

~~Chapter 2.73~~

~~DESIGN REVIEW ADVISORY COMMITTEE~~

~~Sections:~~

~~2.73.010 — Created.~~

~~2.73.020 — Composition.~~

~~2.73.030 — Repealed.~~

~~2.73.040 — Repealed.~~

~~2.73.045 — Repealed.~~

~~2.73.050 — Repealed.~~

~~2.73.060 — Authority and functions.~~

~~2.73.010 — Created.~~

~~There is established a design review advisory committee, hereinafter referred to as “the committee” and “DRC.” (Ord. 2853 § 1, 2004; Ord. 2840 § 2(Exh. D), 2003).~~

~~2.73.020 — Composition.~~

~~Composition, terms of office, rules and other scope of work assigned by the city council shall be as provided by this chapter, and by council resolution. (Ord. 2853 § 1, 2004; Ord. 2840 § 2(Exh. D), 2003).~~

~~2.73.030 — Terms of office.~~

~~Repealed by Ord. 2853. (Ord. 2840 § 2(Exh. D), 2003).~~

~~2.73.040 — Rules and officers.~~

~~Repealed by Ord. 2853. (Ord. 2840 § 2(Exh. D), 2003).~~

~~2.73.045 — Conflict of interest.~~

~~Repealed by Ord. 2853. (Ord. 2840 § 2(Exh. D), 2003).~~

~~2.73.050 — Meetings.~~

~~Repealed by Ord. 2853. (Ord. 2840 § 2(Exh. D), 2003).~~

~~2.73.060 — Authority and functions.~~

~~A. Authority. The DRC is authorized to:~~

~~1. Serve as the design review board to exercise the functions and duties defined and authorized pursuant to this chapter;~~

~~2. Review proposals subject to review pursuant to PTMC 17.46.030. Carry out the design review process pursuant to Chapter 17.46 PTMC and provide recommendations to the planning and community development department (PCD) to assist in city review of such projects. In exercising its authority to review and comment upon land development permit applications, the DRC serves as a citizen advisory committee and not as a quasi-judicial decision-making body. PCD staff shall consider all DRC comments and recommendations in reviewing permit applications;~~

~~3. Propose revisions to commercial, mixed use and multifamily design standards (Chapters 17.44 and 17.36 PTMC). Such proposed revisions shall be forwarded to PCD for review and recommendation to the planning commission and the city council. Revisions to design review standards must be formally adopted by the city council.~~

~~B. Functions. In addition to the authority prescribed above, the DRC may to the extent possible and at its discretion perform the following functions:~~

~~1. Make recommendations to the mayor and city council, upon request, on matters of commercial, mixed use and multifamily development;~~

- ~~2. Provide design review standards and recommend resources upon request of an owner of property within the zoning districts subject to design review; and provide review and advice, upon the request of the director of PCD (or designee), of applications for permits, variances, environmental assessments or impact statements, and other similar approvals pertaining to such projects or properties;~~
- ~~3. Participate in, promote and conduct public information, educational and interpretive programs pertaining to commercial, mixed use and multifamily development. This may take the form of pamphlets, newsletters, workshops or similar activities;~~
- ~~4. Officially recognize excellence in the renovation or new construction of commercial, mixed use or multifamily development and encourage appropriate measures for such recognition;~~
- ~~5. Such other functions as directed by the mayor or city council. (Ord. 3287 § 5, 2022; Ord. 2892 § 1, 2005; Ord. 2853 § 1, 2004; Ord. 2840 § 2(Exh. D), 2003).~~

Chapter 12.04
TRANSPORTATION AND
RIGHTS-OF-WAY IMPROVEMENT STANDARDS

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Article I. General Provisions

12.04.010 Intent – Findings.

A. In accordance with the Growth Management Act (GMA) (Chapter [36.70A](#) RCW), the Port Townsend Comprehensive Plan seeks to ensure that appropriate public services and facilities, including transportation facilities, are provided concurrently with development. It is hereby found that the provisions of this title are necessary to implement the Port Townsend Comprehensive Plan.

B. It is further found that the Port Townsend Comprehensive Plan sets forth the following policy direction and that the provisions of this title are necessary to implement the goals and policies of the comprehensive plan: (1) allow relatively narrow local access streets so as to meet the goals of ~~promoting a balanced, affordable, reliable, convenient, and efficient transportation system, and preserving the small town character of Port Townsend~~, lowering construction and maintenance costs and reducing impervious surfaces, ~~while at the same time assuring that local access streets are safe and have adequate pedestrian and bicycle facilities~~; (2) adopt standards for local access streets that strike a balance between initial expense and long-term operations and maintenance costs; and (3) promote ~~nonmotorized~~ active travel transportation and create an integrated network of bicycle and pedestrian ~~pathways~~ connected routes that provide incentives to walk or bicycle across town.

C. It is further found that the acquisition, construction, and improvement of streets and other transportation facilities to serve new developments in the city of Port Townsend imposes a major burden upon city taxpayers; that as an urban growth area, the city expects to experience an increasing intensity of land use and population growth which creates an increased demand for city transportation system services; that existing and projected city funds are inadequate to meet future projected transportation needs; that a failure to ensure that adequate transportation system improvements are made as traffic and street usage increases will cause safety problems, impede commerce and interfere with the comfort and repose of the public; and that alternative methods of travel, including ~~an nonmotorized~~ active transportation network, provision for public transit, transportation demand

management and other similar improvements are necessary to reduce the demands on and the costs of maintaining the street network.

D. It is further found that the city has the authority under existing law to condition development and require right-of-way and transportation system improvements where reasonably necessary to mitigate the direct impacts of a proposed development or use, and that it is appropriate and desirable to set out standards for development in this title and in an adopted engineering design standards manual.

E. It is further found that it may not be in the best interest of the public to improve all currently platted streets as outlined in the Port Townsend Sustainable Streets Plan included in the City Comprehensive Plan Transportation Element. Therefore, certain rights-of-way may be designated by the city for bicycle- and pedestrian-only connections, public access to vistas and shorelines, stormwater facilities, traffic calming, utility easements, open space, tree preservation corridors, and other uses; provided, however, that this policy shall not be construed as preventing the opening of rights-of-way so as to deprive property owners of reasonable access to their property.

F. It is further found and declared that the regulations contained in this title are necessary to ensure that public health, safety and welfare will be preserved by having an adequate transportation system serving new and existing development by requiring that all development mitigate transportation impacts, which may include constructing improvements, that have been identified as a consequence of a proposed development or use; to provide for the equitable proportional sharing of private improvement costs; to promote the orderly and economic development of the city-maintained transportation network, and to otherwise protect the public health, safety and welfare. (Ord. 2578 § 1, 1997).

12.04.020 Purpose – Authority.

STET

12.04.030 Definitions.

A. STET

B. Specific Definitions.

“Abutting property” through “Adjacent to,” STET

“ADA Priority Route” means a route identified in the Comprehensive Plan or the latest version of the Active Transportation Plan intended to be constructed or retrofitted such that it is ADA compliant.

“Alley” through “Complete application” STET

“Concurrency,” for the purposes of Chapter [12.06](#) PTMC, means the provision for assuring that transportation improvements or strategies to accommodate the impacts of development are in place at the time of development or that a financial commitment is in place to complete the improvements or strategies so that the level of service for transportation facilities does not fall below the level of service standards adopted by the comprehensive plan due to the impacts of new development. Road and highway improvements are to be provided within a maximum of six years.

