

ORDINANCE NO. 1745

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, REGARDING IMPLEMENTING ACTIONS ASSOCIATED WITH THE 2024 COMPREHENSIVE PLAN PERIODIC UPDATE; AMENDING THE OFFICIAL ZONING DISTRICT FOR REAL PROPERTY COMMONLY KNOWN AS PARCEL NUMBERS 2925000210 AND 2925000220; AMENDING THE OFFICIAL ZONING MAP; AMENDING THE BONNEY LAKE MUNICIPAL CODE FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN AND STATE LAW; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 1990, the Washington State Legislature enacted the Growth Management Act (GMA), codified as Chapter 36.70A of the Revised Code of Washington (RCW), that requires cities and counties throughout the state to adopt comprehensive plans for a twenty-year planning period that includes various elements for land use, housing, capital facilities, utilities, transportation, and economic development, and which may include other elements such as parks and recreation and conservation; and;

WHEREAS, the City adopted a GMA Comprehensive Plan on May 30, 1995, after study, review, community input, public workshops and public hearings; and

WHEREAS, RCW 36.70A.130(4) requires that each comprehensive land use plan and development regulations be subject to continuing review and evaluation by the county or city that adopted them, and, that the jurisdiction should periodically review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of the Growth Management Act (GMA) – Chapter 36.70A RCW; and

WHEREAS, the GMA provides for amendments to the Comprehensive Plan no more than once per year; and

WHEREAS, the last periodic update of the City’s Comprehensive Plan was completed in 2015; and

WHEREAS, the City of Bonney Lake was required to conduct a major periodic update of its Comprehensive Plan and development regulations pursuant to RCW 36.70A.130 by December 31, 2024; and

WHEREAS, the City received periodic update grants totaling \$125,000 from the Washington State Department of Commerce to help fund the preparation of specific components of the periodic update to its Comprehensive Plan, including the critical areas

consistency checklist and development regulations consistency checklist (Contract Nos. 23-63210-046 and 24-63335-246); and

WHEREAS, the City Council passed Resolution No. 3151 to officially initiate the Comprehensive Plan process, including adoption of a Project Charter and Public Participation Plan; and

WHEREAS, pursuant to the requirements of the GMA, the City is required to develop and adopt development regulations, including the Official Zoning Map, which are consistent with and implement the adopted Comprehensive Plan and applicable subarea plans; and

WHEREAS, the Comprehensive Plan's Future Land Use Map was amended as part of this update to show future land uses for specific properties, which authorizes a change in zoning of said properties; and

WHEREAS, the City's Official Zoning Map must also be amended to implement the Comprehensive Plan's Future Land Use Map; and

WHEREAS, pursuant to RCW 36.70A.470(2), each city and county planning under RCW 36.70A.040 must include in its development regulations a procedure for any interested person, including applicants, citizens, hearings examiners, and staff of other agencies, to suggest plan or development regulation amendments; and

WHEREAS, Chapter 14.140 of the Bonney Lake Municipal Code, titled Amendments to the Comprehensive Plan or Development Regulations, establishes procedures for comprehensive plan or development regulation amendments as required by RCW 36.70A.470(2); and

WHEREAS, as part of its periodic update process, the City of Bonney Lake accepted applications for non-city-initiated site-specific comprehensive plan amendments and concurrent zoning reclassifications between May 1, 2021, and April 30, 2023; and

WHEREAS, one (1) application was received, and the city chose to review the application concurrently with the 2024 comprehensive plan periodic update (City of Bonney Lake File Nos. PLN-2023-02837 – Stamps Comprehensive Plan Amendment, and PLN-2023-02828 – Stamps Rezone); and

WHEREAS, pursuant to RCW 36.70A.130(7)(b) and after review against the Washington State Department of Commerce Critical Areas Checklist, the development regulations related to critical areas were determined to be consistent with state law and have not been updated as part of this periodic update; and

WHEREAS, RCW 36.70A.040(3), WAC 365-196-800 and WAC 365-196-810 require cities to adopt development regulations that implement and are consistent with the comprehensive plan; and

WHEREAS, amendments to the Bonney Lake Municipal Code are proposed to implement and be consistent with *Envision Bonney Lake*; and

WHEREAS, copies of these proposed amendments were filed with the Washington State Department of Commerce on October 9, 2025, not less than sixty days prior to final action, pursuant to RCW 36.70A.106 and WAC 365-196-630; and

WHEREAS, the Public Services Director acting as the State Environmental Policy Act (SEPA) Responsible Official determined the proposal will not have a probable significant adverse impact on the environment, and an environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c) and issued a Determination of Nonsignificance (DNS) on November 3, 2025, with a comment period through November 19, 2025. This DNS was not appealed and the determination is final; and

WHEREAS, the City provided public notice of the hearing as required by Bonney Lake Municipal Code (BLMC) 14.140.040; and

WHEREAS, the Planning Commission held a public hearing on November 19, 2025, as required by BLMC 14.140.080 and recommended that the City Council adopt the ordinance as presented, as required by BLMC 14.140.100; and

WHEREAS, on December 2, 2025, 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.040(3), WAC 365-196-800 and WAC 365-196-810 and will serve the general welfare of the public;

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

Section 1. Findings of Facts and Conclusions. The findings of fact and conclusions set forth Attachment A, the response to comments submitted to the City provided in Attachment B, the application materials for the rezone of the Stamps property provided in Attachment C, the Department of Commerce Critical Areas Checklist provided in Attachment E, and the Department of Commerce Periodic Update Checklist for Fully-Planning Cities and Expanded Housing Element Checklist provided in Attachment F are adopted in full by the City Council in support of its decision. The recitals listed above in this Ordinance are further adopted as legislative findings of fact.

Section 2. Rezone of Stamps Property. Consistent with the Planning Commission's recommendation, Council hereby approves the proposed amendment to zoning map (City of Bonney Lake File No. PLN-2023-02828 – Stamps Rezone) to change the zoning classification of Pierce County Tax Parcel Nos. 2925000210 and 2925000220, commonly known as 19401 94th St E and 19405 94th St E, from R-3 to Midtown Core.

Section 3. **Zoning Map.** The City Council adopts the Zoning Map included as Attachment D, attached hereto and incorporated by this reference, as the Official Zoning Map superseding all previous versions of the Official Zoning Map.

Section 4. **Amendment.** Subsection “A.1” of Section 2.18.090 of the Bonney Lake Municipal Code is amended to read as follows:

2.18.090 Powers of the hearing examiner.

A. ... 1. Issue final decision on all Type ~~3A and 3B4~~ permits as defined in BLMC 14.30.010;

Section 5. **Amendment.** Subsection “A” of Section 2.18.180 of the Bonney Lake Municipal Code is amended to read as follows:

2.18.180 Appeal from examiner’s decision.

A. The decision of the examiner on Type ~~3A and 3B4~~ permit applications and appeals of administrative decisions, notice of violations, and civil penalties shall be final. Appeal of a hearing examiner's decision shall be through the Land Use Petition Act (LUPA), Chapter 36.70C RCW.

Section 6. **Amendment.** Subsection “B” of Section 9.07.030 of the Bonney Lake Municipal Code is amended to read as follows:

9.07.030 Identification of environments.

...

B. The following land use zoning classifications as described in BLMC Title 18 are hereby assigned the EDNA classifications below:

1. Class A EDNA are districts primarily utilized for residential purposes in the city and include R-1 district, ~~R-2 medium density residential district~~, R-3 high-density residential district, ~~and RC-5 residential/conservation district,~~ and midtown core (MC).

2. Class B EDNA are districts primarily utilized for commercial purposes in the city and include ~~C-1 neighborhood commercial district~~, C- 2 commercial district, C-3 warehousing and light manufacturing district, C-2/C-3 combined retail commercial, warehousing and light manufacturing, downtown core district (DC), and downtown mixed use (DM).

3. Class C EDNA are districts primarily utilized or potentially utilized for industrial purposes in the city and include ~~M-1 manufacturing public facility~~ (PF) and eastown (E) district.

Section 7. **Amendment.** Subsections “B” and “F.1” of Section 12.04.005 of the Bonney Lake Municipal Code is amended to read as follows:

12.04.005 Underground distribution utilities required.

... B. New Wiring Systems to Be Placed Underground. Any construction activities related to development of all ~~subdivisions, short-plats-land divisions,~~ as defined in 17.10.030 BLMC, multifamily construction, public facilities, or commercial construction shall place all existing and new utilities underground for internal development as well as along the existing and new street frontage adjacent to the project.

...

F. ...

1. All residential ~~short-plats-land divisions~~ of four lots or less, and duplexes, triplexes, and fourplexes where new public roads are not built, unless the property owner voluntarily places the above-ground utilities underground; or

Section 8. New Section. A new Section 12.04.025 is hereby added to the Bonney Lake Municipal Code to read as follows:

12.04.025 Deviation from standards.

The director may grant deviations from the construction standards adopted in this chapter; provided that all of the following are met.

- A. The applicant shall submit the request to the city using forms provided by the director. The director shall prepare a submittal checklist providing a list of the materials that shall be considered the minimum necessary to constitute a complete request.
- B. The director will review the deviation request, together with all supporting material and any staff review and recommendations. The director shall make written findings supporting the determination that the deviation:
 1. Produces compensating or comparable results, that are adequate for the end users, and that are in the general public interest;
 2. Will not violate any development related conditions imposed upon the project;
 3. Will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity in which the subject property is located; and
 4. Is based upon sound engineering judgment, and that the objectives of safety, function, appearance, fire protection, environmental protection, and maintainability are fully met.

- C. Request for deviation on a project which has previously been reviewed by other agencies shall be sent to those agencies for re-review before approval or denial of the deviation.
- D. The director may grant or deny a deviation request in full or in part based on the written findings. The director may attach specific conditions to the deviation which will serve to accomplish the intent of standards, criteria, and established policies.
- E. Decisions of the director are final and may not be appealed separately from the final decision on the associated permit application.
- F. Deviations must receive approval before the associated permit application can be approved. In the event a deviation becomes necessary during construction, the deviation must be approved prior to completing construction associated with the deviation request.
- G. Fees for deviation requests shall be set by resolution of the city council.

Section 9. **Amendment.** Section 12.04.030 of the Bonney Lake Municipal Code is amended to read as follows:

12.04.030 Definitions.

- A. “Director” means the Public Services Director or designee.
- B. ~~A.~~ “Frontage” or “street frontage” is defined as that portion of the property that abuts city right-of-way.
- C. ~~B.~~ “Frontage improvement charge” or “FIC” means the amount the developer may elect to pay in lieu of physical improvements.
- D. ~~C.~~ “New development” is defined as the construction of a nonresidential project which requires permits from the city, the construction of a duplex, or multifamily building as defined in BLMC 18.04.130, short subdivision, or subdivision or a land division, as defined in 17.10.030 BLMC.

Section 10. **Amendment.** Subsection “A.1” of Section 12.04.040 of the Bonney Lake Municipal Code is amended to read as follows:

12.04.040 Frontage improvement exemption.

...

A. ...

1. Frontage improvement charges shall be paid prior to the time when the ~~plat~~land division is finalized.

....

Section 11. **Amendment.** Section 12.28.020 of the Bonney Lake Municipal Code is amended to read as follows:

12.28.020 Installation of street lights as a condition of ~~subdivision~~ land division.

Installation of street lights as a condition of ~~subdivision of property~~ a land division is required and governed by BLMC 17.50.080.

Section 12. **Amendment.** Subsection “C” of Section 12.28.030 of the Bonney Lake Municipal Code is amended to read as follows:

12.28.030 City installation of street lights.

...

- C. Should the city, in its discretion, approve installation of street lighting in response to a request for additional street lighting on existing public residential streets not associated with a ~~subdivision~~ land division application, the installation of such lighting will follow the location standards set forth in this section but will be consistent with the existing pole and light head standard ~~of the subdivision~~ for a land division unless otherwise approved by the ~~public works~~ director.

....

Section 13. **Amendment.** Subsections “C” and “M” of Section 13.04.030 of the Bonney Lake Municipal Code are amended to read as follows:

13.04.030 Definitions.

...

C. “C”.

1. “City” means the city of Bonney Lake.
2. “Co-living housing” means “co-living housing” as defined in BLMC 18.04.030.
- ~~3.~~ ~~2.~~ “Commodity charge” means the amount the customer must pay the city for water by volume (cost/100 cubic feet).
- ~~4.~~ ~~3.~~ “Condominium” means a “condominium” as defined in BLMC 18.04.030.

~~5.~~ 4. “Connection charge” means the total of the cost of the customer's connection to the system as defined in subsection (I)(1) of this section plus the customer's equitable share of the cost of the system.

~~6.~~ 5. “Council” means the city council of the city of Bonney Lake.

...

M. “M”.

1. “Mobile home parks, and recreational vehicle parks” means a “mobile/manufactured home/recreational vehicle park” as defined in BLMC 18.04.130.

~~2.~~ 4. “Metered service” means the service for which charges are computed on the basis of measured quantities of water.

~~3.~~ 2. “Multifamily” means “multifamily” as defined in BLMC 18.04.130.

....

Section 14. Amendment. Subsections “D.2.d”, “D.2.e”, “D.2.f”, and “D.2.g” of Section 13.04.070 of the Bonney Lake Municipal Code are amended to read as follows:

13.04.070 Water service applications and connection charges.

...

D. ...

2. ...

d. Co-living Units. Co-living units shall be charged 50 percent of the SDC applicable to a five-eighths-inch single-family connection for each co-living unit. There shall be only one water meter installed for each building housing multiple co-living units.

e. Multifamily, Mobile Home Parks, and Recreational Vehicle Parks. Multifamily, mobile home parks, and recreational vehicle (RV) parks shall be charged 77 percent of the SDC applicable to a five-eighths-inch single-family connection for each living unit/space/stall. There shall be only one water meter installed for each building housing multiple residential units.

f. e.—Alternative Assignment of Residential Equivalents (REs). To ensure that all new connections pay for an equitable share of system costs based on their demands and service characteristics, the city reserves the right to determine an alternative assignment of REs to connections that are one and one-half inches or larger. When applicable, this assignment shall be determined by converting the estimated water usage of the connection to REs.

g. f.—Property Owner's Responsibility. Property owners are responsible for all leaks or damage due to leaks from privately installed and owned water lines. The property owner shall install and maintain at his own expense all water service from the water meter to the place of use.

Section 15. Amendment. Subsection “C.1.b” of Section 13.04.100 of the Bonney Lake Municipal Code is amended to read as follows:

13.04.100 Water rates.

...

C. Multiple Dwelling Units

1. ...

b. In the case of apartments/trailer courts/co-living units having one meter, each unit will be billed as though separately connected to the water main, occupied or not, based on five-eighths- or three-quarters-inch meter rates.

....

Section 16. Amendment. Subsections “C.2” – “C.7”, Subsection “L”, and Subsection “N” of Section 13.12.010 of the Bonney Lake Municipal Code are amended to read as follows:

13.12.010 Definitions.

...

C. “C”.

1. “City” means the city of Bonney Lake, Washington.

2. “Co-living housing” means “co-living housing” as defined in BLMC 18.04.030.

~~3.~~ 2. “Collection system” means the system of public sewers to be operated by the city designed for the collection of sanitary sewerage.

4. ~~3.~~ “Commercial user” means any premises used for commercial or business purposes which is not a residential user and not an industry as defined in this chapter. A commercial user is one who introduces primarily domestic wastes and wastes from sanitary conveniences into the sewer system.

5. ~~4.~~ “Condominium” means a “condominium” as defined in BLMC 18.04.030.

6. ~~5.~~ “Council” means the city council of the city of Bonney Lake.

7. ~~6.~~ “County”

...

L. “L.”

1. “Land division” means “land division” as defined in BLMC 17.10.030.

2. ~~1.~~ “Lateral” ...

3. ~~2.~~ “Lot” ...

...

N. “N.”

1. “New development” means the construction of a nonresidential project which requires permits from the city, the construction of a duplex, multifamily building as defined in BLMC 18.04.130, or single-family residence, short subdivision, or subdivision or a land division as defined in BLMC 17.10.030.

2. “Natural outlet” means any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

....

Section 17. Amendment. Subsection “D.1” of Section 13.12.082 of the Bonney Lake Municipal Code is amended to read as follows:

13.12.082 Sewer charges.

...

D. Sewer Service Charges for Customers Other than Single-Family Residential.

1. Multifamily, duplex, townhouse, co-living, and accessory dwelling unit customers on a single water meter shall pay the single-family sewer availability charge (no grinder pump) for each unit. The volumetric charge shall be capped at eight CCF per unit per month for multifamily customers.

....

Section 18. **Amendment.** A new subsection “D.6” is hereby added to Section 13.12.100 of the Bonney Lake Municipal Code to read as follows:

13.12.100 Sewer service applications and connection charges.

...

D. Residential System Development Charges (SDC).

...

6. The SDC for each unit of co-living housing shall be 50 percent of the charge applicable to one residential equivalent (RE) unit, \$11,927 effective July 1, 2023.

....

Section 19. **Amendment.** Subsections “A”, “D.1”, and “D.3” of Section 13.12.130 of the Bonney Lake Municipal Code are amended to read as follows:

13.12.130 Sewer connections mandatory.

...

A. Residential Development. A private wastewater disposal system may be installed in conjunction with the construction of an individual detached single-family dwelling unit, duplex, triplex, fourplex, co-living housing with up to four co-living units, or attached or detached accessory dwelling unit, when the following are met:

...

D. ~~Short Plats~~ Land divisions. ~~Shorts plats~~ Land divisions of four or fewer lots may install new private wastewater disposal systems on each individual lot; provided, that the Tacoma-Pierce County health department issues a permit for all private wastewater disposal systems and complies with the following:

1. The applicant shall prepare civil plans, which must be approved by the city, for the sewer extension that would have been required to serve the ~~short plat~~, land division; provided that:

a. The applicant shall ~~and~~ install dry lines consistent with the approved civil plans within and along the frontage of said ~~short plat~~ land division prior to obtaining final ~~short plat~~ approval.

b. This provision does not require an applicant to prepare plans for any required regional lift stations.

...

3. Place the following notices on the face of the final ~~short plat~~ land division:

....

Section 20. **Amendment.** Subsection “E” of Section 13.16.060 of the Bonney Lake Municipal Code is amended to read as follows:

13.16.060 Process for latecomer agreements and assessment of reimbursement areas.

... E. Any developments or ~~short plats~~ land divisions that are connecting to a utility where a latecomer agreement applies shall pay the latecomer fees at final ~~plat approval~~. Latecomer fees paid at final ~~plat approval~~ will be exempt from administration fees. All lots of record identified in the latecomer agreement will pay the applicable latecomer fee when their building permit is issued or, for existing buildings, when the utility connection is made.

Section 21. **Amendment.** Section 14.10.010 of the Bonney Lake Municipal Code is amended to read as follows:

14.10.010 Title.

This title shall be ~~entitled~~ cited as the “city of Bonney Lake development code”. It may also be known as “development code administration”, or hereinafter referred to as “this title” or “this code”.” The development code shall consist of:

A. BLMC Title 14, Development Code Administration;

B. BLMC Title 15, Buildings and Construction;

C. BLMC Title 16, Environmental Protection;

D. BLMC Title 17, Divisions of Land;

E. BLMC Title 18, Zoning; and

F. BLMC Title 19, Concurrency Management.

Section 22. Amendment. Section 14.10.030 of the Bonney Lake Municipal Code is amended to read as follows:

14.10.030 Definitions.

~~In the event of conflict between the following definitions and other definitions given in this development code, the following shall prevail:~~ The definitions in this section shall apply equally to the entire development code, BLMC Titles 14 through 19. Definitions may also be found in specific sections of this title. In the event of conflict between the following definitions and other definitions given in this development code, the more specific definition shall prevail.

A. “Applicant” means the owner or the owner’s authorized agent for an application.

~~B. A.~~ “Area-wide” describes a land area containing four or more parcels, contiguous or noncontiguous, or comprising 40 or more acres, which area as an integral proposal is considered for a change in zoning or comprehensive plan designation; provided, that the director(s) may deem any proposal to be site-specific if the public interest will be better served by a quasi-judicial process than a legislative process.

~~C. B.~~ “BLMC” means the Bonney Lake Municipal Code.

~~D. C.~~ “BMP” means best management practice.

~~E. D.~~ “Building code” means the codes adopted in Chapter 15.04 BLMC, and any amendments thereto.

~~F. E.~~ “Building permit” means any permit, including, but not limited to, permits for buildings, structures, building service equipment, or uses required by the construction codes adopted in Chapter 15.04 BLMC issued by the building official, including building, plumbing, demolition, mechanical, and grading permits.

~~G. F.~~ “Building official” means the city of Bonney Lake building official Public Services Director or designee.

