lots shall be 10 feet wider than the minimum required lot widths shown herein.

^b For accessory dwelling units, see PMC 20.20.010(11)(g).

20.20.021 Cottage housing development standards.

The following table (Table 20.20.021) sets forth the required development standards applicable to cottage housing located in the RS zones, unless otherwise established through approval of a planned development. Unless otherwise indicated, the standards listed in this section represent number of feet:

Table 20.20.021

Cottage Housing Development Standards		
(1)	Density	Two times the unit density allowed, per PMC 20.20.010(12)(b) ^a
(2)	Minimum Unit Size	1,500 square feet
(3)	Minimum Required Yards (from parent parcel lot lines of subject property)	Front: 20
		Public Street: 15
		Interior and Rear: 10
(4)	Open Space	Open space shall be provided equal to a minimum of 20 percent of the lot size. This may include common open space, private open space, setbacks, critical areas, or other open space.
(5)	Common Open Space	At least one outdoor common open space is required.
		Common space shall be provided equal to a minimum of 300 square feet per cottage unit. Each common open space shall have a minimum of 15 feet on any side.
		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.
		Parking and vehicular areas and critical areas and their buffers shall not qualify as common open space.
(6)	Community Buildings	Cottage housing developments may contain one community building that is no more than 2,400 square feet of net floor area, excluding attached garages. There shall be no minimum off-street parking required.
(7)	Entries	Each unit must have a roofed porch at least 60 square feet in size with a minimum dimension of five feet on all sides.
(8)	Accessory Dwelling Units (ADUs)	Not permitted as part of a cottage development.

Notes:

^a Existing detached dwelling units may remain on the subject property and will be counted as units. Any nonconforming aspects with respect to the standards of this chapter shall be permitted to remain; however, the extent of the nonconformities shall not be increased unless the proposed change is determined by the planning director to be consistent in character, scale and design with the cottage development.

20.20.022 Middle housing affordable housing bonus.

To qualify for additional units under the affordability bonus provisions of Section 20.20.010(12)(b), an applicant shall commit to renting or selling the required number of units as affordable housing and meeting the standards of subsections (1) through (5) below.

(1) Dwelling units that qualify as affordable housing shall have costs, including utilities other than telephone, that do not exceed 30 percent of the monthly income of a household whose income does not exceed the following percentages of median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development:

- (a) Rental housing: 60 percent.
- (b) Owner-occupied housing: 80 percent.

(2) The units shall be maintained as affordable for a term of at least 50 years, and the property shall satisfy that commitment and all required affordability and income eligibility conditions.

(3) The applicant shall record a covenant or deed restriction that ensures the continuing rental or ownership of units subject to these affordability requirements consistent with the conditions in chapter 84.14 RCW for a period of no less than 50 years.

(4) The covenant or deed restriction shall address criteria and policies to maintain public benefit if the property is converted to a use other than that which continues to provide for permanently affordable housing.

(5) The units dedicated as affordable housing shall:

- (a) Be provided in a range of sizes comparable to other units in the development;
- (b) Include bedroom counts in the same proportion as the number of bedrooms in units within the entire development; and
- (c) Generally, be distributed throughout the development and have substantially the same functionality as the other units in the development.

20.20.023 Front/rear yard setback averaging.

When 50 percent or more of the lots on one side of a street within one block have primary or accessory structures with less than the required front/rear yard setback, then the average of those nonconforming front/rear yard setbacks may be used as the front/rear yard setback for any new construction within the same block; provided, that:

- (1) No building need set back more than two feet further than a building on an adjoining lot;
- (2) No front yard may be less than 20 feet to a garage or less than 10 feet to any other portion of a house;

(3) No detached accessory structure over 200 square feet in the rear yard may be closer than five feet from rear or side yard.

20.20.025 Interior side yard setback.

(1) The minimum interior side yard setback shall be five feet in RS-10; provided, that the combined total of both side yard setbacks for any lot shall equal at least 16 feet, as applied to each structure individually. The combined setbacks shall be applied to all structures collectively if the detached accessory structure is located forward of a line extending from the rear wall of the primary structure to the side lot line.

(2) The minimum interior side yard setback shall be five feet in RS-06 and RS-04 zones, except that the dwelling unit may be placed on one interior side property line with a zero setback, and the dwelling unit setback on the other interior side property line shall be a minimum of 10 feet on the other interior side property line, excluding the connecting elements such as fences, walls and trellises.