“Concurrency approval,” for the purposes of Chapter [12.06](#) PTMC, means the official determination by the city that a proposed development will not result in the reduction of the level of service below the standards set forth in the Port Townsend Comprehensive Plan for transportation facilities and services. Concurrency approval will be documented ~~in writing by a certificate of concurrency through the issuance of development permits.~~

“Concurrency determination,” for the purposes of Chapter [12.06](#) PTMC, means a technical study of the impacts on the applicable transportation facilities or services, including forecasted level of service of a proposed land use development using current data and analytical techniques. A comprehensive facility study (e.g., approved ~~traffic engineering study~~) may be required of the applicant, based on the requirements of Chapter [12.06](#) PTMC.

“Concurrency facilities” through “Conditions of approval” STET

“Connected Routes” means routes that are identified as being priority for active transportation users that connects places throughout the city as identified in the Comprehensive Plan or latest version of the Active Transportation Plan.

“Cost of construction,” through “Impact fee” STET

“Improvement method report” STET “Level of service” (“LOS”) standards are quantitative and qualitative measures describing both the operational conditions for the traveling public within a traffic stream and the perception of these conditions by motorists and/or passengers, as further described in the city arterial street plan. Each level of service

describes these conditions in objective terms, ~~such as speed, travel time, or vehicle density (i.e., the number of vehicles per mile) related to traffic and active transportation users.~~ The conditions are also qualitatively described in terms of a driver's ability to change lanes, to safely make turns at intersections, and to choose his/her own travel speed. Level of service may also include a qualitative rating of how well other units of transportation, such as sidewalks, bikeways, walkways or transit routes, meet current or projected demand.

~~"Level of service (LOS)/transportation" means the relationship between vehicular traffic volumes, roadway capacity, design standards, road conditions, and definition of levels of service as specified in the Port Townsend Comprehensive Plan.~~

"Lot frontage" means the boundary of a lot which is along an existing or dedicated public street or, where no public street exists, along a private road, easement or access way. On an interior lot, it is the lot line abutting a street; or, on a pipestem (flag) lot, it is the interior lot line most parallel to and nearest the street from which access is obtained. On a corner lot the lot frontage shall ~~be proposed by the property owner, subject to review and approval by the public works director~~ be determined according to the PT Sustainable Streets Plan.

"Lot, pipestem" through "Maintenance agreement" STET

"Nonmotorized" means active transportation utilizing bicycle, pedestrian or other form of travel not associated with a motor vehicle.

"Opened street" STET

"PT Sustainable Streets Plan" means map contained within the Comprehensive Plan Transportation Element depicting the planned locations of all streets in the City as well as key street connections required for a safe and connected transportation system as well as efficient access to existing lots.

"Pathway" through "Significant trees and vegetation" STET

"Street" is intended to be broadly defined, and includes any street, highway, easement, avenue, alley or other public right-of-way or public grounds intended for travel, parking or access for vehicles, bicycles or equestrians or any other legitimate street purpose, whether opened or unopened, platted and partially improved or open but not improved to the level required by the city. Specific street classifications are defined in the engineering design standards manual and are generally to be considered as follows:

1. "Local access street" means a public right-of-way used primarily to provide access to abutting residential properties, and includes any street not designated in the engineering design standards manual as a collector, minor arterial, or principal arterial street.

~~2. "Collector street" means a street that collects traffic from local streets and connects with minor and major arterials, and includes, but is not limited to, any street designated as a collector street in the engineering design standards manual.~~

3. "Minor ~~a~~ Arterial street" means a street with signals at important intersections and stop signs on the side streets and that collects and distributes traffic to and from collector streets local access streets, and includes, but is not limited to, any street designated as a minor arterial street in the engineering design standards manual all Federally classified streets and any other street specifically identified in the Comprehensive Plan or Engineering Design Standards.

~~4. "Principal arterial street" shall have the same meaning as "major arterial" in the comprehensive plan, and means a street with access control, channelized intersections, restricted parking, and that collects and distributes traffic to and from minor arterials, and includes, but is not limited to, any street designated as a major arterial street in the engineering design standards manual. Direct access to a major arterial is usually restricted to intersecting streets or consolidated commercial or industrial entrances.~~

"Street development permit" through "Substandard street" STET

~~"Tiers 1, 2, and 3" refer to the city's infrastructure tiering strategy, which is designed to promote infill and discourage "leap frog" development, as further set forth in the Port Townsend Comprehensive Plan (see Chapter VII, pages VII-4 to VII-5). A map designating the various tiers in accordance with the comprehensive plan is attached as an exhibit to the engineering design standards manual.~~

"Transportation demand management" ("TDM") through "Walkway" STET

"Zoning map" is the official land use map which classifies all land within the city limits of Port Townsend with one of the land uses. (Ord. 3318 § 1, 2023; Ord. 3287 § 5, 2022; Ord. 2892 § 1, 2005; Ord. 2879 § 6.1, 2005; Ord. 2837 § 3(Exh. C § 3), 2003; Ord. 2578 § 1, 1997).

12.04.040 Engineering design standards manual adopted – Purpose – Administration.

A. Standards Adopted. The city engineering design and construction standards and specifications contained in the engineering design standards manual, as it now exists or is later amended, are hereby adopted, incorporated by reference, and made applicable to all right-of-way and transportation system improvements covered by this title.; ~~provided, however, that where an applicant for a building or land use or street development permit has applied for and deemed complete received written preapplication review prior to the effective date of this code (April 28, 1997), to the extent there is an inconsistency between the right-of-way improvements identified in the preapplication review and the engineering design standards manual, the requirements of the preapplication review shall apply if:~~

- ~~1. The applicant submits a complete application within 12 months from the date of the written preapplication review;~~
- ~~2. The application is in substantial conformance with the written assurances and requirements provided by the city at the conclusion of the preapplication review; and~~
- ~~3. All improvements are designed and installed in full conformance with the standards and criteria as provided by the city during or after the preapplication review.~~

B. ~~Capital Facilities Tiering Map. The capital facilities tiering map attached as an exhibit to the engineering design standards manual is hereby adopted. The map is intended to implement the capital facilities tiering strategy pursuant to the capital facilities and utilities element of the Port Townsend Comprehensive Plan.~~ PT Sustainable Streets Plan. The latest version of this plan adopted as part of the Transportation Element of the Comprehensive Plan along with the associated adopted policies shall guide the implementation of this Chapter.

C. Purpose.

1. STET
2. The public works director is authorized to make minor, technical changes to the engineering design standards manual without further city council approval or adoption, although such minor changes must still be forwarded to city council. Such changes shall be effective upon filing with the city clerk. Significant or substantive changes to the engineering design standards manual require approval by the city

council, and are effective upon such approval. ~~Changes to the capital facilities tiering map shall be considered substantive.~~

3. Copies of the engineering design standards manual and all revisions shall be maintained in the ~~city clerk's office, the PCD, and the public works department for use and examination by the public,~~ on the City's website, and shall be made available for purchase at City Hall.