~~H. G.~~ “City” means the city of Bonney Lake, Washington.

~~I. H.~~ “City council” means the city council of the city of Bonney Lake.

~~J. I.~~ “Comprehensive plan” means the city of Bonney Lake comprehensive plan.

- J. ~~“Design commission” means the city of Bonney Lake design commission established pursuant to Chapter 2.60 BLMC.~~
- J. ~~K.~~ “Development code” means BLMC Titles 14 through 19, including any maps adopted as part thereof.
- K. ~~L.~~ “Development regulation” means a control placed on development or land use activities, as defined in RCW 36.70A.030.
- L. ~~M.~~ “Director” means the ~~community development director unless otherwise designated~~ Public Services Director or designee.
- M. “Emergency activity” means development activity that is required due to an unanticipated and imminent threat to public health, safety, or the environment and that requires remedial or preventative action in a time frame too short to allow for compliance with the requirements of the development. As a general matter, flooding or other seasonal events that can be anticipated and may occur but that are not imminent are not an emergency event that would require an emergency activity.
- N. “Fire chief” means the fire chief of East Pierce Fire and Rescue.
- O. “Fire official” or “fire code official” means the Public Services Director or designee who is charged with the administration and enforcement of the International Fire Code and Wildland-Urban Interface Code, as adopted in Chapter 15.04 BLMC.
- P. ~~N.~~ “Legislative actions” means amendments to the city's comprehensive plan or development code, including area-wide amendments to any associated maps, but excluding adoption of state-adopted building codes.
- Q. “May” or “should” means optional and permissive, and does not impose a mandatory requirement.
- R. “Owner” means any owner, or reputed owner, of the property which is listed on the tax rolls of the Pierce County assessor-treasurer for the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.
- S. “Parties of record” means persons with legal standing with respect to an application including the applicant, property owner as identified by the records available from the Pierce County assessor’s office, or any person who testified at the open record public hearing on the application; and/or any person who submitted written comments during administrative review or has submitted written comments concerning the application at the open record

public hearing, excluding persons who have only signed petitions or mechanically produced form letters.

T. “Permittee” means the owner or the owner’s authorized agent to whom a permit is issued.

U. ~~Θ~~. “Planning commission” means the city of Bonney Lake planning commission established pursuant to Chapter 2.26 BLMC.

V. ~~P~~. “Premises” means any real property or structure.

W. “Project action” means a decision on a specific project, such as a construction or management activity located in a defined geographic area. Projects include and are limited to agency decisions to:

1. License, fund, or undertake any activity that will directly modify the environment, whether the activity will be conducted by the agency, an applicant, or under contract;
2. Purchase, sell, lease, transfer, or exchange natural resources, including publicly owned land whether or not the environment is directly modified.

X. “Project permit” means any land use or environmental permit or license required from the city of Bonney Lake for a project action, including but not limited to subdivisions, conditional uses, shoreline substantial development permits, permits or approvals required by critical area ordinances, site-specific rezones which do not require a comprehensive plan amendment, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations. A “project permit” or “project permit application” does not include building permits.

Y. “Public utility” means an entity whose principal purpose is to provide electricity, water, sewer, storm drainage, gas, radio, television, telephone and/or other forms of communication utilizing electromagnetic spectrum to the general public.

Z. “Revision” means a change by an applicant or permittee to an application under review or to the scope of work authorized by an issued permit.

AA. ~~Q~~. “SEPA” means State Environmental Policy Act.

BB. “Shall” or “must” means mandatory and imposes a requirement.

CC. ~~R~~. “Site-specific” means other than “area-wide” as defined in subsection ~~AB~~ of this section.

DD. “Withdraw” or “withdrawn” means an action by an applicant or permittee to withdraw a project from active review or construction status.

Section 23. Amendment. Section 14.10.040 of the Bonney Lake Municipal Code is amended to read as follows:

14.10.040 Applicability of definitions. Words not defined.

The definitions in BLMC 14.10.030 shall apply equally to the entire development code, BLMC Titles 14 through 19. The definition of any word or phrase, not listed in BLMC 14.10.030, which is in question when administering the development code, shall be defined from one of the following sources that are incorporated herein and adopted by reference. Said sources shall be utilized to find the desired definition in the order listed as follows:

- A. City of Bonney Lake development code;
- B. City of Bonney Lake comprehensive plan;
- C. Any other portion of the Bonney Lake Municipal Code or other city resolution, ordinance, or regulations, including standards adopted by reference;
- D. Any statute or regulation of the state of Washington (i.e., the most applicable);
- E. Legal definitions from applicable case law;
- F. Common dictionary.

The director shall have the final authority in determining the most applicable definition to apply in construing the development code.

Section 24. Amendment. Section 14.10.070 of the Bonney Lake Municipal Code is amended to read as follows:

14.10.070 One hundred twenty day time limit—Exceptions. Calculation of review time for permit applications.

The following time periods shall not count toward the maximum of 120 days which can expire between the determination of completeness and the notice of decision. The number of calendar days an application is in review shall be calculated from the day completeness is determined under BLMC 14.40.030 to the date a final decision is issued under BLMC 14.40.080 on the project permit application. The number of calendar days in review shall be calculated by counting every day, excluding the following periods:

- A. Any period commencing with a request by the city that the applicant provide any further information or an environmental impact statement until the

applicant provides said information. The period between the day that the director has notified the applicant, in writing, that additional information is required to further process the application and the day when the applicant is notified in writing that the additional information satisfies the request or 14 calendar days after the last required resubmitted information.

- B. Any period during which the applicant is not current in payment of city permit review fees or utility bills. Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to Chapter 43.21C RCW.
- C. Any period during which a comprehensive plan or development regulation amendment, development agreement, or zoning reclassification is being processed preliminary to deciding upon a permit application.
- D. ~~Any period between the initial determination of completeness and any subsequent determination of completeness should the applicant substantially revise the proposal.~~ Annual amendments to the comprehensive plan.
- E. Any period during which any decision related to the permit application is being appealed, until the administrative appeal is resolved and any additional time period provided by the administrative appeal has expired.
- F. Any period mutually agreed upon by the applicant and the city.
- G. Any period after an applicant informs the director, in writing, that they request a temporary suspension of the review of the application, until the time that the applicant notifies the director, in writing, that they would like to resume the application:
 - 1. If any request to suspend the application or to resume review is received on a Saturdays, Sundays, or a day designated by BLMC 2.32.010(A) through (C) as a legal holiday, and the days between December 25th and January 1st, then the corresponding date shall be calculated from the next business day;
 - 2. Any such suspension shall be permitted a maximum of one time, for a minimum of 60 calendar days and a maximum of 180 calendar days; and
 - 3. If the director does not receive notice from the applicant to resume review, the application shall automatically lapse;
 - 4. If an applicant suspends the review of an application for more than 60 calendar days, an additional 30 calendar days will be added to the time periods for final decision, as set forth in this section.

- H. If an applicant has been non-responsive for period of 60 consecutive days, an additional 30 calendar days will be added to the time periods for final decision, as set forth in this section.
- I. The project permit is to rectify a code violation, under timelines specified in a valid work plan or voluntary correction agreement.
- J. Any period during which a landmark designation, street vacation, or other approval relating to the use of public areas or facilities is being considered.
- K. The time periods for the director to process an application shall restart if an applicant proposes a change in use or a change that adds or removes commercial or residential elements from the original application that would make the application fail to meet the determination of procedural completeness for the new use.
- L. Applications for which no permit is issued and/or for which an applicant is unresponsive shall automatically expire after 90 days from the date the applicant was notified that a permit is approved.

Section 25. Amendment. Section 14.10.100 of the Bonney Lake Municipal Code is amended to read as follows:

14.10.100 Permit expiration and extensions.

- A. ~~Unless a more specific provision applies to the type of permit, approved permits shall expire two years after the date of issuance if substantial progress has not been made toward realizing the permitted use or project, or within five years if construction has not been completed; except as provided in subsections B through D of this section. Except as provided elsewhere in this section and unless a more specific provision applies to the type of permit, approved permits shall automatically expire two years after the date of issuance if the use is not commenced or if the construction permit(s) to complete the work are not issued. Once the construction permit(s) are issued, expiration of the underlying and associated project permit shall be tied to the expiration of the construction permit. If the construction permit expires, then the underlying project permit approval shall become null and void.~~

...

- C. Permits authorized under the urban forestry code codified as BLMC Title 16, Division IV, shall automatically expire one year from the date of issuance or with the expiration or revocation of the corresponding land use, grading, and/or building permit, whichever comes later.

D. Expiration and extension of the following ~~land use~~ permits shall not be governed by this section:

...

E. Permit applications not excepted above shall automatically expire as provided for in BLMC 14.10.070 ~~one year after any application dormancy or hold status, whether initiated by the applicant or during which the city waits for information it has requested of the applicant which is needed in order to process the application.~~

F. The director may ~~extend the date of permit expiration for one year upon request by the applicant prior to said permit's expiration~~ grant a single, one-time extension of up to one year (365 calendar days) to an issued permit, when the permittee has shown due diligence and/or substantial progress in completing the work associated with the permit. Such a request shall:

1. Be made by the permittee in writing a minimum of ten business days prior to the expiration date;
2. Document the progress and outstanding items required to complete the work associated with the permit; and
3. Clearly describe the need for an extension.

~~G. Any extensions of time shall be based upon a finding of justifiable cause and that the land use permit is compliant with all applicable codes at the time of the extension request. The director shall not grant more than one permit extension.~~

Section 26. Amendment. Section 14.10.110 of the Bonney Lake Municipal Code is amended to read as follows:

14.10.110 Applications are binding.

- A. All aspects of the application shall be binding for the life of the project/building, including graphic representations such as site plans, building elevations, and related required materials.
- B. All work regulated by this development code shall be done in accordance with the approved permit and associated documents.
- C. Approved permits shall not be changed, modified, or altered without authorization of the director. Revisions shall be reviewed using the procedures applicable to a new application of the same type, except as authorized by BLMC 14.10.120.

Section 27. Amendment. Section 14.30.010 of the Bonney Lake Municipal Code is amended to read as follows:

14.30.010 Permits by type.

Type 1	Type 2A	Type 2B	Type 3A	Type 3B	Type 4
Building Permits		Preliminary Short Plats	Shoreline Conditional Use Permit		Zoning Reclassification
Temporary Permits			Shoreline Variances	Conditional Use Permits	
Sign Permits	SEPA Reviews	Design Review	Plat Alterations	Preliminary Plats	
Clearing and Tree Removal Permits			Plat Vacations		
Accessory Dwelling Unit	Shoreline Substantial Development Permits		Zoning Variances		
Boundary Line Adjustments			Critical Area Reasonable Use Exception		
Eligible Facility Modification	Administrative Wireless Permit				
Shoreline Letters of Exemption	Comprehensive Sign Review				
Critical Area Permits	Short Plat Alteration				
Critical Area Exemption	Short Plat Vacation				
Site Plan					

A. Permit types.

<u>Type 1</u>	<u>Type 2</u>	<u>Type 3</u>	<u>Type 4</u>
<ul style="list-style-type: none"> • <u>Boundary Line Adjustments</u> • <u>Business Licenses / Home Occupation Reviews¹</u> • <u>Certificate of Water Availability¹</u> • <u>Certificate of Sewer Availability¹</u> • <u>Civil Utility Connections¹</u> • <u>Clearing and Tree Removal Permits</u> 	<ul style="list-style-type: none"> • <u>Accessory Dwelling Unit</u> • <u>Building Permits¹</u> • <u>Civil Construction Permits</u> • <u>Critical Area Permits</u> • <u>Design Review</u> • <u>Deviation Requests¹</u> • <u>Preliminary Short Subdivision</u> 	<ul style="list-style-type: none"> • <u>Administrative Wireless Permit</u> • <u>Comprehensive Sign Review</u> • <u>SEPA Reviews</u> • <u>Shoreline Substantial Development Permits</u> • <u>Short Subdivision Alteration</u> • <u>Short Subdivision Vacation</u> • <u>Unit Lot Subdivision Alteration</u> 	<ul style="list-style-type: none"> • <u>Conditional Use Permits</u> • <u>Critical Area Reasonable Use Exception</u> • <u>Essential Public Facility Permits</u> • <u>Preliminary Subdivision</u> • <u>Shoreline Conditional Use Permit</u> • <u>Shoreline Variances</u>

<u>Type 1</u>	<u>Type 2</u>	<u>Type 3</u>	<u>Type 4</u>
<ul style="list-style-type: none"> • <u>Critical Area Exemption</u> • <u>Encroachment Permit</u>¹ • <u>Final Short Subdivision</u>¹ • <u>Final Subdivision</u>¹ • <u>Final Unit Lot Subdivision</u>¹ • <u>Grading and Filling Permits</u> • <u>Right-of-Way Permits</u>¹ • <u>Road Approach Permits</u> • <u>Shoreline Letters of Exemption</u> • <u>Sign Permits</u> • <u>Site Plan Review</u>¹ • <u>Small Cell Wireless Permit</u> • <u>Temporary Use Permits</u> • <u>Wireless Eligible Facility Modification</u> 		<ul style="list-style-type: none"> • <u>Unit Lot Subdivision Vacation</u> 	<ul style="list-style-type: none"> • <u>Site-Specific Zoning Reclassification (No Concurrent Amendment to Comprehensive Plan)</u> • <u>Subdivision Alterations</u> • <u>Subdivision Vacations</u> • <u>Zoning Variances</u>
Notes:			
1. See BLMC 14.30.040.			

B. Unlisted permits. If a review type is not identified for a particular permit, the director shall determine the proper procedure by determining which procedure the permit most closely resembles. Where there is a question as to the appropriate classification, the director shall resolve the question in favor of the higher procedure and type number.

Section 28. Amendment. Section 14.30.020 of the Bonney Lake Municipal Code is amended to read as follows:

14.30.020 Permit procedures by type.

	<u>Type 1</u>	<u>Type 2A and 2B</u>	<u>Type 3A and 3B</u>	<u>Type 4</u>
Pre Application	Optional	Optional	Optional	Optional
Notice of Complete Application ¹	Required	Required	Required	Required
Public Notice of Application ²	No	Required	Required	Required
Public Hearing ³	No	No	Required	Required
Staff Report ⁴	No	Required ⁵	Required	Required
Written Decision ⁶	No	Required	Required	Required
Notice of Decision	No	Required ⁷	Required	Required
Recommendation	N/A	N/A	Director	Hearing Examiner ⁹
Decision Maker	Director	Director	Hearing Examiner	City Council

	Type 1	Type 2A and 2B	Type 3A and 3B	Type 4
Administrative Appeal ¹⁰	Yes	Yes	No	No
Judicial Appeal ¹¹	Yes ¹²	Yes ¹²	Yes	Yes

	Type 1	Type 2	Type 3	Type 4
<u>Pre-Application</u>	<u>Optional</u>	<u>Optional</u>	<u>Optional</u>	<u>Optional</u>
<u>Notice of Complete Application¹</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>	<u>Required</u>
<u>Public Notice of Application²</u>	<u>No</u>	<u>No</u>	<u>Required</u>	<u>Required</u>
<u>Public Hearing³</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>Required</u>
<u>Staff Report⁴</u>	<u>No</u>	<u>Required⁵</u>	<u>Required⁶</u>	<u>Required</u>
<u>Written Decision⁷</u>	<u>No</u>	<u>Required⁵</u>	<u>Required</u>	<u>Required</u>
<u>Notice of Decision</u>	<u>No</u>	<u>Required⁵</u>	<u>Required⁸</u>	<u>Required</u>
<u>Recommendation</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>Director</u>
<u>Decision Maker</u>	<u>Director</u>	<u>Director</u>	<u>Director</u>	<u>Hearing Examiner</u>
<u>Administrative Appeal⁹</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>
<u>Judicial Appeal¹⁰</u>	<u>Yes¹¹</u>	<u>Yes¹¹</u>	<u>Yes¹¹</u>	<u>Yes</u>

Notes:

...

~~5. 9. The hearing examiner conducts the required public hearing and makes a recommendation to the city council which issues the final decision on the underlying permit. A staff report, written decision, and notice of decision are only required for design review and preliminary short subdivisions.~~

~~6. 5. A staff report is not required for a SEPA threshold determination.~~

~~7. 6. See BLMC 14.40.090 and 14.50.050.~~

~~8. 7. The notice of decision for a SEPA review is the threshold determination (e.g., DNS, MDNS, DS); a separate notice of decision is not required. The threshold determination shall be disturbed as provided for in BLMC 16.06.030, 16.10.040 or 16.10.050.~~

~~8. Repealed.~~

~~9. 10. See BLMC 14.120.020, except that an appeal of a building permit decision is provided in BLMC 14.120.030.~~

~~10. 11. See BLMC 14.120.040 and 14.120.050.~~

~~11. 12. Types 1, 2A, and 2B3 are administrative determinations that must first be appealed to the hearing examiner and the decision of the hearing examiner can then be judicially appealed.~~

Section 29. Amendment. Subsections “A”, “B”, “C”, and “D” of Section 14.30.030 of the Bonney Lake Municipal Code are amended to read as follows:

14.30.030 Consolidation of permits.

~~If a proposal requires more than one permit, permits shall be consolidated to the extent feasible and desired by the applicant, as follows:~~

- A. ~~Such information as name, address, and legal description need only be entered once, by such means as a master permit application form or master cover sheet. Consolidated Permit Review Process. Pursuant to the provisions of this~~

chapter, the applicant may elect to consolidate two or more development-related permits for one project action and submit the applications simultaneously. The review process for consolidated permits shall follow the provisions of this chapter.

1. Project Permit Approval Prior to Building Permit Application. An applicant who files an application for any project permit prior to the filing of a valid and complete application for a building permit shall be deemed to have specifically acknowledged that the acceptance and processing of such project permit application shall in no way establish or create a vested right to proceed with construction of any proposed project in accordance with the codes, ordinances, or regulations existing at the time of filing of such application, or at any time thereafter, prior to the filing of a valid and complete building permit application.

2. Project Permit Approval Together With Building Permit Application.

a. If project permit approval was not obtained prior to building permit application, the building permit approval is subject to obtaining any required project permit approval and shall not be issued until such project permit approval is obtained.

b. An applicant who fails to obtain any required project permit approval prior to submitting a building permit application shall be deemed to have specifically acknowledged that the building permit application may expire prior to a decision on any such project permit application, and that the building permit application is made at the applicant's own risk.

~~B. The director shall utilize the process of that permit type which includes all reviews required for the various permits. Consolidated permits submitted for the same project action with different process types will follow the higher process decision type set forth in BLMC 14.30.010, above.~~

C. If one permit cannot be reasonably processed until another is issued, such as a building permit that cannot be processed until a variance is issued, the ~~120~~ days review period within which a notice of decision must be issued for the contingent permit (in this example, the building permit) shall not begin until the other permit has been issued.

D. Appeals of one or more Type 1, ~~or~~ Type 2, or Type 3 permits shall be combined with any required open public hearing.

....

Section 30. Amendment. Subsections “B”, “C”, “I”, and “L” of Section 14.30.040 of the Bonney Lake Municipal Code are amended to read as follows:

14.30.040 Exemptions.

The following actions (with BLMC citations where applicable) are not project permits for the purpose of this development code, ~~do not appear in the table in BLMC 14.30.020,~~ and are exempt from Chapters 14.40 through 14.60 BLMC:

...

B. Right-of-way permits and variances (Chapter 12.08 BLMC), encroachments in the public right-of-way (Chapter 12.32.BLMC), and traffic studies (Title 19 BLMC);

C. Final ~~plats~~ approval of subdivisions and short ~~plats~~ subdivisions (BLMC 17.20.040 Chapter 17.20 BLMC);

...

I. Deviations from adopted standards ~~Administrative variations and waivers~~ (BLMC 12.04.023, 15.13.045, and 15.20.060 ~~and 18.20.050(E));~~

...

L. ~~Permission~~ Civil utility connection permits to connect to city sanitary sewer (Chapter 13.12 BLMC), stormwater system (Chapter 15.13 BLMC), or water system (Chapter 13.04 BLMC), or certificates of availability for the same;

....

Section 31. Amendment. Section 14.40.010 of the Bonney Lake Municipal Code is amended to read as follows:

14.40.010 Pre-application conference.

A. The purpose of the pre-application process is for the applicant to provide city staff with preliminary information about a proposed project and site conditions so that the city can provide the applicant with the requirements that must for the proposal to proceed through the formal review process.