(3) Interior side yard setbacks for lots in any RS zone that abut access and utility tract(s) and/or the access portion of a new panhandle lot shall be a minimum of two feet. No access portion of a panhandle lot, public alley or access and utility tract(s) shall be considered a "street" when applying street side yard setbacks.

20.20.028 Maximum floor area ratios.

Maximum floor area ratios shall be established only on properties for which the principal use is residential (e.g., single-family, duplex, triplexes, retirement clusters).

20.20.029 Minimum and maximum density limits in RS zones.

(1) Maximum density shall be calculated upon creation of new lots only. Given that permitted or conditionally permitted housing types govern the development of lots in RS zones, density shall not be applied to proposals for housing types listed as permitted (conditionally or outright) regardless of dwelling unit quantity relative to lot size. Accessory dwelling units also do not count toward maximum density calculations in RS zones.

(2) Deviations from the minimum lot density requirements, where required, shall only be permitted through the standards outlined in PMC 20.86.010(3). Such deviations shall be permitted through an administrative adjustment permit.

(3) Lots not served by, or required to connect to, sanitary sewer shall not be required to comply with the minimum lot density requirement.

20.20.030 Required parking.

All permitted and conditionally permitted uses shall provide parking as set forth under Chapter 20.55 PMC. No dwelling unit within the RS zone shall park or store vehicles, operable or inoperable, within the front yard or street side yard setback areas so as to be visible from public rights-of-way or neighboring properties outside of those parked within designated driveways.

(1) Middle housing. Off street parking for middle housing shall be subject to the following:

(a) No off-street parking shall be required within one-half mile walking distance of a major transit stop.

(b) A maximum of one off-street parking space per unit shall be required on lots no greater than 6,000 square feet, before any zero lot line subdivisions or lot splits.

- (c) A maximum of two off-street parking spaces per unit shall be required on lots greater than 6,000 square feet before any zero lot line subdivisions or lot splits.

20.20.035 Signs.

All signs within the RS zones shall conform to the provisions set forth in Chapter 20.60 PMC, except as otherwise authorized through approval of a planned development.

20.20.040 Performance standards – RS zones.

The following special requirements and performance standards shall apply to properties located in the RS zones, except as otherwise authorized through approval of a planned development:

(1) Panhandle Lot Setbacks. For panhandle lots, yard setbacks shall be as specified in Table 20.20.020. Alternatively, all structures on a panhandle lot may maintain a minimum 15-foot setback from all property lines.

(2) Required Landscaping. Required front and street side yards shall be landscaped. All required landscaping shall be maintained in a neat condition.

(3) Outdoor Storage of Vehicles. The personal, noncommercial outdoor storage of vehicles and vehicle accessories is permitted in the RS zones, provided the following standards are met. For purposes of this section, “storage” means the keeping of such vehicles and accessories on any portion of any parcel of property for a period of 72 continuous hours.

(a) Recreational Vehicles. Where a rear yard is reasonably accessible or a side yard is of sufficient size to accommodate the recreational vehicle, said recreational vehicle shall not be stored in the front yard of a lot. In no instance shall a recreational vehicle be stored such that any portion of the vehicle encroaches upon a sight distance area established by subsection (10) of this section; nor shall a recreational vehicle be stored on or overhang a public right-of-way. If located within a required front or street side yard, the storage area for a recreational vehicle shall be improved with a paved or gravel surface.

(b) Inoperable Vehicles and Motor Vehicle Accessories. No more than two inoperable vehicles may be stored on a lot. The outdoor storage of inoperable vehicles, or parts thereof, and vehicle accessories such as camper shells and equipment trailers shall be screened from neighboring properties and public rights-of-way and prohibited from required front and street side yards.

(c) In no event shall any RS-zoned property be used for the purpose of storing for any period of time any vehicle having more than two axles or exceeding 84 inches in width, and intended for commercial use such as a truck tractor, truck trailer or other truck, unless such vehicle is stored within a building or is otherwise screened so as not to be visible from another property or from any public right-of-way.

(4) Detached Accessory Buildings, Quantity Permitted. In no case shall a detached accessory building be considered attached and therefore part of a primary building if such structural attachment is in the form of a breezeway, carport, enclosed hallway, fence, trellis, tunnel, arch, or any other architectural embellishment. An attached accessory structure is a structure built as an integral part of the primary building footprint with a shared common wall/roof with the primary structure.