D. STET

12.04.050 Gateway ~~Subarea and functional~~ plans incorporated by reference.

~~The Port Townsend Gateway development plan is incorporated by reference and adopted as a part of this title as policy direction for new development, redevelopment, and future improvements along SR 20/Sims Way, and prevails over any inconsistent standards in the engineering design standards manual. (Ord. 2578 § 1, 1997) All subarea plans and functional plans adopted by the City Council shall be incorporated into this code by reference and adopted as part of this title as policy direction for new development, redevelopment, and future improvements. The Comprehensive Plan shall take priority over all conflicts between subarea and functional plans.~~

12.04.055 Transportation functional plan incorporated by reference.

~~The Port Townsend transportation functional plan is incorporated by reference and adopted as a part of this title as policy direction for guidance on long-term vehicular circulation issues that face the city. (Ord. 3054 § 2, 2011).~~

12.04.060 Tiering— Expenditure of public funds.

As set forth in the Port Townsend Comprehensive Plan, the city has adopted ~~a tiering a~~ vision map, Active Transportation Plan, and the PT Sustainable Streets Plan to outline structure for the phasing or prioritizing of capital improvements investment in a manner designed to promote orderly growth and development and efficient use of city resources. Accordingly, if the location, nature, and/or timing of a proposed development necessitates the expenditure of public funds in excess of those currently available in the six-year CIP for the necessary right-of-way or transportation system improvements, and provision has not otherwise been made to meet the mitigation of direct traffic impact requirements as provided in this title, the city may refuse to approve or grant a permit for development pursuant to the concurrency requirements of the Growth Management Act. As an alternative, the city (1) will consider alternatives to the proposal so that the need for the

improvements is lessened such as phasing; (2) may provide the developer with the option of bearing the full cost of the required improvements; ~~or~~ (3) may consider the development for approval upon alternative arrangements for financing of the necessary improvements, such as ~~no-protest LID covenants~~ local improvement districts or latecomer agreements or (4) upon budget approval, the city may invest in street development to further public benefit or correct a deficiency. (Ord. 2578 § 1, 1997).

Article II. Permit Processing and Administration

12.04.070 Street development permit required – Revocation – Expiration.

A. STET

B. STET

C. STET

1. STET

D. STET

E. Expiration.

1. STET

2. STET

3. Notwithstanding subsections (E)(1) and (2) of this section, the construction of infrastructure improvements required for subdivisions under PTMC Title [18](#) (Land Division) may, at the discretion of the director, be phased during the ~~statutory five-year~~ statutory approved period for final plat approval. Where the city approves a final plat prior to completion of all rights-of-way or street improvements, the construction shall occur in accordance with all requirements of any approved improvement method report. In such case the street development permit shall expire unless the work is completed in accordance with the conditions of subdivision approval, the requirements of the approved improvement method report, and/or as set forth in the street development permit itself.

F. STET

G. STET

Article III. Standards and Improvement Requirements

12.04.130 General right-of-way improvement and construction requirements.

A. General Requirements. STET

12.04.140 Implementation of general requirements.

A. Street location: The Comprehensive Plan Transportation Element's PT Sustainable Streets Plan shall govern the location of streets for extensions and frontage improvements. Street improvements shall be as specified in the Engineering Design Standards.

A B. Street Frontage Improvements.

1. All developments shall be required to make street frontage improvements on the parcels' frontage. Street frontage improvements are not necessary in rights of ways that are not designated for a street as identified in the Comprehensive Plan Transportation Element's PT Sustainable Streets Plan. Such unimproved rights of ways may require the construction of utilities and/or active transportation facilities according to the Active Transportation Plan. Rights of way requiring streets, may require Such improvements ~~may include~~, as further specified in the engineering design standards manual, stormwater improvements, curbs and gutters, water and sewer lines, utilities, traffic signals/signs, walkways, sidewalks, pathways, bike lanes, street trees, landscaping, street widening, and/or any other reasonably necessary improvements. Such frontage improvements shall generally include the full improvements identified in the engineering design standards manual for the type of street at issue for the side of the street abutting the lot frontage. In addition, any required grading and paving shall generally be required to extend the full width of the street, as determined by the minimum standards for the type of street set forth in the engineering design standards manual. Full improvements to both sides of the street can be required based on an individual analysis of whether such improvements are reasonably necessary to mitigate the direct impacts of development and/or meet safety concerns. The frontage improvement requirements set forth in this section may be waived if the criteria of PTMC 12.04.160 are met and a fee-in-lieu payment is used to mitigate the direct impacts are met and a fee-in-lieu payment is used to mitigate the direct impacts.

2. Fee in Lieu. STET

~~B~~ C. Minimum Right-of-Way Widths. STET

Ⓔ D. Dedications/Easements. STET

Ⓕ E. Street Pavement. STET

Ⓖ E. Other Off-Site Improvements to Unopened or Substandard Streets. STET

Ⓕ G. The city reserves the right, in its sole discretion, to pay a portion or all of the costs of off-site improvements, including paving of streets, as determined on a case-by-case basis and to the extent funds are available.

Ⓖ H. Dead-End Streets. STET

Ⓕ I. Sight Obstruction. STET

Ⓕ J. Fire Access. If a lot does not have access for emergency vehicles from a street or private easement which meets the requirements or standards of the engineering design standards manual, such access shall be provided from the nearest existing opened street right-of-way. Any existing street must also meet these requirements, unless the public works director approves an alternative that provides adequate emergency vehicle access. Development of secondary emergency access may be required for the development of new lots following the emergency access routes plan in the Comprehensive Plan Transportation Element. Secondary access is generally required in areas where a single point of access serves 50 lots or more.

Ⓕ K. Driveways. STET

Ⓕ L. Intersections – Sight Obstruction. STET

Ⓕ M. Utilities. When utilities are installed in streets, trench backfill and street restoration shall be as specified in the engineering design standards manual and/or any applicable franchise agreement. Utilities such as telephone, power and cable television lines shall be placed underground where required in the engineering design standards manual.

Ⓕ N. Traffic Calming. STET

Ⓕ O. LID/RID No-Protest Agreements. STET

Ⓕ P. Maintenance of Streets. STET

Chapter 12.06

TRANSPORTATION CONCURRENCY MANAGEMENT

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[**12.06.010 Purpose.**](#)

[**12.06.020 Intent.**](#)

Article II. Definitions

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Article III. Applicability and Standards

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Article IV. Transportation Concurrency Management Review

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Article VI. Monitoring

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Article I. General Provisions

12.06.010 Purpose.

STET

12.06.020 Intent.

STET

Article II. Definitions

12.06.030 Definitions.

STET

Article III. Applicability and Standards

12.06.040 Applicability.

This chapter applies to ~~applications for development permits that will create 20 or more new peak hour trips on any city-owned roadway/highway segment (i.e., excluding SR 20) or intersection new development and redevelopment unless exempted in this chapter.~~ (Ord. 2879 § 6.2, 2005).

12.06.050 Exemptions.

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

~~A. In existing buildings, tenant improvements which do not increase the off-street parking requirement.~~

A. Infill residential development projects located on existing and city recognized platted lots.

B. Residential and Commercial developments creating 20-100 peak hour trips or less, unless required by the City of Port Townsend.

C. Residential and commercial developments in which level of service impacts have already been mitigated, or an impact is not significant as determined by the City of Port Townsend.

D. Further exemptions may be granted as outlined in the latest version of the Engineering Design Standards.

~~B-E.~~ Development that is vested prior to the effective date of the ordinance codified in this chapter is exempt for the development approval for which vested status is achieved. (Ord. 2879 § 6.2, 2005).