B. Any potential applicant may request a pre-application conference. Pre-application conferences are not mandatory but are optional at the request of the applicant. The director shall conduct a pre-application conference if requested by the applicant. For the city to provide the most applicable information at the pre-application conference, the applicant should provide, at a minimum:

1. Project narrative;
 2. List of questions;
 3. Draft site plan;
 4. Draft building elevations, if applicable; and
 5. Any other drawings or documents helpful to illustrate the proposal.
- C. At a minimum, the conference shall be scheduled with applicable representatives from the city, including but not limited to the planning, engineering, building, and utility divisions. Representatives from other departments or agencies are encouraged to attend to provide comments on the proposal.
- D. It is impossible for the pre-application conference to be an exhaustive review of all potential issues. The discussions at the conference shall not bind or prohibit the city's future application or enforcement of all applicable laws.
- E. Review of a proposal at a pre-application conference does not vest any project.

Section 32. **Amendment.** Subsection “B” of Section 14.40.020 of the Bonney Lake Municipal Code is amended to read as follows:

14.40.020 Application forms.

...

- B. At a minimum, all All-applications shall contain the following:
1. A completed application form.
 2. All applicable fees.
 3. Written authorization of the property owner. ~~be signed by the property owner or an authorized representative.~~
 4. A completed environmental checklist for projects subject to review under SEPA if not exempt under Chapter 16.08 BLMC or if an Environmental Impact Statement was previously issued for the project.
 5. All accompanying information required for the type of permit as provided on the checklist prepared by the director.

Section 33. Amendment. Section 14.40.030 of the Bonney Lake Municipal Code is amended to read as follows:

14.40.030 Notice of complete application.

A. For the purposes of this title, a complete application is one that contains all items required under BLMC 14.40.020. An application is complete for purposes of this section when it contains all of the following:

- ~~1. A completed application form.~~
- ~~2. All applicable fees.~~
- ~~3. Written authorization of the property owner.~~
- ~~4. A completed environmental checklist for projects subject to review under the SEPA.~~
- ~~5. All accompanying information required for the type of permit.~~

B. Determination of Complete Application.

1. Within 28 calendar days, except for telecommunications applications which shall be notified within 10 days, after receiving a project permit application, the director shall mail or personally deliver to the applicant a notice that advises the applicant of other agencies that may have jurisdiction over the proposal, if known at that time, and states either the director shall provide a written determination of completeness to the applicant via electronic mail which states either:
 - a. 1.—That the application is complete; or
 - b. 2.—That the application is incomplete and what is necessary to make the application complete that the procedural submission requirements of the city have not been met. The determination will outline what is necessary to make the application procedurally complete. To the extent known by the city, the determination will identify other agencies of local, state, or federal governments that may have jurisdiction over some aspect of the application.
2. C. Failure of the director to respond to the applicant, in writing, within the 28-day time frame, shall be deemed as the city's acceptance of the application for processing. If the director does not provide a written determination to the applicant that the application is incomplete within 28 calendar days, the application shall be deemed procedurally complete on the twenty-ninth day after receiving a project permit application. When the director does not provide a written determination to the applicant that the application is

procedurally incomplete, the director may still seek additional information or studies as provided for in subsection (B)(3) of this section. The time period guidelines for review of project permit applications begins following the determination of a complete application, as set forth in BLMC 14.40.080.

- C. If the applicant receives a written determination from the city that an application is procedurally incomplete, the applicant shall have 90 calendar days to submit the necessary information to the city. If the applicant does not submit the required information within the 90-calendar-day period, the application shall lapse due to a lack of information necessary to complete the review. No extensions shall be granted.
- D. Within 14 calendar days after the applicant has submitted the requested additional information, the director shall make a determination of completeness and notify the applicant in the manner provided in subsection B of this section; provided, however, that if upon review the application remains procedurally incomplete, the application shall lapse due to a lack of information necessary to complete the review, and the applicant shall be notified in writing of the determination.
- E. Additional information or studies may be required or project modifications may be undertaken subsequent to the procedural review of the application by the director. The director's issuance of a determination of completeness shall not preclude the city from requesting additional information or studies, either at the time of the determination of completeness or at some later time if additional information is required or where substantial changes in the proposed action occur. However, if the procedural submission requirements as outlined on the project permit application have been provided, the need for additional information or studies may not preclude a completeness determination.
- ... G. Nothing in this section shall preclude the director from providing a notice of complete application to an applicant after receiving a non-project permit application. When given, such notice should follow the procedures in this section.

Section 34. New Section. A new Section 14.40.045 is hereby added to the Bonney Lake Municipal Code to read as follows:

14.40.045 Incorrect applications.

- A. Following a determination of a complete application, if the director finds that additional information is necessary or corrections are required to make the proposal consistent with the comprehensive plan and development regulations, the director shall provide a letter to the applicant:
 - 1. Detailing the necessary corrections;
 - 2. Providing the response deadline; and

3. Include a notice that nonresponsiveness for 60 consecutive calendar days may result in 30 calendar days being added to the time for review permitted under BLMC 14.40.080. “Nonresponsiveness” means that an applicant is not making demonstrable progress on providing the additional requested information, or that there is no ongoing communication from the applicant to the city on the applicant's ability or willingness to provide the additional information.
- B. The applicant receives a written determination from the city that corrections or additional information are necessary, the applicant shall have up to 90 calendar days to submit the necessary information to the city.
1. The director may allow for up to a total of two extensions to submit the required information, not to exceed an additional 90 calendar days each. Requests must be made in writing a minimum of 10 calendar days prior to the submittal deadline.
 2. If the applicant either refuses in writing to submit corrected information or does not submit the corrected information within the 90-calendar day period, the application shall lapse.
 3. The director shall have 14 calendar days to review the submittal of corrected information.
- C. If the application requires a second request for additional or corrected information, the director shall schedule a meeting with said request in an attempt to resolve outstanding issues during the review process with the applicant. The meeting shall be scheduled within 14 calendar days of the correction letter date, unless the applicant requests an alternative date or refuses to meet. Following this attempt, if the director receives the additional or corrected information and proceeds with review, the director shall either approve or deny the application. If the applicant refuses to meet, the requirement for the city to meet with the applicant shall be determined to have been met.

Section 35. Amendment. Section 14.40.050 of the Bonney Lake Municipal Code is amended to read as follows:

14.40.050 Design review.

If the proposal is not exempt from design review pursuant to Chapter 14.95 BLMC, the ~~design commission~~ director shall review it and issue a recommendation of conformance (with or without conditions) or nonconformance with the applicable subarea plans and design guidelines.

Section 36. Amendment. Section 14.40.080 of the Bonney Lake Municipal Code is amended to read as follows:

14.40.080 Decision.

A. The decision maker identified in BLMC 14.30.020 shall determine if the application is consistent with the development code and the policies of the comprehensive plan and notify the applicant within the following time periods ~~120 days of the determination of completeness~~, except as provided in subsections B through F of this section, and as calculated pursuant to BLMC 14.10.070 ~~subject to the following:~~

~~1. Type 1 applications: 65 calendar days. The decision maker may include in a decision any conditions of approval that are necessary to ensure that the proposal complies with all applicable development code and comprehensive plan policies.~~

~~2. Type 2 applications: 100 calendar days. If the proposal is not exempt from design review, the decision maker shall not issue a final decision until the design commission has reviewed the applications and made recommendations to the director; unless the design commission delegates its design review on a specific application to the director pursuant to BLMC 14.95.030.~~

~~3. Type 3 applications: 120 calendar days.~~

~~4. Type 4 applications: 170 calendar days. No building permit shall be issued until all related, necessary permits are final, including appeals to the hearing examiner, unless the director(s) waives this prohibition based on the applicant signing a statement acknowledging the appeal period and agreeing to remove or modify the permitted work at the applicant's expense should an appeal result in revocation or modification of the appealed permit.~~

~~4. Short plats shall not be recorded until after the appeal period has lapsed.~~

~~5. The time periods above shall be extended as provided for in BLMC 14.10.070.~~

B. Telecommunications.

...

C. Preliminary land divisions with ten or more lots or unit lots must be approved, disapproved, or returned to the applicant within 90 days of filing a complete application, unless the applicant consents to an extension.

D. Preliminary land divisions with nine or less lots, final subdivisions and final short subdivisions must be approved, disapproved, or returned to the applicant

within 30 days of filing a complete application, unless the applicant consents to an extension.

E. If the proposal is not exempt from design review and the proposal is consolidated pursuant to BLMC 14.30.030, the director shall review the design review application and make a recommendation to the decision maker as part of the staff report to the decision maker.

F. No building permit shall be issued until all related, necessary permits are approved, including appeals to the hearing examiner, unless the director(s) waives this prohibition based on the applicant signing a statement acknowledging the appeal period and agreeing to remove or modify the permitted work at the applicant's expense should an appeal result in revocation or modification of the appealed permit.

Section 37. Amendment. Subsection “A.7” of Section 14.40.090 of the Bonney Lake Municipal Code is amended to read as follows:

14.40.090 Written decision – Content.

A.

...

7. The decision denying or approving the application and any conditions, if applicable. The decision maker may include in a decision any conditions of approval that are necessary to ensure that the proposal complies with all applicable development code and comprehensive plan policies;

....

Section 38. Amendment. Subsection “E” of Section 14.50.030 of the Bonney Lake Municipal Code is amended to read as follows:

14.50.030 Method of publication.

... E. Posted on the subject property with a sign(s) consistent with the following requirements:

1. One public notice sign shall be required per street frontage. In case of large parcels or street frontages exceeding 500 feet, the director may require the posting of additional signs.

2. Signs shall be located on the site of the proposed action, set back at least 10 feet from a public right-of-way or private road or easement as applicable, and shall be situated to maximize readability by the public from public rights-of-way. A sign may be located within the 10-foot

setback, if determined necessary by the director to provide adequate visibility.

3. Signage shall be a minimum of two ~~and one-half~~ feet by ~~one and one-half~~ three feet for Type 2A and 3A permits and shall contain the following:
 - a. The heading “~~Proposed Land Use Development Action~~ Public Notice” ~~in one and a quarter inch blue lettering;~~
 - b. Contact information for the city ~~in one-half inch blue capital letters;~~
 - c. An area for a one or more eight-and-one-half-inch by 11-inch placards for specific public notifications; and
 - d. The city logo.

4. ~~Signage shall be a minimum of two feet by four feet for Type 2B, 3B, and 4 permits and shall include the following:~~
 - a. ~~The heading “Proposed” followed by the general type of the development in two-inch blue capital letter;~~
 - b. ~~The description of the proposed action in one-inch blue capital letters;~~
 - c. ~~An area to post an 11-inch by 17-inch site plan;~~
 - d. ~~Area for two eight and one-half inch by eleven inch placards for specific public notifications;~~
 - e. ~~Contact information for the city in one-half inch blue capital letters; and~~
 - f. ~~The city logo.~~

....

Section 39. **Amendment.** Section 14.50.040 of the Bonney Lake Municipal Code is amended to read as follows:

14.50.040 Comment period.

- A. If a public comment period is required, the comment period shall be at least 15 calendar days except in the following cases when a longer comment period is required:

1. ~~A.~~ For applications or proposals subject to the shoreline master program, a 30-day public comment period shall be provided prior to any public hearing or taking any final action on the application or proposal.
2. ~~B.~~ Notices of scoping associated with a determination of significance under the State Environmental Policy Act shall be followed by a minimum of a 21-day comment period; provided, that the longer comment period shall not apply if the scoping notice is included with the notice of application issued pursuant to BLMC 14.50.010.
3. ~~C.~~ Notice of availability of a draft environmental impact statement shall be followed by a 30-day comment period; provided, that the director can extend the comment period for an additional 15 days if a request for an extension has been submitted to the city prior to the end of the initial 30-day comment period.

B. Any notice that a public comment period shall contain the duration of the public comment period, including the first and last date and time by which written public comment may be submitted.

Section 40. Amendment. Subsection “B.4” of Section 14.80.030 of the Bonney Lake Municipal Code is amended to read as follows:

14.80.030 Essential public facilities criteria.

...

B. ...

4. An EPF may be permitted in the R-1, ~~R-2~~, R-3, RC-5, DM or DC zoning classification only if there is an operational or other need that requires locating in that district to achieve the purpose or function of the EPF;

....

Section 41. Amendment. Subsections “A”, “B”, “C”, “D” and “E” of Section 14.95.020 of the Bonney Lake Municipal Code are amended and new subsections “I” and “J” are added to Section 14.95.020 to read as follows:

14.95.020 Exemptions.

...

- A. Development permits not immediately associated with building construction, such as land divisions ~~short plats, subdivisions,~~ or rezones unaccompanied by any building permit application;
- B. ~~Detached homes, attached homes, townhouses, duplexes, triplexes, fourplexes, accessory dwelling units, and accessory uses,~~ Buildings with four

or less dwelling units, including accessory uses and structures, both new construction and modifications;

- C. ~~Construction activities which do not require a building permit, sign permit, or any other city permit~~ Normal building maintenance and repair or a change of use that does not otherwise exceed the thresholds in this section;
- D. ~~Modifications to existing structures which will not be visible from outside the structure;~~ Interior alterations that do not modify the existing site layout or its current use and involve no exterior work adding to the building footprint, provided that the alterations do not result in the following:
 - 1. Additional sleeping quarters or bedrooms;
 - 2. Nonconformity with substantial improvement thresholds for frequently flooded areas regulated by BLMC Title 16, Division II, Critical Areas.
 - 3. An increase in the total square footage or valuation of the structure thereby requiring upgraded fire access or fire suppression systems.

Nothing in this section exemptions interior alterations from the construction code requirements in Title 15 BLMC.

- E. Nonresidential additions of less than 1,000 square feet of gross floor area;

...

- I. Construction of new dwelling units entirely within a legally conforming or legally nonconforming existing building, the density may be increased by up to 50 percent. For the purpose of this subsection “existing building” means a building that received a valid certificate of occupancy at least three years prior to the permit application to add housing units. Any such dwelling unit shall also be subject to the provisions of BLMC 15.04.098.
- J. Construction of aboveground utility facilities of less than 2,000 gross square feet of gross floor area, such as sewer lift stations and water pump stations.

Section 42. **Repealed.** Section 14.95.030 of the Bonney Lake Municipal Code, Design commission may delegate, is hereby repealed in its entirety.

Section 43. **Amendment.** Section 14.105.010 of the Bonney Lake Municipal Code is amended to read as follows:

14.105.010 Purpose.

~~Large commercial or multifamily development~~ Development proposals sometimes require major administrative decisions and interpretations regarding permitted uses, critical areas, access, traffic mitigation, SEPA determination, location of utilities, and other site planning factors. Such administrative actions

may be needed before project feasibility can be determined and before building footprints can be identified. The purpose of the optional site plan approval process before the building permit process is to allow developers to resolve site planning issues before preparing building plans, and to provide the applicant with certainty at a key point in the land development process. A site plan approval is especially helpful for phased development proposals such as shopping centers in which “pads” are sold to subsequent developers. The purpose is to allow the site plan approval process as an optional extra step.

Section 44. **Amendment.** Subsection “A” of Section 14.110.010 of the Bonney Lake Municipal Code is amended to read as follows:

14.110.010 Procedure.

A. Unless otherwise specified in this code, a variance is a Type ~~3~~4 permit. The purpose of variances is, under certain circumstances as set forth in the variance criteria, to grant flexibility in the administration of any the provisions of this development code, BLMC Titles 16 through 19; provided, that a variance cannot be granted from:

....

Section 45. **Amendment.** Subsection “A” of Section 14.120.020 of the Bonney Lake Municipal Code is amended to read as follows:

14.120.020 Appeal of actions of the director(s) to the hearing examiner.

A. All final actions of the director(s), including Type 1, ~~or~~ Type 2, or Type 3 permit decisions, SEPA threshold determinations, code interpretations (see BLMC 14.10.140), notices of civil violation, and approvals of minor changes to permits (see BLMC 14.10.120) shall be final and conclusive unless the applicant, a department of the city or county, or other party of record or agency with jurisdiction files a written appeal with the planning and community development department within 15 days following:

....

Section 46. **Amendment.** A new Subsection “R” is hereby added to Section 15.04.082 of the Bonney Lake Municipal Code to read as follows:

15.04.082 International Building Code amended.

... R. Section 508.1 General.

508.1 General.

Each portion of a building shall be individually classified in accordance with Section 302.1. Where a building contains more than one occupancy group, the building or portion thereof shall comply with the applicable

provisions of Section 508.2, 508.3, 508.4 or 508.5, or a combination of these sections.

Exceptions:

1. Occupancies separated in accordance with Section 510.
2. Where required by Table 415.6.5, areas of Group H-1, H-2 and H-3 occupancies shall be located in a detached building or structure.
3. When a child day care center, as defined in BLMC 18.04.030, is operated in a dedicated space within an existing building that has more than one use, the building official must calculate the occupancy load of the child day care center based only on the areas in the building where the child day care services are provided.

Section 47. **New Section.** A new Section 15.04.098 is hereby added to the Bonney Lake Municipal Code to read as follows:

15.04.098 Special provisions for certain housing units.

A. New housing in existing buildings.

1. In any building that received a certificate of occupancy at least three years prior to a complete permit application to add housing units, the building official shall:
 - a. Not require unchanged portions of an existing building that have been used for residential or previously permit-approved conditioned space purposes to meet the current energy code solely because of the addition of new dwelling units within the building. When any other existing building is converted to new dwelling units, changed portions of each of those new units must meet the requirements of the current Washington State Energy Code, except if:
 - i. The square footage of new dwelling units does not exceed 2,500 square feet or 50 percent of the total building square footage, whichever is greater;
 - ii. The building owner submits documentation, in a form acceptable to the city, showing the building's residential units' projected energy use intensity is less than or equal to the energy use intensity target in accordance with the clean buildings performance standard in RCW 19.27A.210; or
 - iii. In all areas zoned for residential housing, an additional housing unit is created within an existing home;

- b. Not deny a building permit application for the addition of housing units within an existing building due to nonconformity regarding parking, height, setbacks, elevator size for gurney transport, or modulation, unless the director makes written findings that the nonconformity is causing a significant detriment to the surrounding area.
 - 2. For retrofits of existing buildings to be used for residential housing:
 - a. The portion of exterior wall assemblies that includes insulation must be allowed to project up to an additional eight inches into the setbacks of the underlying zoning district on all sides;
 - b. The building must be allowed to exceed the maximum allowable roof height by eight inches to accommodate additional insulation; and
 - c. Gross floor area must be measured from the interior face of the exterior walls, which includes drywall, as typically depicted on the architectural floor plans.
 - 3. For existing nonconforming buildings already projecting into setbacks, the portion of exterior wall assemblies that include insulation must be allowed to project up to an additional eight inches into the setbacks on all sides if the building is to be used for residential housing.
 - 4. Nothing in this section requires the city to approve a building permit application for the addition of housing units constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing in cases in which the building cannot satisfy life safety standards.
 - 5. Nothing in this section prohibits the city from applying the requirements of the building code, as adopted in this chapter.
- B. New construction or the retrofit of existing buildings meeting passive house requirements.
- 1. For the purpose of this subsection, “passive house requirements” means the criteria for certification as a passive house by Phius or the International Passive House Institute.
 - 2. In any application for new construction or the retrofit of an existing building that meets passive house requirements, the building official shall:

- a. Measure any required setback from the outside face of the foundation, and the portion of exterior wall assemblies that include insulation must be allowed to project up to eight inches into setbacks on all sides;
- b. Allow the building to exceed the maximum allowable roof height by eight inches to accommodate additional insulation; and
- c. Measure gross floor area from the interior face of the exterior walls, which includes drywall, as typically depicted on the architectural floor plans.

Section 48. **Amendment.** Section 15.08.020 of the Bonney Lake Municipal Code is amended to read as follows:

15.08.020 Permitted locations and age.

Manufactured homes shall be permitted in all zones allowing single-family residences. Manufactured homes requiring an installation permit under this chapter shall be new manufactured homes under RCW 35.63.160(2); provided, that manufactured homes moving into currently existing mobile/manufactured home/recreational vehicle parks shall not be required to be new homes, but shall otherwise comply with all other provisions of this chapter.

Section 49. **Amendment.** Section 15.08.125 of the Bonney Lake Municipal Code is amended to read as follows:

15.08.125 Manufactured homes in mobile/manufactured home/recreational vehicle parks.

Manufactured homes may be installed in mobile/manufactured home parks subject to the provisions of this chapter; provided, that if the existing physical layout of the park does not allow full compliance BLMC 15.08.010(E)(1), compliance with that subsection shall be excused as to sites that will not accommodate compliance with that subsection.

Section 50. **New Section.** A new Section 15.13.045 is hereby added to the Bonney Lake Municipal Code to read as follows:

15.13.045 Deviation from standards.

The director may grant deviations from the stormwater manual adopted in this chapter; provided that all of the following are met.

- A. The applicant shall submit the request to the city using forms provided by the director. The director shall prepare a submittal checklist providing a list of the materials that shall be considered the minimum necessary to constitute a complete request.