(a) On any lot zoned RS-04, RS-06, RS-08, or RS-10, where the subject property is less than or equal to four acres in size, there shall be permitted:

(i) No more than one detached accessory building greater than 200 square feet in size per lot; and

(ii) No more than one unenclosed detached carport per lot. There shall be no size limit to such carports; and

(iii) Detached accessory buildings 200 square feet or smaller. There shall be no limit on the number of such buildings per lot.

(b) On any lot zoned RS-04, RS-06, RS-08, or RS-10, where the subject property exceeds four acres in size there shall be permitted:

(i) A maximum of two detached accessory structures over 200 square feet in size per lot; and

(ii) Unenclosed detached carports of any size. There shall be no limit on the number of carports per lot; and

(iii) Detached accessory buildings 200 square feet or smaller. There shall be no limit on the number of such buildings per lot.

(c) On any lot zoned RS-35, there shall be permitted:

(i) Detached accessory structures over 200 square feet in size per lot. There shall be no limit on the number of such buildings per lot; and

(ii) Unenclosed detached carports of any size. There shall be no limit on the number of carports per lot; and

(iii) Detached accessory buildings 200 square feet or smaller. There shall be no limit on the number of such buildings per lot.

(5) Detached Accessory Buildings, Size Limits.

(a) On any RS-zoned lot, where the subject property is less than or equal to one acre in size, each detached accessory building (excluding unenclosed carports) shall adhere to the following size and height limitations:

(i) No footprint of the detached accessory building may be larger than 50 percent of the footprint of the primary structure on each lot. For the purposes of this section, accessory structures, such as an attached garage, which are attached to a dwelling unit shall be considered part of the overall primary structure footprint for the purposes of calculating the 50 percent size ratio allowance.

(b) On any RS-zoned lot, where the subject property exceeds one acre in size, or on any RS-zoned lot of any size containing a permitted or on-going agricultural use, each detached accessory building (excluding unenclosed carports) shall adhere to the following size limitations:

(i) No footprint of any one detached accessory building may be larger than 80 percent of the footprint of the primary structure on each lot. For the purposes of this section, accessory structures, such as an attached garage, which are attached to a dwelling unit, shall be considered part of the overall primary structure footprint for the purposes of calculating the 80 percent size ratio allowance.

(6) Fences and Walls. Except as regulated under subsection (11) of this section, and as regulated in PMC 20.58.005(2), fences and walls constructed shall not exceed a maximum height above the adjacent grade as set forth in this subsection:

(a) Fences and walls located within 20 feet of a front lot line shall not exceed a height of three and one-half feet, except that open-wire, welded wire, chain-link, split-rail or similar fences may be as tall as five feet in height.

(b) Fences and walls located within the rear yard or interior side yard shall not exceed a total height of six feet.

(c) Fences and walls located within the street side yard shall not exceed a total height of six feet; provided, however, that any portion of a fence or wall from the corner of the front and street side lot line for a distance of 20 feet along the street side lot line shall not exceed the height limitations outlined in subsection (6)(a) of this section.

(d) Fences and walls constructed within the building area of a lot may be as high as the building existing within said area.

(e) The provisions of this subsection shall apply only to fences and walls built on or after December 31, 1987. Fences and walls built before that date shall be considered as legal nonconforming structures, and shall be subject to the applicable provisions of Chapter 20.65 PMC.

(f) No fence or wall may include the use of barbed wire or razor wire; provided, that pasture areas a minimum of 40,000 square feet in area may be fenced with barbed wire.

(7) Yard Projections. Every required front, rear and side yard shall be open and unobstructed from the ground to the sky unless otherwise provided:

(a) Fences and walls as specified and limited under this section may project into said front, rear and side yards.

(b) Cornices, sills, eaves projections, fireplace bump-outs and awnings without enclosing walls or screening may project into a required yard but not more than two feet, provided:

(i) The required interior side yard is not reduced to less than two feet, six inches; and

(ii) Any yard abutting a street or alley is not reduced to less than five feet.

(c) Open, unenclosed decks not covered by a roof may project into any required yard.

(d) Front porches, covered or uncovered, steps, staircases, and ADA accessibility ramps may project into any required yard setback without restriction.