12.06.060 Level of service standards.

Compliance with the following level of service standards may require an engineering analysis or a transportation impact study to document how level of service and safety is

addressed as well as address proportional impact of the proposed development. The latest version of the engineering design standards may include additional details concerning the requirements of a transportation impact study.

~~A. The level of service standards for roads and transportation facilities shall be measured in terms of the peak hour volume to capacity ratios (V/C), averaged over the screenline segments. The level of service standard for all city owned and operated streets shall be as designated in the Comprehensive Plan. For roadway screenlines connecting to the SR 20 corridor, the average V/C shall be no more than ____ [RESERVED]; for roadway screenlines on all other roadways, the average V/C shall be no more than ____ [RESERVED]. The city does not provide concurrency management for SR 20. Level of service for SR 20 is established by the Washington State Department of Transportation.~~

~~B. The level of service standards for intersections shall be measured in terms of the number of signal cycles or elapsed time transit shall be as designated in the Comprehensive Plan. Individual movements at each signalized intersection shall not exceed an average of ____ [RESERVED] cycle lengths or ____ [RESERVED] seconds of delay (whichever is less). Individual movements at unsignalized intersections shall not exceed an average of ____ [RESERVED] seconds of delay. (Ord. 2879 § 6.2, 2005)~~

C. The level of service standards for active transportation shall be as designated in the Comprehensive Plan. New development shall create ADA pedestrian connections and bicycle connections to the ADA priority routes and connected routes respectively whenever feasible. In addition, all new developments shall either construct or pay their pro-rata share for creating ADA priority routes and/or connected routes as identified in the Comprehensive Plan in order to help complete the network.

Article IV. Transportation Concurrency Management Review

12.06.070 Transportation concurrency management process.

STET

12.06.080 Transportation concurrency management appeals.

STET

Article V. Transportation Concurrency Certification

12.06.090 ~~Certificate of t~~ Transportation concurrency permitting.

A. Transportation Concurrency will be addressed through the land use permitting process. The Public Works Department shall provide a recommendation to the Planning and Community Development Department a determination on whether concurrency has been

~~met for the proposed development according to the vesting date. A certificate of transportation concurrency shall be issued by the director for each application that is granted concurrency approval under this chapter.~~

~~B. Certificates of transportation concurrency shall be issued in the order of their review and approval. The purpose of this section is to enable applicants who are ready for approval to receive a certificate of transportation concurrency, even if their application was submitted after an earlier applicant. It is the city's intent to treat applications on a "first-come, first-served" basis, but to use this section to avoid delays in approval of development caused by applicants who are unable to complete the review process due to their own action (or inaction).~~

~~C. Upon issuance of a certificate of transportation concurrency, the director shall reserve capacity on behalf of the applicant, and indicate the reservation on the certificate of transportation concurrency.~~

~~D. A certificate of transportation concurrency shall be valid for the same period of time as the development permit; provided, that concurrency must be achieved no later than six years from the issuance of the development permit.~~

~~E. No development shall be required to obtain more than one certificate of transportation concurrency, unless the applicant or subsequent owner proposes changes or modifications to the property location, density, intensity or land use that creates additional impacts on transportation facilities.~~

~~F. A certificate of transportation concurrency is valid only for a specified parcel on which the development will be built, and is valid only for subsequent development permits on the same parcel, and the new owners of the original parcel for which it was issued. A certificate of transportation concurrency cannot be transferred to a different parcel, and shall be limited to the uses, densities, and intensities for which it was originally issued.~~

~~G. Upon subdivision of a parcel that has obtained a certificate of transportation concurrency, the director shall replace the certificate of concurrency by issuing a separate certificate of transportation 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 transportation concurrency.~~

~~H. A certificate of transportation concurrency shall expire if the underlying development permit is revoked by the director.~~

~~I. All development permits that require one or more transportation facilities to be provided shall condition the issuance of the permit, and any subsequent permit for the same development, on a financial commitment by the applicant, binding on subsequent owners, for the completion of such transportation facilities. (Ord. 2879 § 6.2, 2005).~~

Article VI. Monitoring

12.06.100 Monitoring transportation concurrency.

The city shall monitor the cumulative impacts of new development by taking traffic counts annually approximately every 5 years on selected city-owned roads and evaluation of needed improvements to complete the ADA priority and connected route system through updates to the ADA transition plan and the Capital Facilities Plan. The City may adjust level of service standards through an update to the Comprehensive Plan considering street functionality and environmental impact. ~~Monitoring will be documented through the annual capacity statement.~~ The ~~annual capacity statement~~ Capital Facilities Plan will include any transportation capacity allocated to development which is determined to be exempt under PTMC [12.06.050](#). (Ord. 2879 § 6.2, 2005).

Title 17

ZONING*

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- 17.44 Commercial and Mixed Use Architectural and Site Design Standards**
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- 17.50 Essential Public Facilities**
- 17.52 Child Care Facilities**
- 17.54 Formula Retail and Restaurant Establishments**
- 17.56 Home Occupations**
- 17.57 Bed and Breakfast Inns and Tourist Homes**
- 17.58 Tiny Houses on Wheels and Tiny House on Wheels Communities**
- 17.60 Temporary Uses**
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- 17.64 Employer-Provided Housing**
- 17.68 Fences, Walls, Arbors and Hedges**
- 17.72 Off-Street Parking and Loading**
- 17.76 Signs**
- 17.78 Personal Wireless Service Facilities**
- 17.80 *Repealed***
- 17.84 Conditional Uses**
- 17.86 Variances**
- 17.88 Nonconforming Lots, Structures and Uses**
- 17.90 Rules of Construction and Interpretation of Code**
- 17.94 Administration and Enforcement**

* Code reviser's note: Ord. 2892 changed references in this title to the building and community development department (BCD) to development services department (DSD). Ord. 3287 further changed references to the development services department (DSD) to the planning and community development department (PCD).

Chapter 17.04
GENERAL PROVISIONS

STET

Chapter 17.08

DEFINITIONS

Sections:

- 17.08.010 Generally.
- 17.08.020 A through D.
- 17.08.030 E through H.
- 17.08.040 I through M.
- 17.08.050 N through Q.
- 17.08.060 R through V.
- 17.08.070 W through Z.

17.08.010 Generally. STET

17.08.020 A through D. “Abandoned sign” STET

“Abutting” means having a common border with ~~or being separated from such common border by a public right of way.~~ See also “Contiguous.”

“Accessory building” STET

“Accessory dwelling unit” means a separate dwelling unit that is substantially contained within the structure of a single-family, duplex, triplex, or townhome residence or an outbuilding which is accessory to such residence.

“Accessory use” to Cocktail Lounge STET

“Co-living” See “Lodging House.”

“Collective garden, medical marijuana, commercial” to “Construction sign” STET

“Contiguous” means touches, joins or has common boundary having a common border with, but not separated from, such common border by a public right of way. See also “Abutting.”

“Continuum of care facility” to “Cooperative, housing” STET

~~“Cottage housing” means an alternative type of detached housing providing small residences for households of typically one to two individuals, intended to encourage affordability, innovation and variety in housing design and site development while ensuring compatibility with existing neighborhoods.~~

“Country club” to “Court” STET

“Courtyard Apartments” is a small-to-medium-scale multifamily building with multiple attached units arranged around a shared courtyard or open space. Units typically share at least one common entry or stairwell. Courtyard apartments may contain between 7 and 12 units depending on zone standards.