- B. The director will review the deviation request, together with all supporting material and any staff review and recommendations. The director shall make written findings supporting the determination that the deviation:
 - 1. Will not otherwise result in non-compliance with minimum requirements set forth in the adopted stormwater manual or the City’s NPDES permit;
 - 2. Produces compensating or comparable results that are in the general public interest;
 - 3. Will not violate any development related conditions imposed upon the project;
 - 4. Will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity in which the subject property is located; and
 - 5. Is based upon sound engineering judgment, and that the objectives of safety, function, appearance, fire protection, environmental protection, and maintainability are fully met.
- C. Request for deviation on a project which has previously been reviewed by other agencies shall be sent to those agencies for re-review before approval or denial of the deviation.
- D. The director may grant or deny a deviation request in full or in part based on the written findings. The director may attach specific conditions to the deviation which will serve to accomplish the intent of standards, criteria, and established policies.
- E. Decisions of the director are final and may not be appealed separately from the final decision on the associated permit application.
- F. Deviations must receive approval before the associated permit application can be approved. In the event a deviation becomes necessary during construction, the deviation must be approved prior to completing construction associated with the deviation request.
- G. Fees for deviation requests shall be set by resolution of the city council.

Section 51. Amendment. Subsection “C” of Section 15.14.020 of the Bonney Lake Municipal Code is amended to read as follows:

15.14.020 Definitions.

...

C. "C".

1. "Co-living housing" means "co-living housing" as defined in BLMC 18.04.030.
2. ~~1.~~ "Commercial/multi-family customer" means any public or private parcel owner or occupant of property with usage other than single-family residential with any type of building improvements or paved areas greater than 120 square feet within the city of Bonney Lake.
3. ~~2.~~ "Condominium" means a "condominium" as defined in BLMC 18.04.030.

Section 52. **Amendment.** A new Subsection "C" is added to Section 15.14.035 of the Bonney Lake Municipal Code to read as follows:

15.14.035 System development charges (SDC).

...

C. Each new co-living unit shall pay a stormwater SDC at the rate of 50% of the SDC in subsection A of this section.

Section 53. **Amendment.** Section 15.20.060 of the Bonney Lake Municipal Code is amended to read as follows:

15.20.060 ~~Variations~~ Deviation from standards.

~~Variation from engineering standards may be authorized only by the planning and community development director upon submittal and approval of additional information, plans or design data only by the engineer, which indicates that the requested variation is based on sound engineering judgment, that requirements for safety, environmental considerations, function, appearance and maintainability are fully met, and the variation is in the best interest of the public. All variations must be approved prior to the start of construction or in the event changes become necessary during construction before the actual changes are made. Requests for a variation on a project which has been previously reviewed by other agencies shall be sent to them for re-review before approval or denial of the variation. The director may grant deviations from the construction standards adopted in this chapter; provided that all of the following are met.~~

A. The applicant shall submit the request to the city using forms provided by the director. The director shall prepare a submittal checklist providing a list of the materials that shall be considered the minimum necessary to constitute a complete request.

- B. The director will review the deviation request, together with all supporting material and any staff review and recommendations. The director shall make written findings supporting the determination that the deviation:
1. Produces compensating or comparable results, that are adequate for the end users, and that are in the general public interest;
 2. Will not violate any development related conditions imposed upon the project;
 3. Will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity in which the subject property is located; and
 4. Is based upon sound engineering judgment, and that the objectives of safety, function, appearance, fire protection, environmental protection, and maintainability are fully met.
- C. Request for deviation on a project which has previously been reviewed by other agencies shall be sent to those agencies for re-review before approval or denial of the deviation.
- D. The director may grant or deny a deviation request in full or in part based on the written findings. The director may attach specific conditions to the deviation which will serve to accomplish the intent of standards, criteria, and established policies.
- E. Decisions of the director are final and may not be appealed separately from the final decision on the associated permit application.
- F. Deviations must receive approval before the associated permit application can be approved. In the event a deviation becomes necessary during construction, the deviation must be approved prior to completing construction associated with the deviation request.
- G. Fees for deviation requests shall be set by resolution of the city council.

Section 54. Amendment. Subsection “A” of Section 15.20.120 of the Bonney Lake Municipal Code is amended to read as follows:

15.20.120 Application for permit.

- A. An application for a permit under this chapter shall be made and filed with the Bonney Lake community development department and will be valid for 210 days director. Applications shall be processed as a Type 1 permit pursuant to Title 14. The applications for permits shall be on a form approved by the director in accordance with Chapter 15.36 BLMC.

....

Section 55. Amendment. Subsections “B” and “D” of Section 15.28.070 of the Bonney Lake Municipal Code are amended to read as follows:

15.28.070 Signs in residential districts.

...

B. One permanent, non-internally illuminated sign per neighborhood, ~~subdivision~~ land division with 10 or more lots or unit lots, development, apartment, or condominium complex per main entrance not to exceed 32 square feet in sign area per face and six feet in height. Such sign may be indirectly lighted.

...

D. Home occupations, authorized under ~~BLMC 18.22.010~~ Chapter 5.08 BLMC, may have the following signage:

....

Section 56. Amendment. Subsection “E” of Section 15.36.020 of the Bonney Lake Municipal Code is amended to read as follows:

15.36.020 Definitions.

...

E. “Development” means any manmade change to improved or unimproved real estate including, but not limited to, buildings or other structures, utilities, placement of manufactured home/mobile home, mining, dredging, clearing, filling, grading, paving, excavation, drilling operations, or ~~subdivision of property~~ land division.

....

Section 57. Amendment. Subsections “H” and “I of Section 15.36.040 of the Bonney Lake Municipal Code are amended to read as follows:

15.36.040 Applicable civil improvements.

...

H. ~~Short plat~~ Land division, one through three lots (Chapters 12.04, 17.20 and 17.50 BLMC);

...

- I. ~~Short plat~~ Land division, four through nine lots (Chapters 17.20 and 17.50 BLMC);

....

Section 58. Amendment. Subsection “B” of Section 15.36.050 of the Bonney Lake Municipal Code is amended to read as follows:

15.36.050 Permit process.

...

B. ...

- 3. ~~Applicants shall be required to submit further information necessary to process the application, as required by the director. Failure to supply requested information, or otherwise pursue issuance of the permit, shall result in the application expiring 180 days after submission if no permit has been issued. The director may grant a one-time extension for an additional 180 days if the applicant is diligently pursuing the application. In order to renew action on an application after expiration, the applicant shall submit new plans and pay a new plan review fee. Applications shall be processed as a Type 2 application pursuant to Title 14 BLMC.~~

Section 59. Amendment. Subsections “A” and “B” of Section 16.20.115 of the Bonney Lake Municipal Code are amended to read as follows:

16.20.115 Financial guarantee.

- A. Financial guarantees shall be provided for mitigation, maintenance, monitoring, or restoration as required pursuant to this chapter valued at \$10,000 or more. Financial guarantees shall be sufficient to guarantee that all required mitigation, maintenance, monitoring, or restoration measures will be completed no later than the time established by the city and shall be based on the bond quantity amount established in accordance with BLMC 16.20.110(I). The financial guarantee shall be in a form ~~of an assignment of funds~~ acceptable to the city.
- B. ~~Depletion, failure or collection of the financial guarantee shall not relieve an~~ The applicant or violator shall not be relieved from completing the required mitigation, maintenance, monitoring, or restoration as required under this chapter when:
 - 1. The financial guarantee is depleted or collected; or
 - 2. The installed mitigation or restoration fails, or the required monitoring report is not submitted or does not meet the requirements in the approved

critical area permit. In such cases, the time period of the financial guarantee shall be extended one additional year for each occurrence.

3. The value of the mitigation work is under \$10,000.

....

Section 60. **Amendment.** Subsections “F.3” and “K” of Section 16.20.130 of the Bonney Lake Municipal Code are amended to read as follows:

16.20.130 Substantive requirements.

...

F. ...

3. Noted on the face of any ~~plat~~ land division or recorded drawing; and

...

K. Lots created through land divisions ~~subdivisions or short plats~~ shall not contain undevelopable critical areas and associated buffers. ~~Subdivisions and short plats~~ Land divisions shall show any applicable critical area limitations.

....

Section 61. **Amendment.** Subsection “E.3” of Section 16.64.070 of the Bonney Lake Municipal Code is amended to read as follows:

16.64.070 Tree retention.

...

E. ...

3. Noted on the face of any ~~plat, short plat~~ land division or recorded drawing; and

....

Section 62. **Amendment.** Subsection “F” and portions of Tables 16.68A and 16.68B of Section 16.68.040 of the Bonney Lake Municipal Code are amended to read as follows:

16.68.040 Required landscaping areas.

... F. All vehicular use areas shall be landscaped in accordance with BLMC 16.68.090.

Table 16.68A Minimum Width Dimensions for Required Landscaping by District

District	Front Yard	Side Yard	Rear Yard
R-1 and R-2	Specific landscaping within residential front, side, and rear yards is not required. ¹		
...			
DC, DM, C-1, and C-2	Type 3 equal to the greater of: five feet, exclusive of sidewalk width, or 50 percent of the required front setback	Six feet when adjacent to residential zones, otherwise three feet ²	
....			

...

Table 16.68B Minimum Required Landscape Treatments – Side and Rear Setbacks

Zoning of Subject Property	Zoning of Adjacent Property							
	R5 ¹ and R10 ¹	R-1, R-2, and MSF ¹	R-3	RC-5	DC, DM, C-1, and C-2	MC and CC ¹	E	PF
...								
DC, DM, C-1, and C-2	Type 1	Type 3	Type 2	NR ²	Type 3			
....								

...

Section 63. Amendment. Subsection “E.2” of Section 16.68.070 of the Bonney Lake Municipal Code is amended to read as follows:

16.68.070 Type 3 – Visibility planting.

...

E. ...

2. Trees shall be selected from species lists provided in the tree plan suitable for planting in Bonney Lake, such as the list in Pierce County Code 18J.15.100.D.

[Figure LC4 “Street Frontages” graphic is unchanged]

....

Section 64. Amendment. Subsection “B.3” of Section 16.68.090 of the Bonney Lake Municipal Code is amended to read as follows:

16.68.090 Vehicular use area landscaping.

... B. ... 3. Trees shall be selected from species lists ~~provided in the tree plan~~ suitable for planting in Bonney Lake, such as the list in Pierce County Code 18J.15.100.D.

Section 65. Amendment. New Subsections “A.8”, “A.9”, “A.10”, “C.7” and “C.8” are added to Section 17.10.030 of the Bonney Lake Municipal Code, and Subsections “C.1”, “C.4” and “C.5” of Section 17.10.030 of the Bonney Lake Municipal Code are amended to read as follows:

17.10.030 Definitions.

... C. As used in this title, the following terms and phrases shall have the following meanings:

1. “Divisions of land” or “land division” means ~~both a~~ a subdivision and short subdivision.

...

4. “Short subdivision” means a short plat where the lot is divided ~~the division of land~~ into nine or less lots, tracts, parcels, or other divisions of land for the purpose of sale, ~~or lease,~~ or transfer of ownership.

5. “Subdivision” means a plat where the lot is divided ~~the division of land~~ into 10 or more lots, tracts, parcels, or other divisions of land for the purpose of sale, lease, development or transfer of ownership.

....

Section 66. Amendment. Subsections “B”, “C”, and “D” of Section 17.20.020 of the Bonney Lake Municipal Code are amended to read as follows:

17.20.020 Preliminary approval of subdivisions and short subdivisions.

... B. The applications procedures for ~~all divisions of land~~ subdivisions and short subdivisions are provided in BLMC Title 14.

C. The city shall not approve a preliminary ~~plat subdivision~~ or preliminary short ~~plat subdivision~~ unless the city approving authority makes written findings that:

...

D. Preliminary approval authorizes for the applicant to develop the required facilities and improvements, after review, approval, and issuance of construction permits by the director. All development shall be subject to any conditions imposed by the city on the preliminary approval.

Section 67. **Amendment.** The title of Section 17.20.030 of the Bonney Lake Municipal Code is amended to read as follows:

17.20.030 Installation of improvements for all divisions of land.

....

Section 68. **Amendment.** Section 17.20.040 of the Bonney Lake Municipal Code is amended to read as follows:

17.20.040 Final approval of subdivisions and short subdivisions.

- A. Any person, having received preliminary ~~plat-subdivision~~ or preliminary short ~~plat-subdivision~~ approval, shall obtain final ~~plat-subdivision~~ or short ~~plat-subdivision~~ approval within the time frames specified in BLMC 14.10.100.
- B. The applicant shall submit for final ~~plat-subdivision~~ or final short ~~plat-subdivision~~ using forms provided by the director. The director shall prepare a submittal checklist providing a list of the application materials that shall be considered the minimum necessary to constitute a complete application.
- C. The final subdivision or final short subdivision shall be approved, denied, or returned to the applicant within 30 days of filing a complete application, unless the applicant consents in writing to an extension. The city shall not approve a final ~~plat-subdivision~~ or final short ~~plat-subdivision~~ unless:
 1. The final ~~plat-subdivision~~ or short ~~plat-subdivision~~ is consistent with approved preliminary ~~plat-subdivision~~, or preliminary short ~~plat-subdivision~~, to include any conditions attached to the decision issued by the city; and
 2. The construction of all improvements required by the city has been completed and accepted by the director; provided, that:
 - a. The city may accept as a condition of final ~~plat-subdivision~~ or final short ~~plat-subdivision~~ approval a surety equal to 200 percent of the estimated cost of improvement(s) required by the city; provided, that the city will not accept a surety for water mains, hydrants, sewer mains, storm drains, or street paving. The surety shall be released upon completion of all required improvements and acceptance by the city.
 - b. If the director determines that installation of improvements required for a short subdivision for commercial uses within a commercial zone is not needed at the time of the approval of the final short ~~plat-subdivision~~, the improvements shall be installed in conjunction with the construction of the building(s) located on the property. This condition shall be stated on the final short ~~plat-subdivision~~, and shall

be binding on all later owners of lots created by the short ~~plat~~ subdivision.

3. The final subdivision or final short subdivision shall conform to the requirements for notes on the face of the document in Chapter 58.17 RCW and the recording standards of the Pierce County auditor.
- D. The director and city engineer shall sign the final ~~plat~~ subdivision or short ~~plat~~ subdivision documents indicating the city's approval of the final ~~plat~~ subdivision or short ~~plat~~ subdivision.
- E. The final subdivision or short subdivision shall not be recorded until after the appeal period has lapsed.
- F. ~~E.~~ Upon recording of a final subdivision or short subdivision, all easements and utilities as shown on the final ~~plat~~ subdivision or final short ~~plat~~ subdivision shall be deemed dedicated to the public.
- G. ~~F.~~ It shall be the responsibility of the applicant to execute and record any private easements or agreements identifying the rights and responsibilities of property owners and/or a homeowners' association for use and maintenance of common areas, facilities, utilities, interior or exterior building components, and other similar features with the Pierce County auditor. Any such private easements may be shown on the face of the proposed final subdivision or final short subdivision for courtesy review prior to final approval.
- H. ~~G.~~ It shall be the responsibility of the applicant to file the approved final ~~plat~~ subdivision or short ~~plat~~ subdivision, bearing on its face all required signatures and certifications, with the county auditor and to complete the platting process and provide an approved copy of the signed and recorded document to the city.

Section 69. Amendment. Section 17.40.010 of the Bonney Lake Municipal Code is amended to read as follows:

17.40.010 ~~Plat~~ Subdivision and short subdivision alterations.

- A. When any person is interested in the alteration of any subdivision, short subdivision, or the altering of any portion thereof, except as provided in Chapter 17.30 BLMC, that person shall submit:
 1. An ~~an~~ application, on forms provided by the city and accompanied by any additional materials necessary for review, ~~to the city~~.
 2. Said application shall contain the signatures of the majority of those persons having ownership interest of lots, tracts, parcels, sites, or divisions in the subject subdivision or short subdivision, or portion to be altered.

3. If the subdivision or short subdivision is subject to restrictive covenants which were filed at the time of the approval of the subdivision or short subdivision, and the application for alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the subdivision, short subdivision, or portion thereof.
- B. If any land within the alteration contains a dedication to the general use of persons residing within the subdivision, unit lot subdivision, short subdivision, such land may be altered and divided equitably between the adjacent properties.
 - C. The subdivision, or short subdivision alteration shall be processed in accordance with Title 14 BLMC; provided, that notice shall be provided pursuant to RCW 58.17.215. After approval of the alteration, the applicant shall produce a revised drawing produced by a licensed surveyor of the approved alteration of the final plat or short plat which, after approval by the council signified by the signature of the mayor, shall be filed with the Pierce County auditor to become the lawful plat of the property.
 - D. The director and city engineer shall sign the approved alteration of the final subdivision, or final short subdivision documents indicating the city's approval.
 - E. The approved alteration of the final subdivision, or final short subdivision shall not be recorded until after the appeal period has lapsed.
 - F. ~~D.~~ It shall be the responsibility of the subdivider applicant to file the approved final plat or short plat alteration of the final subdivision, or final short subdivision, bearing on its face all required signatures and certifications, with the Pierce County county auditor and to complete the platting alteration process and provide an approved copy of the signed and recorded plat document to the city.

Section 70. Amendment. Section 17.40.020 of the Bonney Lake Municipal Code is amended to read as follows:

17.40.020 Plat-Subdivision and short subdivision vacations.

- A. Whenever any person is interested in the vacation of any subdivision, short subdivision, or portion thereof, or any area designated or dedicated for public use, that person shall submit:
 1. An application, on forms provided by the city and accompanied by any additional materials necessary for review. file an application for vacation

~~with the city. The application shall be made on forms provided by the city, and accompanied by any supporting materials that the city deems necessary for adequate review.~~

2. The application shall ~~bear the signature(s)~~ contain the signatures of all parties having an ownership interest in that portion of the subdivision or short subdivision subject to vacation.
3. If the subdivision, or short subdivision is subject to restrictive covenants which were filed at the time of subdivision, or short subdivision approval, and the application for vacation would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the vacation.

B. The subdivision, or short subdivision alteration shall be processed in accordance with Title 14 BLMC. After approval of the vacation, the applicant shall produce a revised drawing produced by a licensed surveyor of the approved vacation of the final plat or short plat which, after approval by the council signified by the signature of the mayor, shall be filed with the Pierce County auditor to become the lawful plat of the property.

C. The director and city engineer shall sign the approved vacation of the final subdivision, or final short subdivision documents indicating the city's approval.

D. The approved vacation of the final subdivision or final short subdivision shall not be recorded until after the appeal period has lapsed.

E. ~~C.~~ It shall be the responsibility of the subdivider applicant to file the approved final plat or short plat final subdivision, or final short subdivision reflecting the vacation, bearing on its face all required signatures and certifications, with the Pierce County county auditor and to complete the platting vacation process and provide an approved copy of the signed and recorded plat document to the city.

Section 71. Amendment. Section 17.50.010 of the Bonney Lake Municipal Code is amended to read as follows:

17.50.010 Applicability.

This chapter shall apply to all land divisions ~~preliminary subdivisions and preliminary short subdivisions.~~

Section 72. Amendment. Subsections "A" and "B" of Section 17.50.020 of the Bonney Lake Municipal Code are amended and a new Subsection "G" is hereby added to Section 17.50.020 of the Bonney Lake Municipal Code to read as follows:

17.50.020 Lot layout standards.

- A. Setback and bulk regulations. Each lot resulting from the ~~subdivision or short subdivision~~ land division shall conform to the applicable provisions of BLMC Title 18; provided, that corner lots shall be 10 feet wider than required by the provisions of BLMC Title 18.
- B. The entire original tract (except adjacent platted or short platted land) shall be included within the preliminary land division ~~subdivision or short subdivision~~ application.

....

Section 73. **Amendment.** The title of Section 17.50.030 of the Bonney Lake Municipal Code is amended to read as follows:

~~17.50.030~~ 17.50.070 Utilities.

....

Section 74. **Amendment.** Subsection “B” of Section 17.50.040 of the Bonney Lake Municipal Code is amended to read as follows:

17.50.040 Critical areas.

...

- B. All undevelopable critical areas shall be placed in a separate tract owned in common by the lots within the ~~subdivision or short plat~~ land division. An easement shall be provided that provides permanent access to the city for the purpose of monitoring the preservation of the critical area.

Section 75. **Amendment.** Subsections “A”, “D.3” and “D.4” of Section 17.50.040 of the Bonney Lake Municipal Code are amended to read as follows:

~~17.50.040~~ 17.50.080 Street lighting.

...

- A. Upon final ~~plat~~ approval, all residential street illumination systems shall be conveyed to the city. City will not accept dedication of street lights until at least 50 percent of housing units in a new development are occupied.