(e) For any RS-zoned lot, all attached or detached accessory buildings, including those buildings 200 square feet or less, shall observe the following:

(i) Any required front yard setback for the applicable zone district; and

(ii) A minimum five-foot rear and interior side yard setback; and

(iii) A minimum five-foot separation between all accessory buildings, and between accessory buildings and primary/accessory dwelling units; and

(iv) Any accessory building with access from a public alley shall also be set back five feet from the property line coinciding with the alley boundary line adjoining the property line.

(8) Residential Antennas. Residential antennas located in the RS zones shall not be located in the front yard area of any lot, and shall be limited to a height of not more than 50 feet. The dish diameter of all parabolic residential antennas shall not exceed one foot for each 10 feet the antenna is set back from the nearest property line, unless the antenna is located in the rear half of the lot and screened from view of neighboring properties and public rights-of-way.

(9) Pools. All swimming pools having a depth of 12 or more inches shall maintain a protective fence, wall, enclosure or natural barrier not less than six feet in height, with no opening greater than four inches wide and equipped with a self-closing gate surrounding said pool. Hot tubs or other manmade water bodies shall maintain a similar enclosure or shall be covered when not in use so as to prevent access to the water.

(10) Building Height Exceptions. Chimneys, vents and church steeples may exceed the maximum height requirement set forth in Table 20.20.020 in PMC 20.20.020.

(11) Sight Distance Requirements. At all street, alley and driveway intersections there shall be triangular yard area within which no tree, sight-obscuring fence, shrub, wall or other visual obstruction shall be permitted higher than 30 inches above the adjacent street, alley or driveway grade. This triangular area shall measure as follows:

(a) At any intersection of two street rights-of-way, two sides of the triangular area shall extend 20 feet along both right-of-way lines, measured from their point of intersection. For the purpose of this subsection, an alley shall be considered as a street.

(b) At any intersection of a driveway with a street or alley, the sides of the triangle shall extend 10 feet along the street or alley right-of-way and 15 feet along the edge of the driveway, measured from their point of intersection.

(c) The provisions of this subsection shall be in addition to any other site distance protection requirements of the city, and in the event of conflict between requirements, the more restrictive shall apply.

(12) Mechanical Equipment. Large mechanical equipment shall be screened from surrounding residentially zoned properties and public rights-of-way. Minor utility equipment, such as small generators, utility meters, air conditioners, or junction boxes, which are less than three and one-half feet in height, shall be exempt from screening requirements. Alternative methods for screening may include the use of building or parapet walls, sight-obscuring fencing and/or landscaping, equipment enclosures, consolidation and orientation of devices towards the center of the rooftop, and/or the use of neutral color surfaces.

(13) Wireless Communication Facilities. Wireless communication facilities located in the RS zones when allowed by this chapter shall be subject to the provisions of Chapter 20.59 PMC, and all other applicable requirements.

(14) Grocery Stores. Grocery stores in existence as of November 20, 1995, shall be allowed to continue with all the rights of other permitted uses in this zone. Normal maintenance and upkeep of these establishments can occur without requiring compliance with the off-street parking or landscaping requirements of this code. Expansion of these stores shall be subject to the following:

(a) If the use expands but remains within the property limits as in existence on November 20, 1995;

(b) No additional site improvements (such as parking and landscaping) shall be required; conformance with the setback standards of the applicable zone shall be required;

(c) All signs for the development shall comply with the provisions of the CL zone.

Conversions of existing grocery stores to other uses shall be subject to the standards of Chapter 20.65 PMC, Nonconforming Uses and Structures.

(15) Shipping Containers. No person shall place or cause to be placed any shipping container on any property located within this zone.

(16) Limited Density Transfer from Critical Area Buffers. The city shall allow transfer of density for residential uses from critical area buffers to noncritical area portions of the same site; provided, that the resultant density calculated on the noncritical area land does not exceed 125 percent of the maximum developable density from that land otherwise allowed under zoning. No resultant lot area, width or depth shall be less than 25 percent that which otherwise would be required in the zone district.

(17) Outdoor Lighting. Building-mounted lighting and aerial-mounted floodlighting shall be directed away from other residential structures and/or windows. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source.

(18) Outdoor Storage. Outdoor storage on vacant residential lots is prohibited.