Coverage, Building to “Custom art and craft work” STET

~~“Daylight plane” is intended to provide for light and air, and to limit the impacts of bulk and mass on adjacent properties. “Daylight plane” means a height limitation that, when combined with the maximum height limit, defines the building envelope within which all new structures or additions must be contained. The daylight plane is an inclined plane, beginning at a stated height above average grade and extending into the site at a stated upward angle to the horizontal up to the maximum height limit. The daylight plane may further limit the height or horizontal~~

~~extent of the building at any specific point where the daylight plane is more restrictive than the height limit applicable at such point on the site.~~

“Decisionmaker” to “Driving range (golf)” STET.

“Duplex, single lot” means a single building containing two attached dwelling units, either side by side or above one another, separated by fire-resistive common wall or common floor/ceiling assemblies located on one lot. Over and under duplexes shall have common floor-ceilings between dwelling units. ~~For purposes of this title, units in a duplex are considered single-family dwellings within R-I and R-II districts; provided, that the base density requirements of the district are not exceeded. See also “Triplex” and “Fourplex.”~~

“Duplex, twin home” means a single building consisting of two attached dwelling units side by side, separated by fire-resistive common vertical wall, with each unit located on its own individual lot. Each unit is owned separately. Twin home duplexes differ from single lot duplexes in that each unit is on a separate fee-simple lot, allowing for individual ownership and sale.

“Dwelling” to “Dwelling, multifamily” STET

~~“Dwelling, single-family attached” means a duplex, triplex, fourplex, or townhouse or rowhouse unit as defined by this title.~~

“Dwelling single-family, attached” means a single dwelling unit located on its own lot, sharing one or more common walls with another dwelling unit on an adjacent lot. Each unit has a separate entrance and is designed for occupancy by a single household. Typical forms include twin homes, townhouses, or rowhouses.

~~“Dwelling, single-family detached” means a dwelling that is entirely surrounded by open space on the same lot, and which is designed for and occupied exclusively by one family and the household employees of that family.~~

“Dwelling unit” means any building or portion thereof that contains separate living facilities ~~for not more than one family~~. Separate living facilities shall constitute provisions for sleeping, eating, cooking, and bathroom facilities.

“Dwelling unit” does not include motel, boardinghouse, or tourist home units. (Ord. 3335 § 2 (Exh. C.A), 2024; Ord. 3323 § 1 (Exh. A), 2023; Ord. 3306 § 1 (Exh. A), 2023; Ord. 3287 § 5, 2022; Ord. 3272 § 1 (Exh. A), 2021; Ord. 3172 § 5 (Exh. D), 2017; Ord. 3154 § 4(1) (Exh. C), 2016; Ord. 3112 § 1 (Exh. A), 2014; Ord. 3038 § 1 (Exh. A), 2010; Ord. 3035 §§ 2, 3, 2010; Ord. 2977 § 1, 2008; Ord. 2945 § 5.9, 2007; Ord. 2939 § 3, 2007; Ord. 2920 § 6, 2005; Ord. 2916 § 2, 2006; Ord. 2898 § 6, 2005; Ord. 2892 § 1, 2005; Ord. 2878 § 1(1.1), 2004; Ord. 2867 § 2, 2004; Ord. 2864 § 5(Exh. D § 1), 2004; Ord. 2782 § 4, 2001; Ord. 2700 § 3, 1999; Ord. 2670 § 3, 1998; Ord. 2571 § 2, 1997).

17.08.030 E through H.

“Electric vehicle infrastructure” to “Foster home” STET

“Fourplex” means a single building containing four attached dwelling units, either side by side or above one another, separated by fire-resistive common wall or common floor/ceiling assemblies. Over and under fourplexes shall have common floor-ceilings between dwelling units. ~~For purposes of this title, fourplexes are considered single-family dwellings within R-I and R-II districts; provided, that the base density requirements of the district are not exceeded. See also “duplex” and “triplex.”~~

“Fraternal organization” to “HPC” STET

17.08.040 I through M.

“Illuminated sign” to “Livestock” STET

“Live-Work Unit” Live-Work Unit means a structure or portion of a structure that combines a dwelling unit with an integrated work space for the resident, where both the residential and work functions are physically integrated. The unit must be internally connected and be under common ownership or tenancy. Live-work units are considered one

dwelling unit for density purposes and one business occupancy for licensing and impact fees. These units typically include a ground-floor workspace (such as a studio, office, or small storefront) with a home located above or behind it.

“Lodging house” means a building with a single kitchen ~~that is shared by other residents. Sleeping units are independently rented and lockable and provide living and sleeping space, that provides the primary residence for the owner or operator and in which seven or more roomers, lodgers and/or boarders are housed or fed.~~ A lodging house is not a short term rental. A lodging house is also considered “co-living.” See also “Dwelling, multifamily.”

“Lot” to “Microwinery” STET

“Middle Housing” means housing types between detached single-family homes and medium multiplexes with more than 12 units.

“Mini-facility” to “Multiple-tenant building” STET

“Multiplex, Small” A residential building containing between five (5) and twelve (12) ~~nine (9)~~ dwelling units within a single structure on one lot. Units may be arranged side-by-side, stacked vertically, or a combination. Multiplex small is intended to be compatible in scale with detached single-family homes.

“Multiplex, Medium” A residential building with between thirteen (13) ~~ten (10)~~ and eighteen (18) dwelling units in a single structure. A medium multiplex is typically larger in footprint and massing than small multiplexes.

“Multiplex, Large” A residential building with nineteen (19) or more dwelling units in a single structure. A large multiplex is typically larger in footprint and massing than a small multiplex.

“Municipal improvement” to “Museum” STET

17.08.050 N through Q.
STET

17.08.060 R through V.

“Radio and television studio” to “Short term rental” STET

“Shotgun House” is a narrow, rectangular, small, single-family detached dwelling. Traditionally one story in height, though variations may include a second floor. This housing type is characterized by its efficient use of space, small footprint, and direct access from the street.

“Should,” “may,” “encouraged,” or “discouraged” are used where some flexibility is possible in the means used to achieve desired objectives.

“Sign” to “Structure, nonhistoric” STET

“Subdivision, unit lot” is a subdivision process by which boundary lines and use areas are defined within a larger “parent” lot to establish individual sellable lots, allowing for the creation of fee simple lots for ~~attached homes or subdivisions comprised of both attached and detached homes~~ townhome and cottage housing developments.

“Substantial alteration” to “Trellis” STET

“Triplex” means a single building containing three attached dwelling units, either side by side or above one another, separated by fire-resistive common wall or common floor/ceiling assemblies. Over and under triplexes shall have common floor-ceilings between dwelling units. ~~For purposes of this title, triplexes are considered single family dwellings within R-I and R-II districts; provided, that the base density requirements of the district are not exceeded.~~ See also “Duplex” and “Fourplex.”

“Truck, trailer, and recreational vehicle rental” to “Viewscape” STET

17.08.070 W through Z.
STET

Chapter 17.12

ESTABLISHMENT OF ZONING DISTRICTS

Sections:

- 17.12.010 Intent.
- 17.12.020 Establishment of districts.
- 17.12.030 Official zoning map.
- 17.12.040 Boundaries – Attesting regulations.
- 17.12.045 Urban growth area boundary.
- 17.12.050 Boundary interpretation.