- ... D. A street lighting plan indicating the placement, type, power source, and number of street lights must be approved by the city as a condition to preliminary ~~plat~~ approval. In residential development, street lights shall be:

3. ~~Located~~ located at entrances to new ~~subdivisions~~ land divisions, as directed, at all interior intersections, cul-de-sacs, dead-end streets serving more than three homes.
4. ~~and~~ Located no closer than 500 feet to other street lights along tangent road sections. ~~Any disagreement between the applicant and the public works director regarding the street lighting plan shall be resolved by the hearing examiner as part of the preliminary plat approval process.~~

Section 76. Amendment. Subsection “A” of Section 17.50.050 of the Bonney Lake Municipal Code is amended to read as follows:

~~17.50.050~~ 17.50.090 Playgrounds and open space.

- A. In order to ensure appropriate provisions are made for playgrounds all new ~~subdivisions~~ land divisions that result in 10 or more lots shall provide a minimum of 193 square feet of playground space, as defined in BLMC 18.04.160, per residential unit; provided, that division of lands within one-quarter mile of a public park that are connected to the public park via an improved pedestrian path and/or sidewalk shall be exempt from this requirement. All playground areas shall be placed in a separate tract owned in common by the lots within the ~~subdivision~~ land division.

....

Section 77. Amendment. Section “B” of Section 17.50.060 of the Bonney Lake Municipal Code is amended to read as follows:

17.50.060 Transportation facilities.

- ... B. All lots proposed for development shall adjoin a public street; provided, that a ~~short subdivision~~ land division of six or fewer lots may be allowed to provide access by a private street that meets the following:
 - ... 4. The private street shall be placed in a separate tract owned in common by the lots within the ~~land division~~ subdivision or short plat.

Section 78. Amendment. Section 17.50.060 of the Bonney Lake Municipal Code is renumbered to Section 17.50.100 and Subsection “A” of Section 17.50.060 (as renumbered to 17.50.100) is hereby repealed:

~~17.50.060~~ 17.50.100 Parks and recreation.

- ... A. All divisions of land along the Fennel Creek Trail corridor shall dedicate trail right of way and develop the portions of the trail adjacent to the ~~subdivision or short subdivision~~. *Repealed.*

Section 79. Amendment. Section 17.50.070 of the Bonney Lake Municipal Code is renumbered to Section 17.50.110 as follows:

~~17.50.070~~ 17.50.110 Schools.

....

Section 80. Amendment. Subsection “A.2” and “B.1” of Section 18.02.090 of the Bonney Lake Municipal Code are hereby repealed:

18.02.090 Establishment of districts.

A. Residential Districts:

... 2. ~~R-2, medium density residential district;~~ *Repealed.*

... B. Commercial Districts:

1. ~~C-1, neighborhood commercial district;~~ *Repealed.*

Section 81. Amendment. Two new definitions are hereby added to Section 18.04.010 of the Bonney Lake Municipal Code to read as follows:

18.04.010 ”A”.

... “Affordable housing” means, unless the context clearly indicates otherwise, residential housing whose monthly costs, including utilities other than telephone, do not exceed 30 percent of the monthly income of a household whose income is:

A. For rental housing, 60 percent of the 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; or

B. For owner-occupied housing, 80 percent of the 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.

“Affordable housing development” means a proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that may not exceed 30 percent of the income limit for the low-income housing unit

Section 82. Amendment. Three new definitions are hereby added to Section 18.04.030 of the Bonney Lake Municipal Code to read as follows:

18.04.030 “C”.

... “Carport” means a building for the purpose of parking automobiles or other vehicles that is open on two or more sides.

... “Child day care center” means a “child day care center” as defined in RCW 43.216.010. In addition to the regulations set forth in the development code, child care centers shall be state-licensed and conform to all applicable federal and state regulations.

... “Co-living housing” means a residential development with lockable sleeping co-living units that are independently rented or owned and that provide living, sanitation (a toilet, a sink, and a bathtub or a shower), and sleeping space, with residents sharing kitchen facilities with other sleeping units in the building. Co-living housing is also commonly known as congregate living facilities, single room occupancy, rooming house, boarding house, lodging house, or residential suites.

Section 83. Amendment. Five new definitions are hereby added to Section 18.04.050 of the Bonney Lake Municipal Code, and the definition for “Essential Public Facilities” in Section 18.04.050 to read as follows:

18.04.050 “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.

“Emergency indoor shelter” means type of emergency shelter that is temporary or permanent and indoors, Emergency indoor shelter facilities may include day and warming centers that do not provide overnight accommodation.

“Emergency outdoor shelter” means type of emergency shelter that is temporary and outdoors, such as an outdoor encampment, small house community, or vehicle resident safe parking.

“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.

... ~~“Essential public facilities” means those facilities that are typically difficult to site, as defined in RCW 36.70A.200 such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, regional transit authority facilities as defined in RCW 81.112.020, improvements to high capacity transportation systems as defined in RCW 81.104.015, bus rapid transit routes and stops or improvements to such routes and stops, state and local correctional facilities, solid waste handling facilities, and inpatient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020.~~

... “Extremely low-income household” means a single person, family, or unrelated persons living together whose adjusted income is at or below 30 percent of the 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.

Section 84. Amendment. The definition of “Family day care home” in Section 18.04.060 of the Bonney Lake Municipal Code to read as follows:

18.04.060 “F”.

... “Family day care home” means: a “family day care provider” as defined in RCW 43.216.010. In addition to the regulations set forth in the development code, family day cares shall be state-licensed and conform to all applicable federal and state regulations.

~~A. A person regularly providing care during part of the 24-hour day to six or fewer children in the family abode of the person or persons under whose direction the children are placed.~~

~~B. In addition to the regulations set forth in this chapter, day care centers/family day care homes shall be state-licensed and conform to all federal and state regulations applicable.~~

Section 85. Amendment. One new definition is hereby added to Section 18.04.070 of the Bonney Lake Municipal Code to read as follows:

18.04.070 “G”.

“Garage” means a building for the purpose of parking automobiles or other vehicles that is enclosed on more than two sides.

Section 86. Amendment. One new definition is hereby added to Section 18.04.120 of the Bonney Lake Municipal Code to read as follows:

18.04.120 “L”.

... “Low-income household” means a single person, family, or unrelated persons living together whose adjusted income is at or below 80 percent of the 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.

Section 87. Amendment. One new definition is hereby added to Section 18.04.130 of the Bonney Lake Municipal Code and the definition of “Mobile home park” is amended to read as follows:

18.04.130 “M”.

... “Mobile/manufactured home/recreational vehicle park” is a tract of land divided into lots or spaces, under the ownership or management of one person, firm or corporation, used or designated for the use of two or more mobile homes, manufactured homes, or recreational vehicles.

“Moderate-income household” means a single person, family, or unrelated persons living together whose adjusted income is at or below 120 percent of the 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.

Section 88. **Amendment.** One new definition is hereby added to Section 18.04.150 of the Bonney Lake Municipal Code to read as follows:

18.04.150 “O”.

... “Outdoor encampment” means any temporary tent or structure encampment, or both.

Section 89. **Amendment.** One new definition is hereby added to Section 18.04.160 of the Bonney Lake Municipal Code to read as follows:

18.04.160 “P”.

... “Permanent supportive housing” means “permanent supportive housing” as defined in RCW 36.70A.030.

Section 90. **Amendment.** Two new definitions are hereby added to Section 18.04.180 of the Bonney Lake Municipal Code to read as follows:

18.04.180 “R”.

... “Recreational vehicle” means a vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle. The units include travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, and motor homes.

... “Religious organization” means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property, registered as a religious organization with the Washington Secretary of State.

Section 91. **Amendment.** One new definition is hereby added to Section 18.04.190 of the Bonney Lake Municipal Code to read as follows:

18.04.190 “S”.

“Small house” means a type of temporary outdoor emergency shelter where a small structure provides all the necessary components of a dwelling unit, as

defined by BLMC 18.04.040, which is not permanently affixed to the ground and is not permanently connected to utility services.

Section 92. Amendment. Two new definitions are hereby added to Section 18.04.200 of the Bonney Lake Municipal Code to read as follows:

18.04.200 “T”.

“Temporary encampment” means a type of temporary emergency outdoor shelter in the form of an outdoor encampment where shelters are not affixed to the land permanently and are not using underground facilities.

“Temporary use” means a nonpermanent structure, use or activity involving minimal capital investment that does not result in the permanent alteration of the site and which is intended to exist or operate for a limited period of time.

Section 93. Amendment. Two new definitions are hereby added to Section 18.04.220 of the Bonney Lake Municipal Code to read as follows:

18.04.220 “V”.

“Vehicle resident safe parking program” means a program for people who are experiencing homelessness and sleeping in their vehicles at night. Vehicle resident safe parking program can include locations open only for overnight use, or locations open during the daytime and overnight where persons experiencing homelessness reside in their vehicles on site.

“Very low-income household” means a single person, family, or unrelated persons living together whose adjusted income is at or below 50 percent of the 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.

Section 94. Amendment. A new Subsection “F” is added and Subsections “F” – “H” of Section 18.08.010 of the Bonney Lake Municipal Code are amended to read as follows:

18.08.010 Interpretation of land use matrix.

... F. If the letter “T” appears in the box at the intersection of the column and the row, the use may be permitted with a temporary use permit.

G. If a footnote appears in the box at the intersection of the column and the row, the use may be permitted subject to the appropriate review process indicated above and the specific conditions indicated by the corresponding footnote.

H. ~~G.~~ All applicable requirements shall govern a use whether or not they are cross-referenced in the matrix. To determine whether a particular use is allowed in a particular zoning district and location, all relevant regulations must also be consulted in addition to this matrix.

I. ~~H~~. If a use is not listed on the land use matrix that use is considered a prohibited use within the city of Bonney Lake.

Section 95. Amendment. Section 18.08.020 of the Bonney Lake Municipal Code is amended to read as follows:

18.08.020 Land use matrix.

Zone Use	2017 NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Residential Uses												
Accessory dwelling unit ^[1]		A	A	A		A						
Adult family home		P	P	P	P	P	P			P	P	
Multifamily				-	P	-	P ^[2]			P ^[3]	P	
<u>Co-living housing</u>					<u>P</u>		<u>P</u> ^[2]			<u>P</u>	<u>P</u>	
Duplexes				P	P	-						
Family day cares		A	A	A	A	A	A			A	A	
Home occupations ^[4]		A	A	A	A	A	<u>A</u>			A	A	
Mobile/manufactured homes ^[5]		P	P	P		-						
Mobile/manufactured home/ <u>recreational vehicle parks</u> ^{[6],[26]}				-	<u>P</u>	-	P					
<u>Multifamily</u>				=	<u>P</u>	=	<u>P</u> ^[2]			<u>P</u> ^[3]	<u>P</u>	
Private docks, mooring facilities and boathouses ^[7]		A	A	A	A	-						P
<u>Recreational vehicle</u> ^[27]		<u>T</u>	<u>T</u>									
Residences in connection with a business establishment				-		P	C			P ^[3]	P	
Single-family residences		P	P	P		P						
Townhouses			<u>P</u>	P	P	C	C			<u>P</u>	<u>P</u>	
Educational Uses												
Dancing, music, art, drama and instructional schools	611610, 611620, 611630, 611691, 611692, and 611699	A ^[8]		-		P	P	P	P	P ^[3]	P	P
Elementary and secondary schools	611110		C	P	P	P	C					P

Zone Use	2017 NAICS Code(s)	RC-5	R-1	R-2	R-3	€-1	C-2	E	MC	DC	DM	PF
Business, technical, and trade schools	611410, 611420, 611430, 611511, 611512, 611513, and 611519		C	€	C	€	C		C	P	P	P
Cultural, Recreational, and Entertainment												
Adult entertainment facilities ^[9]	N/A			-		-		C				
Amphitheater	N/A			-		-	P					P
Arcade	713120			-		-			P			
Bars and taverns	722410			-		€	P		P	P	P	
Bed-and-breakfast inns ^[10]	721191	A	C	€	C	Ⓟ						
Bowling alley	713950			-		-			P			
Campgrounds	712110			-		-						C
Caterers and mobile food service	722320 and 72233			-		-		P				
Cinema	512131			-		-	P		P			
Coffee shops and cafes	722515			-		Ⓟ ^[11]	P	P	P	P ^[11]	P ^[11]	A ^[11]
Golf courses	713910	C		-		-						C
Fitness centers and recreational centers	713940			-		-	P	P	P			P
Libraries	519120			-	P	Ⓟ	P			P	P	P
Museums	712110	C	C	-		Ⓟ	P			P	P	P
Parks, open space, and trails	712190	P	P	Ⓟ	P	Ⓟ	P			P	P	P
Public meeting halls	N/A		C	€	P	Ⓟ	P	P	P			P
Recreation facilities	713990			-		-	P	P	P			P
Restaurants and eating establishments	722511, 722513, 722514, and 722515			-	A ^[11] _[12]	€ ^[11]	P	P	P	P ^[11]	P ^[11]	A ^[11] _[13]
Theaters	711110, 711120, 711130, and 711190			-		-	P			P	P	
Public, Quasi-Public, and Social Service Facilities												
Adult day care centers and senior centers	624120			-		-	P		P			P

Zone Use	2017 NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Executive, legislative, and other general government support	921130, 921140, and 921190		C ^[2]	C ^[2]	C ^[2]	P	P			P	P	P
Public safety facilities	922120, 922130, 922150, 922160, and 922190		C ^[2]	C ^[2]	C ^[2]	P	P			P	P	P
Administration of human resource programs	923110, 923120, 923130, and 923140		C ^[2]	C ^[2]	C ^[2]	P	P			P	P	P
Administration of environmental quality programs	924110 and 924120		C ^[2]	C ^[2]	C ^[2]	P	P			P	P	P
Administration of housing programs, urban planning, and community development	925110 and 925120		C ^[2]	C ^[2]	C ^[2]	P	P			P	P	P
Administration of economic programs	926110, 926130, 926140, and 926150		C ^[2]	C ^[2]	C ^[2]	P	P			P	P	P
Religious ^{[25], [28]} , philanthropic, and civic organizations	813110, 813211, 813212, 813219, and 813410	C	C	C	C	P	P	P	P	P	P	P
Social advocacy, business, professional, labor, and political organizations	813311, 813312, 813319, 813910, 813920, 813930, 813940, and 813990			-		C	P	P	P	P	P	P
Manufacturing, Wholesale and Industrial												
Assembly or processing of previously prepared materials in a fully enclosed building	N/A			-		-		C ^[14]				

Zone Use	2017 NAICS Code(s)	RC- 5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Bakeries	311811, 311812, 311813, 311821, 311824, and 311830			-		-		P				
Food manufacturing	311911, 311919, 311920, 311930, 311941, 311942, 311991, and 311999			-		-		P				
Breweries, wineries, and distilleries	312120, 312130, and 312140			-		C	P	P	P	P	P	
Cabinet and furniture shops	337110, 337121, 337122, 337124, 337125, 337127, 337211, 337212, and 337214			-		-		P				
Construction equipment and machinery sales	423810 and 423820			-		-		P				
Metal fabrication and product manufacturing	332114, 332119, 332215, 332216, 332311, 332312, 332313, 332321, 332322, 332323, 332510, 332613, 332618, 332710, 332721, 332722, 332811, 332812, 332813, and 332999			-		-	C	P				

Zone Use	2017 NAICS Code(s)	RC- 5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Apparel manufacturing	315110, 315190, 315210, 315220, 315240, 315280, 315990, 316210, 316992, and 316998			-		-		P				
Computer and electronics manufacturing	334111, 334112, 334118, 334210, 334220, 334290, and 334310			-		-		P				
Sporting and athletic goods manufacturing	339920			-		-		P				
Sign manufacturing	339950			-		-		P				
Medical equipment and pharmaceutical manufacturing	325411, 325412, 325413, 325414, 339112, 339113, 339114, 339115, and 339116			-		-		P				
Storage or distribution of sand, gravel, top soil, or bark	484220			-		-		P				
Couriers and messenger services	492110 and 492210			-		-		P				
Warehousing, distribution, and storage	484110, 484121, 484122, 493110, 493120, 493130, and 493190			-		-		P				
Construction and Resource												
Agriculture and orchards	N/A	P		-		-						

Zone Use	2017 NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Construction contractors	237110, 237120, 237130, 237310, 237990, 238110, 238120, 238130, 238140, 238150, 238160, 238170, 238190, 238910, and 238990			-		-		P				
Building construction contractors	236115, 236116, 236117, 236118, 236210, 236220, 237210, 238210, 238220, 238290, 238310, 238320, 238330, and 238390			-		-	P ^[23]	P	P ^[23]			
Tree farms	N/A	P		-		-						
Raising of livestock, small animals and fowl	N/A	P ^[15]		-		-						
Communication and Utilities												
Public utility facility	N/A	P ^[16]	P ^[16]	P ^[16]	P ^[16]	P	P	P	P	P	P	P
WCF microcell	N/A	P	P	P	P	P	P	P	P	P	P	P
WCF mini	N/A			-		P	P	P	P	P	P	P
WCF macro	N/A			-		P	P	P	P	P	P	P
WCF monopole I	N/A	C	C	C	C	C	C	C	C	C	C	C
WCF monopole II and lattice tower	N/A			-		-	C	C	C	C	C	C
WCF small cell	N/A	P	P	P	P	P	P	P	P	P	P	P
Retail and Personal Services												
Antique and used merchandise shops	453310			-		C	P		P	P	P	
Automobile dealer	441110 and 441120			-		-		P	C			

Zone Use	2017 NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Automobile fueling stations	447110 and 447190			-		-	P	P	P			
Automotive parts and repair	441310, 441320, 811111, 811112, 811113, 811118, 811121, 811122, 811191, and 811198			-		-	P	P	P			
Baked goods store	445291			-		P	P	A	P	P	P	
Barber shops and beauty shops	812111 and 812112			-	A ^[12]	P	P		P	P	P	
Beer, wine, and liquor stores	445310			-		P	P		P	P	P	
Boat dealer	441222			-		-			C			
Bookstores	451211			-	A	P	P		P	P	P	
Car washes	811192			-		-	P		P			
Apparel, jewelry, luggage, and leather goods stores	448110, 448120, 448130, 448140, 448150, 448190, 448210, 448310, 448320			-		C	P		P	P	P	
Convenience stores	445120			-	A ^[12]	P	P	A	P	P	P	
Child day care centers and preschools	624410			-	C	P	P		P	P	P	P
Department store, warehouse clubs, and supercenters	452111, 452112, 452910, and 452990			-		-	P		P			
Dry cleaning	812320			-		P	P		P	P	P	
Electric vehicle charging stations – Level 1 and 2	N/A	P	P	P	P	P	P	P	P	P	P	P
Electric vehicle charging stations – Level 3	N/A	C	C	C	C	P	P	P	P	P	P	P
Florists	453110			-	A ^[12]	P	P		P	P	P	

Zone Use	2017 NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Food markets, delicatessen and specialty food stores	445210, 445220, 445230, 445291, 445292, and 445299			-	A ^[12]	P	P	P	P	P	P	
Furniture and small household appliance repair	811412 and 811420			-		-	P	P	P			
Grocery stores	445110			-	A ^[12]	C	P		P	P	P	
Hardware stores	444120 and 444130			-		-	P		P	P	P	
Lawn and garden equipment and supplies	444210 and 444220			-		-	P ^[18]	P ^[18]	P ^[18]	P	P	
Linen and uniform suppliers	812331 and 812332			-		-		P				
Health and personal care stores	446110, 446120, 446130, 446191, and 446199			-		P	P		P	P	P	
Home centers, lumber yards, and building material stores	444110 and 444190			-		-	P ^[18]	P ^[18]	P ^[18]			
Home furnishing, electronic, and appliance stores	442110, 442210, 442291, 442299, 443141, and 443142			-		-	P		P	P	P	
Itinerant vendors	N/A	P	P	P	P	P	P	P	P	P	P	P
Kennels	812910	C		C	C	A	A		A			
Laundromats	812310			-		P	P		P			
Locksmiths and security alarm shops	561621 and 561622			-		P	P	P	P			
Massage therapy, day spas, nail salons, and tanning salons	812199			-		P	P		P	P	P	
Novelty, art, and souvenir stores	453220, 453920, and 453998			-		C	P		P	P	P	A ^[13]
Office supply stores	453210			-		-	P		P	P	P	
Parking garages	812930			-		-	C	A	C	C		