17.12.010 Intent. STET

17.12.020 Establishment of districts.

The city of Port Townsend shall be divided into zoning districts that are consistent with and implement the Port Townsend Comprehensive Plan. The following districts are hereby established:

Zone	Description	Maximum Density
R-I	Low Density Single-Family Residential	4 d.u. per 40,000 s.f. area
R-II	Medium Density Single-Family Residential	8 d.u. per 40,000 s.f. area
R-III	Medium-High Density Residential	24 bedrooms per 40,000 s.f. area
R-IV	High Density Multifamily Residential	48 units per 40,000 s.f. area
C-I/MU	Neighborhood Serving Mixed Use Center	80 d.u. per 40,000 s.f. area
C-II/MU	Community Serving Mixed Use Center	100 d.u. per 40,000 s.f. area
C-I	Neighborhood Commercial	
C-II	General Commercial	
C-II(H)	Hospital Commercial	
C-III	Historic Commercial	
C-IV	Regional Commercial	
M/C	Mixed Light Manufacturing and Commercial	
M-I	Light Manufacturing	
M-II(A) (Boat Haven)	Marine-Related Uses	
M-II(B) (Point Hudson)	Marine-Related Uses	
M-III	Heavy Manufacturing	
P/OS(A)	Existing Park and Open Space	
P/OS(B)	Mixed Public/Infrastructure/Open Space	
P-I	Public/Infrastructure	

(Ord. 3323 § 1 (Exh. B), 2023; Ord. 2716 § 4.1, 1999; Ord. 2571 § 2, 1997).

17.12.030 Official zoning map.
STET

17.12.040 Boundaries – Attesting regulations.
STET

17.12.045 Urban growth area boundary.
STET

17.12.050 Boundary interpretation.
STET

Chapter 17.16

RESIDENTIAL ZONING DISTRICTS

Sections:

- 17.16.010 Purposes.
- 17.16.020 Permitted, conditional and prohibited uses – Accessory dwelling units.
- 17.16.025 Medical marijuana, personal cultivation and noncommercial collective gardens – Standards and requirements.
- 17.16.030 Bulk, dimensional and density requirements.
- 17.16.050 *Repealed.*

17.16.010 Purposes.

A. Residential Districts. The general purposes of the residential districts are as follows:

1. To provide a sustainable residential development pattern for future generations;
2. To encourage development of ~~attractive~~ residential areas that provide a sense of community and contain a variety of housing types to accommodate different lifestyles and household sizes;
3. To maintain or improve the ~~character, appearance, and~~ livability of established neighborhoods by protecting them from incompatible uses, excessive noise, illumination, glare, odor, and similar significant nuisances;
4. To establish a compact growth pattern to efficiently use the remaining developable land; enable cost effective extension and maintenance of utilities, streets, and transit; and enable development of affordable housing;
5. To enable community residents to reside and work within walking or bicycling distance of transit, employment centers, and businesses offering needed goods and services in order to reduce traffic congestion, energy consumption, and air pollution;
6. To provide for development of neighborhoods with attractive, well-connected streets, sidewalks, and trails that enable convenient, direct access to neighborhood centers, parks, and transit stops;
7. To ensure adequate light, air, and readily accessible open space for each dwelling unit in order to maintain public health, safety, and welfare;
8. To ensure the compatibility of dissimilar adjoining land uses;
9. To protect or enhance ~~the character of~~ historic structures and areas;
10. To provide residential areas of sufficient size and density to accommodate the city's projected population growth, consistent with RCW 36.70A.110;
11. To preserve or enhance environmental quality and protect groundwater used as a public water source from contamination;
12. To minimize the potential for significant flooding and allow recharge of groundwater;
13. To allow innovative approaches for providing housing, consistent with the policies of the comprehensive plan.

B. The additional purposes of each individual residential district are as follows:

1. R-I – Low Density ~~Single-Family Residential~~. This district accommodates ~~single-family residences– (including duplexes, triplexes, and fourplexes)~~ a limited mix of housing types at a minimum density of 4 units

up to a maximum density of four dwelling units per 40,000-square-foot area (i.e., 10,000-square-foot minimum lot size, or approximately four dwelling units within one block of platted land). A minimum density has been specified for this district to promote compact urban form for development for efficient land use, preservation of open space, and for the development and maintenance of fiscally and environmentally sustainable infrastructure. The R-I zone allows four or fewer single-family dwelling units to be contained within one structure upon condition of sufficient tract/lot size: 20,000 square feet for a duplex; 30,000 square feet for a triplex; and 40,000 square feet for a fourplex. Limited multifamily development could occur with approval of a planned unit development. This zoning district historically has been applied only in the northwestern portion of the city, because of stormwater related development constraints. The district accommodates single-family development at densities that maintain and promote the “small town” character the scale and feel of Port Townsend, while ensuring that the environmental quality (particularly as it relates to stormwater control) of the area is not adversely impacted. Higher densities could be permitted in these areas through approval of a planned unit development (R-PUD) overlay designation pursuant to Chapter 17.32 PTMC.

2. R-II – Medium Density Single-Family Residential. This district accommodates a wide range of housing types single-family dwellings (including duplexes, triplexes, and fourplexes) at minimum density of 8 units up to a maximum density of up to eight thirty-two (32) units per 40,000-square-foot area (i.e., 5,000-square-foot minimum lot size, or approximately eight dwelling units within one block of platted land). A minimum density has been specified for this district to promote compact urban form for development for efficient land use, preservation of open space, and for the development and maintenance of fiscally and environmentally sustainable infrastructure. The R-II district allows four or fewer single-family dwelling units to be contained within one structure upon condition of sufficient tract/lot size, with more units per structure allowed on projects covering multiple adjacent lots: 10,000 square feet for a duplex; 15,000 square feet for a triplex; and 20,000 square feet for a fourplex. Limited multifamily development could occur with approval of a planned unit development. The R-II district corresponds closely to those areas of town that are currently platted to eight lots per block, include few development limitations, and which are in proximity to existing public facilities and services.

3. R-III – Medium-High Density Multifamily Residential. The R-III district accommodates smaller scale multifamily structures (e.g., five to 12 dwellings per structure) at a minimum density of sixteen (16) units and a maximum of up to 46 forty-eight (48) units per 40,000 square feet of land area. A minimum density has been specified for this district in order to discourage use of this land for subordinate, lower density developments and to promote compact urban form for development for efficient land use, preservation of open space, and for the development and maintenance of fiscally and environmentally sustainable infrastructure. The intent of this district is to provide a broad range of housing opportunities; to provide a variety of housing types and styles; and to provide for development with a density and configuration that facilitates effective and efficient transit service. Although multifamily development is encouraged in these areas, single-family residences continue to be an allowed use provided the minimum density requirement can be achieved. This district includes areas along arterial and major collector streets with existing or planned transit service.

4. R-IV – High Density Multifamily Residential. This district accommodates larger scale multifamily structures (e.g., 10 to 24 dwellings per structure) at a minimum density of not less than thirty-two (32) units per 40,000 square feet of land area, or more than 48 and a maximum of sixty (60) units per 40,000 square feet of land area. A minimum density has been specified for this district in order to discourage use of this land for subordinate, lower density developments and to promote compact urban form for development for efficient land use, preservation of open space, and for the development and maintenance of fiscally and environmentally sustainable infrastructure. single-family dwellings are not permitted in this district. This district includes areas designed to be compatible with adjoining uses; to provide for development with a density and configuration that facilitates effective and efficient transit service; and to enable provision of affordable housing.