Zone Use	2017 NAICS Code(s)	RC- 5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Personal and household goods repair	811490			-		P	P	P	P	P	P	
Pet shop, grooming and supplies	453910 and 812910			-		P	P	P	P	P	P	
Photographic processing and supply	812921 and 812922			-		-	P	P	P	P	P	
Rental stores	532210, 532220, 532230, 532291, 532292, 532299, and 532310			-		-	P	P	P			
Recreational vehicle, motorcycle, ATV, and trailer dealers	441210 and 441228			-		-		P	C			
Shoe repair	811430			-		P	P		P	P	P	
Skating rink				-		-	P		P			
Sporting, hobby, music and game stores	451110, 451120, 451130, and 451140			-		C	P		P	P	P	
Stables and riding schools		P		-		-						P
Tobacco store	453991			-		P	P		P	P	P	
Vehicle rental	532111, 532112, and 532120			-		-			P			
Vending machine operators	454210			-		-		P				
Health Care												
Ambulance service	621910			-		-	C	P	C			
Hospitals	622110 and 622310			-		-	P		P			C
Offices of physicians	621111 and 621112			-	A ^[12]	P	P		P	P	P	
Offices of dentists	621210			-	A ^[12]	P	P		P	P	P	
Offices of health practitioners	621310, 621320, 621330, 621340, 621391, and 621399			-	A ^[12]	P	P		P	P	P	

Zone Use	2017 NAICS Code(s)	RC- 5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Other health care services	621991 and 621999			-		-	P	P	P			
Outpatient care centers	621410, 621491, 621492, 621493, and 621498			-		-	P		P			
Medical and diagnostic laboratories	621511 and 621512			-		-	P	P	P			
Nursing and residential care facilities	623110, 623311, and 623312			-		-	C		P	P	P	
Finance, Insurance, Real Estate, and Professional Services												
Accounting and booking services	541211, 541213, 541214, and 541219			-		-	P	A	P	P	P	
Architectural, engineering, and related services	541310, 541320, 541330, 541340, 541350, 541360, 541370, and 541380			-		-	P	P	P	P	P	
Brokerage and investment offices	523110, 523120, 523140, 523910, 523920, 523930, 523991, and 523999			-		-	P		P	P	P	
Building and ground services	561710, 561720, 561730, 561740, and 561790			-		-		P				
Computer services	541511, 541512, 541513, and 541519			-		-	P	P	P	P	P	
Design services	541410, 541420, 541430, and 541490			-		-	P	P	P	P	P	

Zone Use	2017 NAICS Code(s)	RC- 5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Financial institutions	522110, 522120, and 522130			-	A ^[11] [12]	P ⁺⁺⁺	P		P	P ^[11]	P ^[11]	
Insurance services	524210, 524291, 524292, and 524298			-		-	P		P	P	P	
Legal services	541110, 541120, 541191, and 541199			-		-	P		P	P	P	
Management and consulting services	541611, 541612, 541613, 541614, 541618, 541620, and 541690			-		-	P	P	P	P	P	
Mortgage and financial services	522220, 522291, 522292, 522293, 522310, and 522390			-		-	P		P	P	P	
Music studios	512210, 512220, 512230, 512240, and 512290			-		-	P		P	P	P	
Printing, copying and mailing services	561431, 561439, and 561910			-		-	P	P	P	P	P	
Photography studios	541921 and 541922			-		-	P		P	P	P	
Property management	531110, 531120, 531190, 531311, and 531312			-		-	P		P	P	P	
Real estate agents, brokers, and appraisers	531210, 531320, and 531390			-		-	P		P	P	P	
Veterinary clinics, animal hospitals ^[19]	541940			-		-	P		P	P	P	
Essential Public Facilities												

Zone Use	2017 NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Airports	481111, 481112, 481211, 481212, and 481219			-		-		C				
<u>Correctional institutions</u>	<u>922140</u>			=		=		<u>C</u>				<u>C</u>
<u>Emergency shelter, permanent indoor^[29]</u>	<u>N/A</u>							<u>P</u>				<u>P</u>
<u>Group homes^{[21] [24]}</u>	<u>N/A</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	=	<u>P^[2]</u>			<u>P^[3]</u>	<u>P</u>	
<u>Psychiatric and substance abuse facilities</u>	<u>622210, 623220, and 621420</u>			=		=		<u>C</u>	<u>C</u>			
Public colleges and universities	611210 and 611310			-		-	P	P		P	P	P
<u>Secure community transition facilities^[22]</u>	<u>N/A</u>							<u>C</u>				
<u>Solid waste handling facilities</u>	<u>562111, 562112, 562119, 562211, 562212, 562213, and 562219</u>			=		=		<u>C</u>				
State transportation facilities ^[20]	N/A			-		-		P	P	P	P	P
Transit facilities	485111, 485112, 485113, 485119		C	<u>C</u>	P	<u>P</u>	P	P	P	P	P	P
<u>Correctional institutions</u>	<u>922140</u>			-		-		<u>C</u>				<u>C</u>
<u>Solid waste handling facilities</u>	<u>562111, 562112, 562119, 562211, 562212, 562213, and 562219</u>			-		-		<u>C</u>				
<u>Psychiatric and substance abuse facilities</u>	<u>622210, 623220, and 621420</u>			-		-		<u>C</u>	<u>C</u>			
<u>Group homes^{[21] [24]}</u>	<u>N/A</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	<u>P</u>					
<u>Secure community transition facilities^[22]</u>	<u>N/A</u>							<u>C</u>				

The paragraphs listed below contain specific limitations that correspond with the bracketed [] superscript note numbers from land use matrix:

- [1] Subject to compliance with BLMC 18.22.090.
- [2] Subject to compliance with Chapter 18.31 BLMC, Commercial Development Standards.
- [3] ~~A conditional use permit is required if residential units are located~~ Residential dwelling units are prohibited on the first floor of the building. This requirement does not apply to townhouses.
- [4] Subject to compliance with ~~BLMC 18.22.040~~ Chapter 5.08 BLMC.
- [5] Subject to compliance with Chapter 15.08 BLMC, Manufactured Homes.
- [6] Provided, that the park was in existence at the time of annexation into the city, subject to compliance with BLMC 18.08.060.
- [7] Subject to compliance with BLMC Title 16, Division III, Shoreline Code.
- [8] Limited to stables and riding schools in association with a single-family home.
- [9] Subject to compliance with Chapter 18.32 BLMC, Adult Entertainment Facilities.
- [10] Subject to compliance with BLMC 18.22.030.
- [11] Drive-through facilities, services, or windows are prohibited.
- [12] Subject to compliance with BLMC 18.31.040.
- [13] Business can be open for no more than 150 days per year unless it is within the building with a permitted use.
- [14] Subject to compliance with BLMC 18.29.040.
- [15] Subject to compliance with BLMC 6.04.130.
- [16] Subject to the requirements of BLMC 18.22.050.
- [17] Subject to the provisions of Chapter 18.40 BLMC, Electric Vehicle Infrastructure.
- [18] Outdoor storage and sale of building materials and nursery stock is allowed as an accessory use.
- [19] Outdoor kennel space and/or dog runs are prohibited.
- [20] State transportation facilities are defined in RCW 47.06.140.
- [21] As required to comply with the Federal Fair Housing Act Amendments of 1988 (42 U.S.C. 3601 et seq.), RCW 35A.21.430, and RCW 35A.63.240. Group homes also includes permanent supportive housing as defined in RCW 36.70A.030(19) and transitional housing as defined in RCW 84.36.043(2)(c).
- [22] Secure community transition facilities are defined in RCW 71.09.020.
- [23] Exterior storage of materials or equipment is prohibited. All materials and equipment shall be stored in an enclosed building.
- [24] Permanent supportive housing and transitional housing shall comply with the standards of BLMC 18.08.040.
- [25] Housing on property owned by a religious organization shall comply with the standards of BLMC 18.08.050.
- [26] A recreational vehicle may be placed in any mobile/manufactured home/recreational vehicle park, subject to compliance with BLMC 18.08.060.
- [27] Subject to compliance with BLMC 10.16.020.
- [28] Temporary indoor and outdoor emergency shelters are permitted, as required to comply with RCW 35A.21.360 and 430. These uses are subject to compliance with BLMC 18.08.050.
- [29] Permanent indoor emergency shelters in the E or PF zoning districts are not required to be on property owned or controlled by a religious organization; provided, the proposal otherwise complies with the requirements in BLMC 18.08.050.

Section 96. New Section. A new Section 18.08.050 is hereby added to the Bonney Lake Municipal Code to read as follows:

18.08.050 Housing and emergency shelters on property owned or controlled by a religious organization.

- A. This section applies to property owned or controlled by a religious organization, as defined in BLMC 18.04.180. As part of a complete application, the religious organization must demonstrate ownership or control of the land for the purposes of this section in the form of:
 - 1. A recorded deed with the religious organization as grantee; or
 - 2. A long-term lease with the religious organization as grantee that extends through the proposed term of the proposed housing or emergency shelter.
- B. Affordable housing.
 - 1. This subsection applies to the construction of a new affordable housing development or the rehabilitation of an existing affordable housing development for low-income households on property owned or controlled by a religious organization.
 - 2. This subsection does not apply to affordable housing developments for very low-income or extremely low-income households.
 - 3. The residential density permitted by the underlying zoning district may be increased by up to 25 percent, provided that:
 - a. The affordable housing development is set aside for or occupied exclusively by low-income households;
 - b. The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property;
 - c. The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.);

4. The religious organization developing the affordable housing development must pay all fees, mitigation costs, and other charges required through the development of the affordable housing development.
 - a. The maximum allowed number of new affordable housing units permitted by the city after January 1, 2026, whether for a religious organization or another entity, shall not exceed 213 units for low-income households.

C. Emergency housing and emergency shelters.

1. This subsection applies to:
 - a. All types of emergency housing and emergency shelters on property owned or controlled by a religious organization.
 - b. Permanent indoor emergency shelters located in the E or PF zoning districts.
2. Requirements applicable to all types of emergency housing and emergency shelters.
 - a. The maximum allowed number of emergency housing units and emergency shelter units on any given property shall not exceed the number of dwelling units that would be allowed under the zoning classification adopted for the property.
 - b. The total maximum allowed number of emergency housing units and emergency shelter units permitted by the city shall not exceed 89 units.
 - c. There shall be a minimum of 1,000 feet of separation between any emergency housing or emergency shelter, as defined in BLMC 18.04.050, that are operating at the same time.
 - d. All operators of emergency housing and emergency shelters shall utilize the Pierce County Homeless Information Management System. For the purposes of this subsection, “operator” means an organization such as a religious organization or other organized entity that has the capacity to organize and manage emergency housing or an emergency shelter. This provision does not apply to temporary overnight emergency shelter provided for the purpose of extreme weather shelter.
 - e. All operators of emergency housing and emergency shelters should partner with regional homeless service providers to develop pathways to permanent housing.

- f. All operators of emergency housing and emergency shelters shall keep the property free from nuisances as defined in Chapter 8.20 BLMC, including adequate trash receptacles and trash service.
 - g. If the emergency shelter is not connected to water or sewer utilities, the religious organization shall provide:
 - i. Adequate restrooms based on the number of units. If families with children will be housed, restrooms solely for families must also be provided.
 - ii. Adequate handwashing stations and potable running water, including accommodations for black water.
 - iii. Adequate facilities may be inside an existing structure or portable facilities on site, as long as those facilities are available at all times of day and night. For purposes of this section, the adequacy of the facilities shall be determined at the sole discretion of the city.
 - h. A memorandum of understanding signed by the city, the property owner (if different), and the operator (if different) is required prior to construction or operation of any temporary or permanent emergency shelter. Memorandums of understanding shall be processed in accordance with this section. The city shall charge a \$1,000 fee to cover the review of the memorandum of understanding and the initial annual safety inspection.
 - i. Any memorandum of understanding is in addition to any other permits normally required by the city to construct the proposed improvements.
3. Public meeting required.
- a. Prior to the opening of an temporary indoor overnight shelter, temporary encampment, temporary small house on site or temporary vehicle resident safe parking program, a religious organization hosting the homeless on property owned or controlled by the religious organization shall host a meeting open to the public for the purpose of providing a forum for discussion of related neighborhood concerns, unless the use is in response to a declared emergency by the city.
 - b. The religious organization shall contact the city at least seven calendar days prior to the date and time of the meeting and provide the meeting details to the city.

- c. The city must provide community notice of the meeting, based on the notification provided to the city in subsection B of this section, by taking at least two of the following actions at any time prior to the time of the meeting:
 - i. Delivering to each local newspaper of general circulation and local radio or television station that has on file with the governing body a written request to be notified of special meetings;
 - ii. Posting notice on the city's website;
 - iii. Prominently displaying, on signage at least two feet in height and two feet in width, one or more meeting notices that can be placed on or adjacent to the main arterials in proximity to the location of the meeting; or
 - iv. Prominently displaying the notice at the meeting site.
- 4. Additional requirements for temporary indoor shelters. Temporary indoor shelters:
 - a. May operate for up to six months (182 days), per location, per year.
 - b. Facilities shall have a minimum of two accessible exits to host an indoor overnight shelter.
 - c. Religious organizations seeking to use a facility for a temporary indoor overnight shelter that was not originally designed for housing, or that does not have an installed sprinkler system in rooms where people will be sleeping, shall either:
 - i. Install fire sprinklers as required by Chapter 15.16. BLMC; or
 - ii. Provide an alternate plan for fire and life safety as part of the Temporary Use Permit application. At a minimum, this plan shall contain:
 - A. A provision allowing the city and local fire district to conduct inspections during reasonable hours during the term of the Temporary Use Permit;
 - B. An agreed-upon set of appropriate emergency procedures;
 - C. An emergency exit floor plan, including the most viable means to evacuate occupants from inside the host site with appropriate illuminated exit signage, panic bar exit doors; and

D. An overnight fire watch plan that:

1. Complies with the requirements of the International Fire Code, as adopted in Chapter 15.04 BLMC;
2. Indicates the posted safe means of egress;
3. Indicates the location of operable smoke detectors, carbon monoxide detectors as necessary, and fire extinguishers; and
4. Contains a plan for monitors who spend the night awake and are familiar with emergency protocols, who have suitable communication devices, and who know how to contact the local fire district.

E. The alternate plan shall be reviewed and approved by the fire marshal prior to approval or issuance of the Temporary Use Permit.

5. Additional requirements for temporary small houses. Temporary small houses:

- a. May operate for up to six months (182 days), per location, per year, with a temporary use permit. The religious organization may extend this time period to up to a year (365 days), in renewable one-year terms, with a memorandum of understanding that complies with this section.
- b. The units must be a minimum of 120 gross square feet, and a maximum of 400 gross square feet, not including any lofts.
- c. If more than one unit is on site, each unit needs to be set a minimum of six feet apart from any other units. Units must be set a minimum of six feet apart from any other structures or facilities at the site and are required to comply with the setback requirements for the zoning classification adopted for the property.
- d. Any utilities provided to the temporary small houses shall be inspected by the city, or the utility provider. If space heaters are provided, they must be approved by the city.
- e. Doors and windows of the temporary small house must be included and be lockable. The religious organization and the operator shall also possess keys to each unit.

- f. Every unit shall have its own fire extinguisher. Said fire extinguishers shall be inspected per the manufacturer's instructions.
 - g. If more than one temporary small house is located at a site, the religious organization should consider placing at least one accessible temporary small house at the site.
6. Additional requirements for temporary encampments and temporary vehicle resident safe parking programs. A temporary encampment or temporary vehicle resident safe parking program:
- a. May operate for up to six months (182 days) in one location per calendar year.
 - b. Religious organizations using parking spaces shall continue to provide the minimum number of parking spaces required for the existing uses on site, as required by the zoning classification adopted for the property.
 - c. If recreational vehicles are hosted at the vehicle resident safe parking program site, provision must be made by the religious organization or managing agency for proper disposal of waste from the recreational vehicle.
 - d. The religious organization or operator shall inform vehicle residents how to comply with laws regarding the legal status of vehicles and drivers, and provide a written code of conduct consistent with area standards.
7. Additional requirements for permanent indoor emergency shelters. Permanent indoor emergency shelters:
- a. May be located on property owned or controlled by a religious organization, or on any property in the E or PF zoning districts.
 - b. May operate indefinitely with an approved memorandum of understanding.
 - c. Operators seeking to use a facility for permanent indoor overnight shelter that was not originally designed for housing, or that does not have an installed sprinkler system in rooms where people will be sleeping, shall install fire sprinklers as required by Chapter 15.16. BLMC.

8. Memorandum of understanding. Any religious organization that desires to operate a small house site for longer than six months or a permanent indoor emergency shelter shall enter into a memorandum of understanding with the city before beginning construction and/or operation. Said memorandum of understanding will address issues that will protect the public health and safety of both the residents of the temporary emergency housing facility and the residents of the city. At a minimum, the memorandum of understanding must include information regarding:
 - a. The right of a resident of the facility to seek public health and safety assistance;
 - b. How the residents will be able to access social services on site;
 - c. Ensure the residents have the ability to directly interact with the organization or entity, including how residents can express concerns regarding the operator to the organization or entity (if applicable);
 - d. A written code of conduct agreed to by the operator (if applicable), the organization or entity, and all volunteers working with the residents of the facility;
 - e. If the operator is publicly funded, that the organization or entity has the ability to interact with residents of the facility using a release of information;
 - f. An agreement that the adult residents of the facility shall be subject to a sex offender check by local law enforcement, with an acknowledgement that the organization or entity retains the authority to allow such an offender to remain on the property;
 - g. If the facility is a vehicle resident safe parking program facility, a requirement that the host organization or entity or its operator shall inform vehicle residents of how to comply with laws regarding the legal status of vehicles and drivers, and provide relevant requirements in the code of conduct consistent with area standards;
 - h. A requirement to work with the local agencies administering the homeless client management information system if the organization or entity works with a publicly funded operator, or, if the organization or entity does not work with a publicly funded operator, an encouragement to work with the local agencies administering the homeless client management information system. This is not a requirement or recommendation for temporary overnight extreme weather shelters operated out of organization or entity buildings;

- i. That the organization or entity and operator (if applicable) will not refuse to host any resident or prospective resident because of age, sex, marital status, sexual orientation, race, creed, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, as those terms are defined in RCW 49.60.040, if the organization or entity and/or operator receive funding from any government agency;
- j. A site plan of the temporary emergency housing facility, including, but not limited to, ingress and egress, emergency access, location of sanitary facilities and number of facilities, location of utilities, temporary fencing locations, and the layout of the locations of the individual housing units or parking spaces to be used, and any other temporary emergency housing facilities and services.

Section 97. **New Section.** A new Section 18.08.060 is hereby added to the Bonney Lake Municipal Code to read as follows:

18.08.060 Mobile/manufactured home/recreational vehicle park standards.

- A. This section shall apply to the placement of mobile homes, manufactured homes, and recreational vehicles in a mobile/manufactured home/recreational vehicle park.
- B. Development standards. The following standards shall be applicable to the development of mobile home parks, manufactured housing community, or manufactured/mobile home community:
 - 1. The maximum number of units at the mobile/manufactured home/recreational vehicle park shall be equal to what was in existence at the time of annexation into the city.
 - 2. Only one dwelling shall be permitted per designated residential space.
 - 3. All dwellings and buildings shall be located at least 15 feet from the perimeter of the park.
 - 4. All structures shall comply with the fire separation requirements of the International Residential Code, as adopted in Chapter 15.04 BLMC.
 - 5. All street networks and improvements shall provide ready access for fire and other emergency vehicles and equipment and route of escape for inhabitants, in accordance with the provisions of the International Fire Code, as adopted in Chapter 15.04 BLMC.
 - 6. Maximum lot coverage by impervious surfaces is 80 percent.

7. All mobile homes, manufactured homes, and recreational vehicles shall be placed on a foundation or a concrete pad in accordance with the applicable provisions of:
 - a. National Manufactured Housing Construction and Safety Standards Act of 1974 and rules and regulations adopted thereunder;
 - b. Regulations and interpretations of the Washington State Department of Labor and Industries adopted pursuant to United States Department of Housing and Urban Development rules; and
 - c. Information supplied by the manufacturer.
 8. Manufactured homes must also comply with the requirements of Chapter 15.08 BLMC.
 9. All manufactured and mobile homes not placed on a permanent foundation shall be attached to the ground and the space from the bottom of the home to the ground is enclosed with weather resistant skirting as specified by the manufacturer and approved by the city.
 10. Use of recreational vehicles is permitted provided that all utility hookups meet the requirements in BLMC 10.16.020, the requirements of the applicable utility, and applicable state or federal health standards for recreational vehicle parks.
 11. A recreational vehicle must contain at least one internal toilet and at least one internal shower. If the park owner or manager permits the use of recreational vehicles that do not have at least one internal toilet and shower the park owner must provide adequate sewer utilities, including sinks, toilets and showers.
- C. Maintenance. It shall be the responsibility of the mobile/manufactured home/recreational vehicle park owner or manager to:
1. Assure that all required landscape and common areas are perpetually maintained.
 2. Keep the park free of debris such as brush, leaves, weeds, trash, and rubbish, which increase the fire hazard to manufactured homes and other improvements.
 3. Keep the park free from nuisances as defined in Chapter 8.20 BLMC.
 4. Assure that all private stormwater facilities are perpetually maintained.

- D. Notice of requested changes. All residents in mobile/manufactured home/recreational vehicle parks shall be given at least six months' notice by the park property owner in advance of requested or proposed zoning changes, changes to development standards, and/or to variances from development standards.
- E. Notice of sale. Residents, park homeowners' association and eligible organizations must be given an opportunity to purchase or lease the mobile/manufactured home/recreational vehicle park. Prior to any sale, lease, or transfer:
1. The park owner must provide written notice to all residents and any homeowners' association on or before the date the owner advertises or lists or otherwise proffers the park for sale, lease, or transfer, a notice of opportunity to purchase or lease.
 2. The notice of opportunity to purchase or lease must include a statement that residents, homeowners' association and eligible organizations have 45 days from the date on which the notice of opportunity to purchase was personally delivered or postmarked to provide the park owner with notice of intent to consider purchasing or leasing the manufactured/mobile home park. The notice must also provide the address where the notice of intent to consider purchase or lease must be delivered and the name of the person to whom it must be delivered.
 3. Resident(s), homeowners' association or eligible organization must provide the park owner written notice of intent to consider purchase (if for sale) or lease (if for lease) the park within 45 days of receipt of the owner's notice of opportunity to purchase or lease. "Eligible organizations" include community land trusts, resident nonprofit cooperatives, local governments, local housing authorities, nonprofit community or neighborhood-based organizations, federally recognized Indian tribes in the state of Washington, and regional or statewide nonprofit housing assistance organizations.
 4. If the park owner receives notice of intent to consider purchase or lease from a resident(s), homeowners' association or eligible organization, owner must negotiate in good faith to sell or lease the park to the resident(s), homeowners' association or eligible organization and park owner must not sell, lease, or transfer the property or accept an offer to lease or purchase from any other party for a period of 120 days after receipt of notice of intent to consider purchase or lease from the resident(s), homeowners' association or eligible organization.

5. The park owner is not required to wait 120 days to sell, lease, or transfer the property if all timely notice(s) of intent to consider purchase or lease is withdrawn in writing.
6. A notice of opportunity to purchase or lease is not required with respect to a sale, transfer, conveyance, or lease of the mobile/manufactured home/recreational vehicle park or the property on which it sits where the transaction is:
 - a. Due to foreclosure;
 - b. Incidental to financing the park;
 - c. Pursuant to a tax sale;
 - d. Between joint tenants or tenants in common;
 - e. Among the partners or shareholders who own the manufactured/mobile home community;
 - f. To a member of the owner's family or to a trust for the sole benefit of members of the owner's family; or
 - g. Pursuant to eminent domain; provided that if an eminent domain action by a federal, state, or local agency causes closure of a mobile/manufactured home/recreational vehicle park and the procedures set forth in the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. 4601 et seq., and the regulations of 49 CFR Part 24 or the Relocation Assistance – Real Property Acquisition Policy Act of Chapter 8.26 RCW and the regulations of Chapter 468-100 WAC are followed, the requirements of those acts and regulations will supersede the requirements of this section.

Section 98. **Amendment.** Section 18.12.010 of the Bonney Lake Municipal Code is amended to read as follows:

18.12.010 Official zoning map.

The map filed in the city clerk's office and marked Attachment C to Ordinance No. 4597 **INSERT NEW ORDINANCE NUMBER** and adopted ~~May 8, 2018,~~ **MONTH DAY, YEAR**, constitutes the official zoning map for the city. The map referenced herein supersedes all previously adopted maps. If the zoning classifications of the map are found to be in conflict with other zoning classifications or land use designations, the map is deemed to control. Zoning reclassifications or other special zoning designations shall be clearly outlined on the map along with the associated ordinance number.

Section 99. Amendment. The title of Chapter 18.14 of the Bonney Lake Municipal Code is amended to read as follows:

Chapter 18.14 R-1 LOW-DENSITY RESIDENTIAL DISTRICT

Section 100. Amendment. Section 18.14.060 and Subsection “A” of 18.14.060 of the Bonney Lake Municipal Code are amended to read as follows:

18.14.060 Setback and bulk regulations.

The following bulk regulations shall apply to the uses permitted in this district, subject to the provisions for yard projections included in BLMC 18.22.080 and BLMC 15.04.098:

A. Required density at the conclusion of any ~~land division short plat or subdivision~~: Density shall be a minimum of four to and a maximum of five dwelling units per net acre. For example, the subdivision of a parcel of three net acres must result in between 12 and 15 dwelling units.

Section 101. Repealed. Chapter 18.16 of the Bonney Lake Municipal Code, R-2 Medium-Density Residential Districts, is hereby repealed in its entirety.

Section 102. Amendment. Subsection “A” of Section 18.18.050 of the Bonney Lake Municipal Code is amended to read as follows:

18.18.050 Setback and bulk regulations.

The following bulk regulations shall apply to the uses permitted in ~~the~~ this district, subject to the provisions for yard projections included in BLMC 18.22.:

- ... A. Density shall be a minimum of 10 units and a maximum of 12 units per net acre ~~for residential uses, exclusive of public rights-of-way. ; provided that:~~
1. If new dwelling units are constructed entirely within a legally conforming or legally nonconforming existing building, the density may be increased by up to 50 percent. For the purpose of this subsection “existing building” means a building that received a valid certificate of occupancy at least three years prior to the permit application to add housing units. Any such dwelling unit shall also be subject to the provisions of BLMC 15.04.098.
 2. Each co-living unit shall be treated as 0.25 dwelling units for the purpose of calculating density.
 3. Density may be increased up to a maximum of 24 units per net acre when the following are met:

- a. The first 12 units may be market rate.
- b. For each additional unit after 12, one unit must be affordable to a very low-income household or an extremely low-income household and one may be market rate. For 24 units, this would result in a minimum of 6 affordable dwelling units and a maximum of 18 market rate dwelling units.
- c. The applicant shall record a covenant or deed restriction that ensures the affordable housing unit(s) remain affordable to very low-income and/or extremely low-income households for a minimum period of 30 years, and to notify future owner(s) of the annual compliance review requirements.
- d. Annual compliance review. Within 30 days after the first anniversary of the date of certificate of occupancy, the owner of each affordable unit shall file a notarized declaration sworn under penalty of perjury with the director indicating the following:
 - i. A statement of occupancy and vacancy of the affordable unit(s) during the previous year;
 - ii. A certification that the property has not changed use and it continues to be in compliance with the affordable housing requirements in this subsection;
 - iii. A description of any subsequent improvements or changes to the property and the affordable unit(s); and
 - iv. The annual household income and household size for each of the affordable units;
- e. The maximum allowed number of new housing units affordable to a very low-income household or an extremely low-income household permitted by the city after January 1, 2026, whether for a religious organization or another entity, shall not exceed 456 units.

Section 103. Repealed. Chapter 18.19 of the Bonney Lake Municipal Code, R-3 High-Density Residential District Overlay, is hereby repealed in its entirety.

Section 104. Amendment. Subsection “A” of Section 18.20.050 of the Bonney Lake Municipal Code is amended to read as follows:

18.20.050 Setback and bulk regulations.

The following bulk regulations shall apply to the uses permitted in this district, subject to the provisions for yard projections included in BLMC 18.22.080:

...

- A. ~~Maximum density:~~ Density shall be a maximum of one residential unit per five acres; provided, lots may be clustered to preserve open space. Where lots designated for residential development are clustered and any lot is smaller than five acres, agricultural or open space tract(s) shall be recorded within the ~~subdivision~~ land division in acreage(s) sufficient to preserve the maximum overall residential density of one unit per five acres.

....

Section 105. Amendment. Subsections “B”, “D”, “F”, “G”, “H” and “I” of Section 18.22.020 of the Bonney Lake Municipal Code are amended and a new Subsection “J” is added to read as follows:

18.22.020 Fences, walls, and ~~or~~ hedges.

...

- B. Fences, walls, and hedges shall not exceed four feet in height within 10 feet of sidewalk or within 15 feet of the paved edge of a street or along a property line abutting a street, whichever distance is greater; except as provided below:
1. Fences, walls, and hedges that are no more than 60 percent sight obscuring, such as chain link, wrought iron or similar material, may be six feet in height;
 2. Fences, walls, and hedges may be six feet in height if there is not vehicular access from the street along the lot line and the fence or hedge complies with subsection F of this section;
 3. Fences, walls, and hedges may be six feet in height along the front lot line; provided, that the adjacent street is classified as a principal or minor arterial and the fence or hedge complies with subsection F of this section.

...

- D. Fences, walls, and hedges shall not be constructed or grown:

...

- F. Fences, walls, and hedges that are more than 60 percent sight obscuring shall not exceed 42 inches in height within a "clear view triangle."

- G. The height of a fence, wall, or a hedge shall be measured as the vertical distance between the top hedge or the top fence material excluding the fence posts to the lowest grade within three feet of the fence or hedge.
- H. A fence, wall, or hedge shall not be placed on a berm or fill unless the total height of the fence to include the berm or the fill does not exceed the maximum allowed height.
- I. The director may allow fences or walls that do not conform to the regulations of this section if the director finds that such fences or walls are needed to protect the public health and safety in the following situations:
 ...
- J. Nothing in this section permits the construction or placement of a fence, wall, or hedge within the right-of-way, as authorized under Chapter 12.08 or Chapter 12.32 BLMC, nor permit construction of a fence or wall without a permit when required by Chapter 15.04 BLMC.

Section 106. Amendment. A new Subsection “I” is hereby added to Section 18.22.080 of the Bonney Lake Municipal Code to read as follows:

18.22.080 Yard projections.

...

- I. Any encroachment into a setback as authorized by BLMC 15.04.098.

Section 107. Repealed. Chapter 18.24 of the Bonney Lake Municipal Code, C-1 Neighborhood Commercial District, is hereby repealed in its entirety.

Section 108. Amendment. The first sentence of Section 18.26.050 of the Bonney Lake Municipal Code is amended to read as follows:

18.26.050 Setback and bulk regulations.

The following bulk regulations shall apply to the uses permitted in this district, subject to the provisions for yard projections included in BLMC 15.04.098:

....

Section 109. Amendment. The first sentence of Section 18.27.030 of the Bonney Lake Municipal Code is amended to read as follows:

18.27.030 Setback and bulk regulations.

The following bulk regulations apply to the uses permitted in this district, subject to the provisions for yard projections included in BLMC 15.04.098:

....

Section 110. Amendment. Subsections “A” and “C” of Section 18.29.030 of the Bonney Lake Municipal Code are amended to read as follows:

18.29.030 Building design standards.

...

A. Building design elements shall be used to reduce the visual bulk and height of large structures or facades facing the street as approved by the director ~~with concurrence of the design commission~~ or by employing at least three of the following articulation features along the facade facing the street at articulation intervals of no wider than 75 feet:

...

C. Building entrances shall be delineated through architectural design and distinctively differentiated from the remainder of the building as approved by the director ~~with concurrence of the design commission~~. Options include, but are not limited to: wall modulation, gables, window clusters, landscape treatment, material/color/texture change, awnings, moldings, signage, paving texture, planters, and pedestrian amenities such as benches and tables.

Section 111. Amendment. A new Subsection “D” is hereby added to Section 18.29.050 of the Bonney Lake Municipal Code to read as follows:

18.29.050 Setback and bulk regulations.

... D. Maximum density.

1. Emergency shelters shall have a maximum density of 30 units or beds per net acre.
2. Emergency housing shall have a maximum density of 60 units or beds per net acre.

Section 112. Amendment. Subsections “E” and “I” of Section 18.31.010 of the Bonney Lake Municipal Code are amended and a new Subsection “N” is hereby added to read as follows:

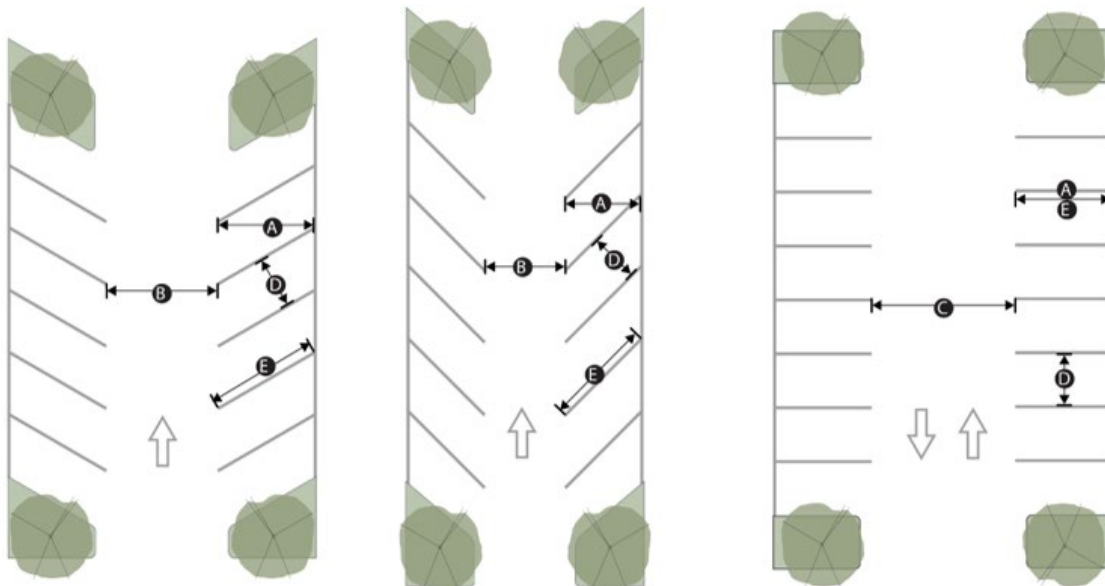
18.31.010 Parking requirements.

- ... E. 1. ~~Two or more bedrooms units: two stalls per unit~~ Units with 2 or more bedrooms: 2.0 stalls per unit;
2. ~~One bedroom units: one and one-half stalls per unit~~ Units with 1 bedroom: 1.5 stalls per unit;

3. Studio units: ~~one stall~~ 1.0 stalls per unit;
4. ~~One visitor parking stall for every five residential units.~~ Visitor parking: 1.0 stalls per 5 residential units. This requirement does not apply to co-living units.
5. When new dwelling units are constructed entirely within a legally conforming or legally nonconforming existing building, no additional parking shall be required than was legally required at the time of original construction or a prior addition, remodel, or tenant improvement. For the purpose of this subsection, "existing building" means a building that received a valid certificate of occupancy at least three years prior to the permit application to add housing units.

... I. Parking stalls in all areas of the city shall meet the following dimensions:

Minimum Dimensional Requirements					
Angle	Parking Row Depth Ⓐ	Drive Aisle Width		Space Width Ⓓ	Space Length Ⓔ
		One-Way Ⓑ	Two-Way Ⓒ		
45 Degrees	20 Feet	13 Feet	24 Feet	9.5 Feet	22 Feet
60 Degrees	21 Feet	18 Feet	24 Feet	9.5 Feet	22 Feet
90 Degrees	20 18 Feet	24 Feet	24 Feet	9 Feet	20 Feet



... N. As an alternative to the provisions above, residential development otherwise required to comply with this section may demonstrate compliance with the requirements of RCW 36.70A.622; provided that:

1. Parking shall only be provided parallel or 90 degrees to the drive aisle.
2. Parking spaces provided in a garage or carport shall be assigned to a dwelling unit and shall not be used for any purpose other than vehicle parking and storage of non-motorized transportation such as bicycles.

Section 113. Amendment. Subsection “A.6” of Section 18.32.040 of the Bonney Lake Municipal Code is amended to read as follows:

18.32.040 Separation requirements.

A. ...

6. A public or private ~~preschool or nursery school~~ family day care or child day care center;

....

Section 114. Amendment. Subsection “G” of Section 18.34.050 of the Bonney Lake Municipal Code is amended to read as follows:

18.34.050 Setback and bulk regulations.

The following bulk regulations shall apply to the uses permitted in this district, subject to the provisions for yard projections included in BLMC 15.04.098:

...

G. All buildings and structures on the site shall have a floor area ratio of no more than 35 percent of the area of the site; except that:

1. Emergency shelters shall have a maximum density of 30 units or beds per net acre.
2. Emergency housing shall have a maximum density of 60 units or beds per net acre.

Section 115. Amendment. The first sentence of Section 18.34.060 of the Bonney Lake Municipal Code is amended to read as follows:

18.34.060 Off-street automobile parking requirements.

Except as provided below, parking and vehicular use areas shall comply with BLMC 18.31.010, BLMC 18.31.020, and Chapter 16.68 BLMC ~~For off-street automobile parking requirements:~~

....

Section 116. Amendment. Subsection “B.4” of Section 18.36.020 of the Bonney Lake Municipal Code is amended to read as follows:

18.36.020 Permitted uses.

...

B. ...

- 4. Home occupations, provided the provisions of ~~BLMC 18.22.010~~ Chapter 5.08 BLMC are met;

....

Section 117. Amendment. A new first sentence is hereby added to Section 18.36.040 of the Bonney Lake Municipal Code to read as follows:

18.36.040 Setback and bulk regulations.

The following bulk regulations apply to the uses permitted in this district, subject to the provisions for yard projections included in BLMC 15.04.098:

A.

Section 118. Amendment. Subsections “A.4” and “A.6” of Section 18.37.020 of the Bonney Lake Municipal Code are amended to read as follows:

18.37.020 Permitted uses.

A. The following uses shall be allowed outright in all cases:

...

- 4. Apartments, condominiums, co-living units, and townhouses at any density;

...

- 6. Home occupations, provided the provisions of ~~BLMC 18.22.010~~ Chapter 5.08 BLMC are met;

....

Section 119. Amendment. A new first sentence is hereby added to Section 18.37.040 of the Bonney Lake Municipal Code and Subsection “B.3” of Section 18.37.040 of the Bonney Lake Municipal Code is amended to read as follows:

18.37.040 Setback and bulk regulations.

The following bulk regulations apply to the uses permitted in this district, subject to the provisions for yard projections included in BLMC 15.04.098:

...

B. ...

- 3. Buildings must comply with the downtown design standards, as adopted in Chapter 18.35 BLMC, plus include one of the following features that appear to reduce the scale of the building and add visual interest:

....

Section 120. Amendment. Subsections “F” and “N” of Section 19.02.030 of the Bonney Lake Municipal Code are amended to read as follows:

19.02.030 Definitions.

...

- F. “Director” means the ~~director of community development department of the city or the director's designee~~ Public Services Director or designee.

...

- N. “Development permit” means building permit application (including remodel or tenant improvement), ~~planned unit development application,~~ preliminary short ~~plat~~ subdivision application, preliminary ~~plat~~ subdivision application, and project rezone application.

....

Section 121. Amendment. Subsection “G” of Section 19.02.090 of the Bonney Lake Municipal Code is amended to read as follows:

19.02.090 Certificate of concurrency.

...

- G. Upon subdivision or short subdivision of a parcel that has obtained a certificate of concurrency, the director shall replace the certificate of concurrency by issuing a separate certificate of concurrency to each subdivided parcel, assigning to each a pro rata portion of the concurrency capacity rights of the original certificate. The director may modify such assignment upon petition of the owner, or may reject such petition. Any

change of use of such subdivided parcels shall require a new determination of concurrency.

....

Section 122. Amendment. Subsection “G” of Section 19.04.060 of the Bonney Lake Municipal Code is amended to read as follows:

19.04.060 Calculation of impact fees.

...

G. As applies to residential development activity, the amount of the impact fee calculated pursuant to this section shall be charged:

1. ~~for~~ For each single-family residential unit, and for each dwelling unit included in a multifamily residential development (e.g., duplex, apartment, condominium, mobile home park), the rate shall be 100 percent of the fee for a single-family residential unit.
2. ~~The amount of the impact fee calculated pursuant to this section for~~ For each accessory dwelling unit, the rate shall be shall be 50 percent of the fee for a single-family residential unit.
3. For each dwelling unit affordable to a very low-income or extremely low-income household, as defined in Chapter 18.04 BLMC, the rate shall be 20 percent of the fee for a single-family residential unit, until such time that the affordable housing sales tax fund, adopted in Chapter 3.32 BLMC, is depleted. The remaining 80 percent shall be transferred from the affordable housing sales tax fund to the streets capital improvement fund, established in Chapter 3.30 BLMC.

Once the affordable housing sales tax fund is depleted, the rate for each dwelling unit affordable to a very low-income or extremely low-income household shall be 100 percent of the fee for a single-family residential unit.

....