C. Accessory Dwelling Units. This chapter provides standards for the establishment of accessory dwelling units within the structure of a single-family residence or an outbuilding which is accessory to such residence. Accessory dwelling units are allowed in order to:

1. Allow more energy efficient use of large, older homes;
2. Provide more affordable housing opportunities for Port Townsend residents;
3. Provide additional density with minimal cost and disruption to existing neighborhoods; and
4. Allow individuals and smaller households to retain large houses as residences. (Ord. 3323 § 1 (Exh. C), 2023; Ord. 2967 § 4.1, 2008; Ord. 2825 § 4, 2003; Ord. 2782 § 4, 2001; Ord. 2716 § 4.2, 1999; Ord. 2571 § 2, 1997).

17.16.020 Permitted, conditional and prohibited uses – Accessory dwelling units.

A. Table 17.16.020 identifies land uses in the residential zoning districts that are permitted outright (P), subject to a conditional use permit (C), prohibited (X), or not applicable (N/A). However, notwithstanding the fact that a use may be permitted outright, additional permits may be required for certain projects. For example, multifamily residential development project applicants must procure a Type I permit in accordance with Chapter 17.36 PTMC, Multifamily Residential Development Standards. Uses not specifically identified within Table 17.16.020 are deemed to be contrary to the interests of the public health, safety and welfare of the citizens of Port Townsend and shall be prohibited.

B. Requirements for the uses identified in Table 17.16.020 which are contained within other provisions of this title are referenced under the heading “applicable regulations/notes,” although this should not be construed as a comprehensive listing of all provisions of this title which may apply to any given use. Specifically, the provisions of Chapter 17.72 PTMC, Off-Street Parking and Loading, and Chapter 17.76 PTMC, Signs, shall apply to all uses, even if not noted in Table 17.16.020.

C. Accessory Dwelling Units – Limitations on Use. Two accessory dwelling units (ADU) may be established as an accessory use to a single-family detached, shotgun house, duplex, triplex, or townhome residence provided the following conditions are continuously met:

1. A certificate of occupancy pursuant to the currently adopted city construction codes shall be obtained from the building official and posted within the ADU. The code inspection and compliance required to obtain a certificate of occupancy in an existing building shall be restricted to the portion of the building to be occupied by an ADU and shall apply only to new construction rather than existing components, except that any high hazards (i.e., smoke detectors, fire exits, stairways, LP gas appliances and fire separation) shall be corrected. Where additional fire separation is unduly burdensome, the building official may authorize a fire alarm system in lieu of required fire separation.
2. Neither the main nor accessory dwelling units shall be used as a short term rental, except as provided for in PTMC 17.57.020(B)(2).
3. ADUs established in an outbuilding shall not exceed ~~800~~ 1,000 square feet in floor area and ADUs established within or attached to the primary residence shall not exceed 1,000 square feet, and under no circumstance shall the total lot coverage of the primary residence along with the ADU exceed the standard allowed in the underlying zoning district.
4. ADUs may be established in a residence or outbuilding that is legal, nonconforming with respect to required setbacks if entrances are no closer than five feet to neighboring property lines, and if each side window that is closer than five feet to a side property line and that is also closer than 20 feet to either the front or rear property line is permanently glazed with translucent material; provided, that the director may permit an entrance as close as three feet to a neighboring property line upon a finding that no feasible alternative exists.
5. ADUs may be established as an accessory use to an existing single-family ~~detached~~ residence that is a legal nonconforming use.

6. ADUs may be configured as a duplex structure when detached from primary residence.

D. Accessory Dwelling Units – Exception for Legal, Nonconforming Accessory Dwelling Units. Notwithstanding the provisions of subsection C of this section, in the case of an ADU established prior to August 17, 1971, and continuously occupied thereafter, the ADU may continue without compliance with PTMC 17.16.020(C)(1) and (C)(2), provided a certificate of occupancy is obtained pursuant to PTMC 17.16.020(C)(1).

[Note: The fee for inspection and issuance of a certificate of occupancy for an accessory dwelling unit shall be the same as that established in the currently adopted International Building Code for a special inspection. ~~For the purposes of determining system development charges or utility or infrastructure requirements, a single family residence with an accessory dwelling unit which does not separately connect to city water or sewer service shall have the same charges and the same requirements as a single family residence without an accessory dwelling unit.~~]

E. Incidental uses which are identified in this title as prohibited or conditional uses within the applicable zoning district shall be considered conditional and processed in accordance with Chapter 20.01 PTMC subject to the approval criteria codified in Chapter 17.84 PTMC.

Table 17.16.020

Residential Zoning Districts – Permitted, Conditional and Prohibited Uses

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable					
DISTRICT	R-I	R-II	R-III	R-IV	APPLICABLE REGULATIONS/NOTES
SINGLE-FAMILY RESIDENTIAL USES (non multifamily)					
Accessory dwelling units	P	P	P	X P	PTMC 17.16.030, Bulk, dimensional and density requirements. For ADUs in the R-III zone, the ADUs shall be counted toward the maximum housing density as provided in PTMC 17.16.030. Each primary residence is limited to no more than two detached accessory living units. This may be comprised of a combination of detached ADU(s) and/or guest bedroom(s).
Adult family homes (for 6 or fewer adults)	P	P	P	P	PTMC 17.16.030, Bulk, dimensional and density requirements.
Continuum of care facilities	C	C	C	C	PTMC 17.62.040, Permit review process table; and PTMC 17.62.050, Approval criteria
Disaster relief shelter	P	P	P	P	Disaster relief shelters are not subject to bulk, dimensional, and density requirements. This provision recognizes disaster relief agencies' desired use of various facilities located in various zoning districts during a time of declared public emergency.
Emergency indoor housing	P2	P2	P2	P2	PTMC 17.62.040, Permit review process table; and PTMC 17.62.050, Approval criteria
Emergency indoor day-use shelter	P2	P2	P	P	PTMC 17.62.040, Permit review process table; and PTMC 17.62.050, Approval criteria
Emergency indoor overnight shelter	P2	P2	P2	P2	PTMC 17.62.040, Permit review process table; and PTMC 17.62.050, Approval criteria
Emergency outdoor shelter	C	C	P2	P2	PTMC 17.62.040, Permit review process table; and PTMC 17.62.050, Approval criteria