Section 123. Amendment. Subsection “G” of Section 19.06.060 of the Bonney Lake Municipal Code is amended to read as follows:

19.06.060 Calculation of impact fees.

... G. As applies to residential development activity, the amount of the impact fee calculated pursuant to this section shall be charged:

1. ~~for~~ For each single-family residential unit, and for each dwelling unit included in a multifamily residential development (e.g., duplex, apartment, condominium, mobile home park), the rate shall be 100 percent of the fee for a single-family residential unit.
2. ~~The amount of the impact fee calculated pursuant to this section for~~ For each accessory dwelling unit, the rate shall be shall be 50 percent of the fee for a single-family residential unit.
3. For each dwelling unit affordable to a very low-income or extremely low-income household, as defined in Chapter 18.04 BLMC, the rate shall be 20 percent of the fee for a single-family residential unit, until such time that the affordable housing sales tax fund, adopted in Chapter 3.32 BLMC, is depleted. The remaining 80 percent shall be transferred from the affordable housing sales tax fund to the parks capital improvement fund, established in Chapter 3.34 BLMC.

Once the affordable housing sales tax fund is depleted, the rate for each dwelling unit affordable to a very low-income or extremely low-income household shall be 100 percent of the fee for a single-family residential unit.

....

Section 124. Amendment. Subsection “L” of Section 19.08.020 of the Bonney Lake Municipal Code is amended to read as follows:

19.08.020 Definitions.

...

- L. “Director” means the ~~director of planning and community development or the director’s designee~~ Public Services Director or designee.

....

Section 125. Amendment. Subsection “A.8” of Section 19.08.040 of the Bonney Lake Municipal Code is amended to read as follows:

19.08.040 Exemptions.

A. ...

8. Any development activity for which school impacts have been mitigated pursuant to a condition of ~~plat land division or PUD~~ approval to pay fees, dedicate land or construct or improve school facilities, unless the condition of the ~~plat land division or PUD~~ approval provides otherwise;

provided, that the condition of the ~~plat-land division or PUD~~-approval predates the effective date of fee imposition; or

....

Section 126. Periodic Review. The adoption of this ordinance signifies that the City of Bonney Lake has completed the periodic review and update of the City's development regulations as required by RCW 36.70A.130.

Section 127. Direction to Clerk. The City Clerk is directed to maintain one copy of this Ordinance and one copy of each of the statutes, regulations, or standards referenced herein on file at the City Clerk's office for use and examination by the public during regular business hours.

Section 128. Direction to Public Services Director. The Public Services Director is directed to transmit one copy of the approved Ordinance to the Washington State Department of Commerce within ten days after final adoption, consistent with RCW 36.70A.106 and WAC 365-196-630. The Public Services Director is further directed to transmit a copy of this Ordinance together with copies of other Ordinances amending development regulations adopted within the preceding twelve months, the Pierce County Assessor pursuant to RCW 35A.63.260.

Section 129. Direction to Public Services Director. The Public Services Director is directed to draft and bring forward for City Council review an ordinance to amend Chapter 14.140 of the Bonney Lake Municipal Code to authorize non-city initiated comprehensive plan amendments annually in 2026.

Section 130. Direction to Public Services Director. The Public Services Director is directed to draft and bring forward for City Council review an ordinance to amend Chapter 15.16 of the Bonney Lake Municipal Code to remove the requirement that every single-family residence is required to have residential fire sprinklers in 2026.

Section 131. Severability. If any section, sentence, clause, or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

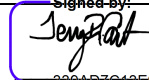
Section 132. Publication. This Ordinance shall be published by an approved summary consisting of the summary attached to this Ordinance.

Section 133. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto. Provided, however, that nothing in this section allows the city attorney, the city clerk, and/or the code publisher to change the intent of this Ordinance.

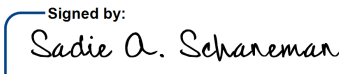
Section 134. Effective Date. This Ordinance shall take effect and be in full force on January 1, 2026, a minimum of five days after publication as provided by law.

ADOPTED by the City Council of the City of Bonney Lake and attested by the City Clerk in authentication of such passage on this 09 day of December, 2025.

APPROVED by the Mayor this 09 day of December, 2025

Signed by:

339AD7C13E9E492...
Terry Carter, Mayor

AUTHENTICATED:

Signed by:

975A05C52D794C6...
Sadie A. Schaneman, MMC, City Clerk

AB25-80
Passed: 12/9/2025
Valid: 1/1/2026
Published: 12/23/2025
Effective Date: 1/1/2026
This Ordinance totals <u>98</u> page(s)

SUMMARY OF ORDINANCE NO. 1745

City of Bonney Lake

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, REGARDING IMPLEMENTING ACTIONS ASSOCIATED WITH THE 2024 COMPREHENSIVE PLAN PERIODIC UPDATE; AMENDING THE OFFICIAL ZONING DISTRICT FOR REAL PROPERTY COMMONLY KNOWN AS PARCEL NUMBERS 2925000210 AND 2925000220; AMENDING THE OFFICIAL ZONING MAP; AMENDING SECTIONS 14.10.070, 14.10.100, 14.10.110, 14.30.020, 14.40.010, 14.40.030, AND 14.105.010, AND SUBSECTIONS 2.18.090.A.1, 2.18.180.A, 14.30.030.A, 14.30.030.B, 14.30.030.C, 14.30.030.D, 14.40.020.B, 14.40.090.A.7, 14.50.030.E, 14.110.010.A, 14.120.020.A, 15.20.120.A, AND 15.36.050.B OF THE BONNEY LAKE MUNICIPAL CODE (BLMC) FOR THE PURPOSE OF COMPLYING WITH SSSB 5290, LAWS OF 2023; AMENDING SECTIONS 12.04.030, 12.28.020, 17.40.010, 17.40.020, AND 17.50.010, AND SUBSECTIONS 12.04.005.B, 12.04.005.F.1, 12.04.040.A.1, 12.28.030.C, 13.16.060.E, 15.36.020.E, 15.36.040.H, 15.36.040.I, 16.20.130.F.3, 16.20.130.K, 16.64.070.E.3, 17.10.030.C.1, 17.10.030.C.4, 17.10.030.C.5, 17.50.020.A, 17.50.020.B, 17.50.040.B (CRITICAL AREAS), 17.50.060.B (TRANSPORTATION FACILITIES), 19.02.030.N, 19.02.090.G, AND 19.08.040.A.8 BLMC FOR THE PURPOSE OF CLARIFYING PROCEDURAL AND SUBSTANTIVE REQUIREMENTS FOR SUBDIVISIONS AND SHORT SUBDIVISIONS, COLLECTIVELY KNOWN AS LAND DIVISIONS; AMENDING SUBSECTIONS 13.04.030.C, 13.04.030.M, 15.14.020.C, AND ADDING NEW SUBSECTION 15.14.035.C BLMC FOR THE PURPOSE OF COMPLYING WITH ESSHB 1220, LAWS OF 2021, AND ESHB 1998, LAWS OF 2024; AMENDING SUBSECTIONS 13.04.070.D.2.D, 13.04.070.D.2.E, 13.04.070.D.2.F, 13.04.070.D.2.G, 13.04.100.C.1.B, 13.12.082.D.1, AND 13.12.100.D.6 BLMC FOR THE PURPOSE OF COMPLYING WITH ESHB 1998, LAWS OF 2024; AMENDING SUBSECTIONS 13.12.010.C.2, 13.12.010.C.3, 13.12.010.C.4, 13.12.010.C.5, 13.12.010.C.6, 13.12.010.C.7, 13.12.010.L, 13.12.010.N, 13.12.130.A, 13.12.130.D.1, AND 13.12.130.D.3 BLMC FOR THE PURPOSE OF COMPLYING WITH ESHB 1998, LAWS OF 2024; AMENDING SECTION 14.10.010 BLMC FOR EASE OF USE; AMENDING SECTIONS 14.10.030 AND 14.40.080 BLMC FOR THE PURPOSE OF COMPLYING WITH ESHB 1293, LAWS OF 2023, AND SSSB 5290, LAWS OF 2023; AMENDING SECTION 14.10.040 BLMC FOR THE PURPOSE OF CLARIFYING HOW WORDS NOT DEFINED IN THE DEVELOPMENT CODE SHOULD BE DEFINED;

AMENDING SECTIONS 14.30.010 AND SUBSECTIONS 14.30.040.B, 14.30.040.C, 14.30.040.I, AND 14.30.040.L BLMC FOR THE PURPOSE OF COMPLYING WITH SSSB 5290, LAWS OF 2023; AMENDING SECTION 14.40.050 AND SUBSECTIONS 18.29.030.A AND 18.29.030.C BLMC FOR THE PURPOSE OF COMPLYING WITH ESHB 1293, LAWS OF 2023; AMENDING SECTION 14.50.040 BLMC FOR THE PURPOSE OF COMPLYING WITH SHB 1105, LAWS OF 2024; AMENDING SECTIONS 15.08.020, 15.08.125, 18.04.130, 18.12.010, AND SUBSECTIONS 9.07.030.B, 14.80.030.B.4, 16.68.040.F, 18.02.090.A.2, 18.02.080.B.1, 19.04.060.G, AND 19.06.060.G, AND ADDING NEW SUBSECTION 18.29.050.D, AND TABLES 16.68A AND 16.68B OF SECTION 16.68.040 BLMC FOR THE PURPOSE OF COMPLYING WITH ESSHB 1220, LAWS OF 2021, CONSISTENT WITH THE PREFERRED GROWTH ALTERNATIVE; AMENDING SUBSECTIONS 14.95.020.A, 14.95.020.B, 14.95.020.C, 14.95.020.D, AND 14.95.020.E, AND ADDING NEW SUBSECTIONS 14.95.020.I AND 14.95.020.J BLMC FOR THE PURPOSE OF COMPLYING WITH ESSSB 5259, LAWS OF 2023, SSSB 5290, LAWS OF 2023, ESHB 1998, LAWS OF 2024, AND HB 1757, LAWS OF 2025; AMENDING SECTION 15.20.060 BLMC FOR THE PURPOSE OF CLARIFYING THE PROCESS FOR DEVIATIONS FROM THE GRADING AND FILLING STANDARDS; AMENDING SUBSECTIONS 15.28.070.B AND 15.28.070.D BLMC FOR THE PURPOSE OF UPDATING THE REFERENCE FOR HOME OCCUPATION REGULATIONS; AMENDING SUBSECTIONS 16.20.115.A AND 16.20.115.B BLMC FOR THE PURPOSE OF CLARIFYING WHEN A FINANCIAL GUARANTEE IS REQUIRED FOR SMALLER PROJECTS ON SITES THAT CONTAIN CRITICAL AREAS; AMENDING SUBSECTIONS 16.68.070.E.2 AND 16.68.090.B.3 BLMC FOR THE PURPOSE OF PROVIDING A NATIVE TREE SPECIES LIST APPROPRIATE FOR PROPERTIES IN PIERCE COUNTY; AMENDING SECTIONS 17.20.030 AND 17.20.040, AND SUBSECTIONS 17.20.020.B, 17.20.020.C, 17.20.020.D, BLMC FOR THE PURPOSE OF CLARIFYING PROCEDURES FOR SUBDIVISIONS AND SHORT SUBDIVISIONS IN RELATION TO ADMINISTRATIVE LOT SPLITS AND UNIT LOT SUBDIVISIONS; AMENDING SECTIONS 17.50.030 AND 17.50.070 (SCHOOLS) FOR THE PURPOSE OF CORRECTING A SECTION NUMBERING ERROR; AMENDING SUBSECTIONS 17.50.040.A (STREET LIGHTING, 17.50.040.D.3 (STREET LIGHTING), AND 17.50.040.D.4 (STREET LIGHTING) BLMC FOR THE PURPOSE OF CORRECTING A SECTION NUMBERING ERROR; AMENDING SUBSECTION 17.50.050.A (PLAYGROUNDS AND OPEN SPACE) AND BLMC FOR THE PURPOSE OF CORRECTING A SECTION NUMBERING ERROR; AMENDING SECTION 17.50.060 (PARKS

AND RECREATION) BLMC FOR THE PURPOSE OF CORRECTING A SECTION NUMBERING ERROR AND REMOVING THE REQUIREMENT TO DEDICATE LAND FOR FENNEL CREEK TRAIL; AMENDING SECTION 18.04.010 BLMC FOR THE PURPOSE OF ADDING TWO NEW DEFINITIONS TO COMPLY WITH EHB 1337, LAWS OF 2019, AND ESSHB 1923, LAWS OF 2019; AMENDING SECTION 18.04.030 BLMC FOR THE PURPOSE OF ADDING THREE NEW DEFINITIONS TO COMPLY WITH ESHB 1998, LAWS OF 2024, SSB 6015, LAWS OF 2024, AND ESSB 5509, LAWS OF 2025; AMENDING SECTION 18.04.050 BLMC FOR THE PURPOSE OF ADDING FIVE NEW DEFINITIONS AND AMENDING THE DEFINITION OF “ESSENTIAL PUBLIC FACILITY” TO COMPLY WITH ESSHB 1923, LAWS OF 2019, ESHB 1754, LAWS OF 2020, HB 2640, LAWS OF 2020, ESB 5118, LAWS OF 2021, ESSHB 1220, LAWS OF 2021, SESSSB 5536, LAWS OF 2023, AND ESSB 5801, LAWS OF 2025; AMENDING SECTIONS 18.04.060 AND 18.32.040 AND SUBSECTION 18.32.040.A.6 BLMC FOR THE PURPOSE OF COMPLYING WITH ESSB 5509, LAWS OF 2025; AMENDING SECTION 18.04.070 BLMC FOR THE PURPOSE OF ADDING ONE NEW DEFINITION TO COMPLY WITH SSB 6015, LAWS OF 2024; AMENDING SECTION 18.04.120 BLMC FOR THE PURPOSE OF ADDING ONE NEW DEFINITION TO COMPLY WITH ESSHB 1923, LAWS OF 2019; AMENDING SECTIONS 18.04.150, 18.04.190, AND 18.04.200 BLMC FOR THE PURPOSE OF ADDING A TOTAL OF FOUR NEW DEFINITIONS TO COMPLY WITH ESHB 1754, LAWS OF 2020; AMENDING SECTION 18.04.160 BLMC FOR THE PURPOSE OF ADDING ONE NEW DEFINITION TO COMPLY WITH ESSHB 1923, LAWS OF 2019, AND SHB 2343, LAWS OF 2020; AMENDING SECTION 18.04.180 BLMC FOR THE PURPOSE OF ADDING TWO NEW DEFINITIONS TO COMPLY WITH ESSHB 1220, LAWS OF 2021, AND EHB 1377 LAWS OF 2019; AMENDING SECTION 18.04.220 BLMC FOR THE PURPOSE OF ADDING TWO NEW DEFINITIONS TO COMPLY WITH ESSHB 1923, LAWS OF 2019, AND ESHB 1754, LAWS OF 2020; ADDING NEW SUBSECTION 18.08.010.F AND RENUMBERING SUBSECTIONS 18.08.010.F, 18.08.010.G, AND 18.08.010.H BLMC FOR THE PURPOSE OF COMPLYING WITH ESSHB 1220, LAWS OF 2021, AND ESHB 1754, LAWS OF 2020; AMENDING SECTION 18.08.020 BLMC FOR THE PURPOSE OF CLARIFYING THE NAICS VERSION BEING REFERENCED, TO ALPHABETIZE SUBSECTIONS FOR EASE OF USE, CLARIFY TABLE NOTES, UPDATING THE REFERENCE FOR HOME OCCUPATION REGULATIONS, AND FOR COMPLYING WITH EHB 1377, LAWS OF 2019, ESSHB 1923, LAWS OF 2019, ESHB 1754, LAWS OF 2020, ESSHB 1220, LAWS OF 2021, AND ESHB 1998, LAWS OF 2024; AMENDING THE

TITLE OC CHAPTER 18.14 BLMC FOR THE PURPOSE OF BEING CONSISTENT WITH SECTION 18.02.090 BLMC; AMENDING SECTIONS 18.14.060, 18.26.050, 18.27.030, AND 18.36.040, SUBSECTIONS 18.14.060.A, 18.20.050.A, AND ADDING A NEW SUBSECTION 18.22.080.I BLMC FOR THE PURPOSE OF COMPLYING WITH SSHB 1183, LAWS OF 2025; AMENDING SUBSECTION 18.18.050.A BLMC FOR THE PURPOSE OF COMPLYING WITH ESSHB 1220, LAWS OF 2021, ESHB 1998, LAWS OF 2024, HB 1757, LAWS OF 2025, AND SSHB 1183, LAWS OF 2025; AMENDING SUBSECTIONS 18.22.020.B, 18.22.020.D, 18.22.020.F, 18.22.020.G, 18.22.020.H, AND 18.22.020.I BLMC FOR THE PURPOSE OF CONSISTENCY WITH A PROVISION IN SECTION 18.22.080 BLMC THAT ALLOWS WALLS IN YARD PROJECTIONS; AMENDING SUBSECTIONS 18.31.010.E AND 18.31.010.I, AND ADDING NEW SUBSECTION 18.31.010.N FOR THE PURPOSE OF EASE OF USE, CORRECTING AN ERROR IN THE MINIMUM PARKING STALL DIMENSIONAL REQUIREMENTS, AND COMPLYING WITH ESHB 1042, LAWS OF 2023, ESHB 1998, LAWS OF 2024, AND SSB 6015, LAWS OF 2024; AMENDING SUBSECTION 18.34.050.G BLMC FOR THE PURPOSE OF COMPLYING WITH ESSHB 1220, LAWS OF 2021, AND SSHB 1183, LAWS OF 2025; AMENDING SECTION 18.34.060 BLMC FOR THE PURPOSE OF TREATING PARKING REQUIREMENTS CONSISTENTLY ACROSS NON-RESIDENTIAL ZONING DISTRICTS; AMENDING SUBSECTION 18.36.020.B.4 BLMC FOR THE PURPOSE OF UPDATING THE REFERENCE FOR HOME OCCUPATION REGULATIONS; AMENDING SUBSECTIONS 18.37.020.A.4 AND 18.37.020.A.6 FOR THE PURPOSE OF UPDATING THE REFERENCE FOR HOME OCCUPATION REGULATIONS AND COMPLYING WITH ESHB 1998, LAWS OF 2024; AMENDING SECTION 18.37.040 AND SUBSECTION 18.37.040.B.3 BLMC FOR THE PURPOSE OF COMPLYING WITH ESHB 1293, LAWS OF 2023, AND SSHB 1183, LAWS OF 2025; AMENDING SUBSECTIONS 19.02.030.F AND 19.08.020.L BLMC TO UPDATE THE CURRENT TITLE OF THE DIRECTOR; ADDING A NEW SECTION 12.04.025 BLMC FOR THE PURPOSE OF CLARIFYING THE PROCESS FOR DEVIATIONS FROM THE PUBLIC WORKS DESIGN STANDARDS; ADDING A NEW SECTION 14.40.045 BLMC FOR THE PURPOSE OF DESCRIBING THE REVIEW PROCESS FOR APPLICATIONS REQUIRING CORRECTIONS AND FOR COMPLYING WITH SSSB 5290, LAWS OF 2023; ADDING A NEW SUBSECTION 15.04.082.R BLMC FOR THE PURPOSE OF COMPLYING WITH SSB 5655, LAWS OF 2025; ADDING A NEW SECTION 15.04.098 BLMC FOR THE PURPOSE OF COMPLYING WITH ESHB 1042, LAWS OF 2023, HB 1757, LAWS OF 2025, AND

SSHB 1183, LAWS OF 2025; ADDING A NEW SECTION 15.13.045 BLMC FOR THE PURPOSE OF CLARIFYING THE PROCESS FOR DEVIATIONS FROM THE STANDARDS IN THE ADOPTED STORMWATER MANUAL; ADDING NEW SECTION 18.08.050 BLMC FOR THE PURPOSE OF COMPLYING WITH EHB 1377, LAWS OF 2019, ESHB 1754, LAWS OF 2020, AND ESSHB 1220, LAWS OF 2021; ADDING NEW SECTION 18.08.060 BLMC FOR THE PURPOSE OF COMPLYING WITH ESSHB 1220, LAWS OF 2021; REPEALING SECTION 14.95.030 BLMC FOR THE PURPOSE OF COMPLYING WITH ESHB 1293, LAWS OF 2023; REPEALING CHAPTERS 18.16, 18.19, AND 18.24 BLMC FOR THE PURPOSE OF COMPLYING WITH ESSHB 1220, LAWS OF 2021, CONSISTENT WITH THE PREFERRED GROWTH ALTERNATIVE; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

The above is a summary of Ordinance No. 1745 for publication as certified by the City Clerk on December 09, 2025.

CITY OF BONNEY LAKE

Signed by:
Sadie A. Schaneman
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Sadie Schaneman, MMC, City Clerk