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable					
DISTRICT	R-I	R-II	R-III	R-IV	APPLICABLE REGULATIONS/NOTES
Emergency shelter (6 or fewer adults)	P	P	P	P	Same as above.
Emergency shelters established by the American Red Cross during a time of public emergency	P	P	P	P	This provision recognizes the Red Cross's desired use of various facilities located in the residential zoning districts during a time of public emergency.
Group homes for the disabled (6 or fewer residents)	P	P	P	P	PTMC 17.16.030, Bulk, dimensional and density requirements.
<u>Live-Work Units</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>PTMC 17.16.030, Bulk, dimensional and density requirements</u>
Manufactured homes (on individual lots)	P	P	P	X	Manufactured homes, whether used as single-family residences or as an ADU, meeting the definition for "manufactured home" and set on a permanent foundation, <u>as specified by the manufacturer, with that space from the bottom of the ground be enclosed by concrete or an approved concrete product which can be either load bearing or decorative with the space from the bottom of the home to the ground enclosed by either load bearing concrete or decorative concrete or masonry blocks so that no more than one foot of the perimeter foundation is visible above grade,</u> are permitted on individual lots in R-I, R-II and R-III zoning districts, subject to PTMC 17.16.030, Bulk, dimensional and density requirements. Title to the manufactured home shall be eliminated as a condition of building permit approval, and no certificate of occupancy shall issue until the applicant has completed correctly the title elimination process. The placement of manufactured homes that were constructed more than three years prior is prohibited.
Mobile homes and trailer homes (on individual lots)	X	X	X	X	
Modular homes	P	P	P	X	PTMC 17.16.030, Bulk, dimensional and density requirements. Modular homes are constructed in accordance with the International Building Code and are considered a type of single-family dwelling.
Single-family dwellings (including duplexes, triplexes, fourplexes, and townhouses or rowhouses of up to four units which meet the base density requirements of the applicable district)	P	P	P	P	<u>Must meet the</u> PTMC 17.16.030, Bulk, dimensional and density requirements. <u>Single-family dwellings in the R-IV zone are limited to fourplexes or townhouses or rowhouses. A duplex structure may be constructed along a zero lot line provided the structure complies with building code fire separation requirements. Other housing types proposing units in individual ownership will require a unit lot subdivision or binding site plan.</u>
Duplex, triplex, or fourplex conversion	P	P	P	P	PTMC 17.16.030, Bulk, dimensional and density requirements, applies.

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable					
DISTRICT	R-I	R-II	R-III	R-IV	APPLICABLE REGULATIONS/NOTES
of detached single-family homes					Housing types proposing units in individual ownership will require a unit lot subdivision or binding site plan. <u>Note that conversions of detached single family homes up to a fourplex are not subject to density restrictions.</u>
Townhouses or rowhouses (zero lot lines) of five or <u>fewer more</u> units	X <u>P</u>	P	P	P	Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements. Housing types proposing units in individual ownership will require a unit lot subdivision or binding site plan.
Cottage housing developments	<u>P</u>	<u>P</u>	<u>P</u>	X <u>P</u>	Ch. 17.34 PTMC, Cottage Housing Development Design Standards; Ch. 17.46 PTMC, Commercial, Multifamily, Cottage Housing Developments, and Mixed Use Architectural and Site Design Review Processes; Ch. 18.20 PTMC, Binding Site Plans; Ch. 19.06 PTMC, Article III Standards for Tree Conservation.
Safe parking	P2*	P2*	P2*	P2*	See PTMC 17.62.040, Permit review process table; PTMC 17.62.050, Approval criteria; and PTMC 17.62.050(C), Standards for standalone safe parking. *Standalone safe parking facilities that are owned and/or operated by a religious organization shall be reviewed under a Type I-A process instead.
<u>Shotgun House (Small Single Family, Detached)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>PTMC 17.16.030, Bulk, dimensional and density requirements, applies.</u>
Transient use of single-family residential uses (including duplexes, triplexes, fourplexes and cottage housing)	X	X	X	X	See PTMC 17.08.060, Short term rentals.
Tiny house on wheels community	X	X	C	X	Conditional use permit subject to Ch. 17.58 PTMC.
Tiny shelter villages	P2	P2	P2	P2	PTMC 17.62.040, Permit review process table; and PTMC 17.62.050, Approval criteria
MULTIFAMILY RESIDENTIAL USES					
Apartment houses	X	C	P	P	Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements. Regardless of any other code provision, applications for conditional use permits for apartment houses in the R-II zone are minor conditional uses and processed as Type II permits per Ch. 20.01 PTMC.
Boardinghouses (6 or fewer roomers)	P	P	P	P	<u>PTMC 17.16.030, Bulk, dimensional and density requirements. Same as above.</u>
Lodging houses (7 or more roomers)	X	X	P	P	<u>Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC</u>

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable					
DISTRICT	R-I	R-II	R-III	R-IV	APPLICABLE REGULATIONS/NOTES
					<u>17.16.030, Bulk, dimensional and density requirements. Same as above.</u>
Congregate care or assisted living facilities (with 7 or more dwelling units/bedrooms)	X	X	P	P	Same as above. Also, noncommercial medical marijuana collective gardens are permitted subject to the standards of PTMC 17.16.025(C).
<u>Courtyard Apartments (7-18 units)</u>	X	P	P	P	<u>Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements</u>
Foster homes	P	P	P	P	Same as above.
Fraternities, sororities and student cooperatives	X	X	C	C	Same as above.
Halfway house	X	X	X	X	See definition in PTMC 17.08.030.
Multifamily dwellings	X	C	P	P	Same as above.
<u>Multiplex Small (5-12 units)</u>	X	P	P	P	<u>Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements</u>
<u>Multiplex Medium (13-18 units)</u>	X	P	P	P	<u>Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements</u>
<u>Multiplex Large (19 or more units)</u>	X	C	P	P	<u>Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements. Regardless of any other code provision, applications for conditional use permits for apartment houses in the R-II zone are minor conditional uses and processed as Type II permits per Ch. 20.01 PTMC.</u>
Nursing, rest, or convalescent homes (7 or more persons)	X	C	P	P	Same as above. Also, noncommercial medical marijuana collective gardens are permitted subject to the standards of PTMC 17.16.025(C).
Permanent supportive housing	P	P*	P	P	Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements. *Regardless of any other code provision, applications for conditional use permits for apartment houses in the R-II zone are minor conditional uses and processed as Type II permits per Ch. 20.01 PTMC.
Residential treatment facilities	C	C	P	P	
Residential treatment facilities including group homes for the	X	X	P	P	"Group homes" are considered an "essential public facility" under RCW 36.70A.200; "...their siting cannot be precluded by development regulations..."; and PTMC

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable					
DISTRICT	R-I	R-II	R-III	R-IV	APPLICABLE REGULATIONS/NOTES
disabled (for 7 or more residents)					17.16.030, Bulk, dimensional and density requirements.
Townhouses or rowhouses (zero lot lines) <u>five or more units</u>	X	X	P	P	Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements.
Transient use of multifamily residential uses	X	X	X	X	See PTMC 17.08.060, "Transient accommodation."
Transitional housing	P	P*	P	P	Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements. *Regardless of any other code provision, applications for conditional use permits for apartment houses in the R-II zone are minor conditional uses and processed as Type II permits per Ch. 20.01 PTMC.
COMMERCIAL USES					
Adult entertainment facilities	X	X	X	X	
Food service establishments	P	P	P	P	Located within 100 feet of intersection. Drive-through's prohibited.
Food Store and Grocery Stores	P	P	P	P	Located within 100 feet of intersection. Drive-through's prohibited.
Bed and breakfast inns	C	C	C	C	PTMC 17.16.030, Bulk, dimensional and density requirements.
Child day care centers and stand alone preschools	C ¹	C ¹	C	C	⁽¹⁾ See PTMC 17.52.020(B) for child care as an accessory use. Child day care centers may be permitted in any residential zone through the planned unit development (PUD) process, see Ch. 17.32 PTMC. Ch. 17.52 PTMC, Child Care Facilities; and PTMC 17.16.030, Bulk, dimensional and density requirements.
Commercial uses as part of a planned unit development	P	P	P	P	PTMC 17.32.080, Modification of permitted uses – Commercial uses.
Family home child care and in-home preschools	P	P	P	P	Same as above.
Home occupations	P	P	P	P	Ch. 17.56 PTMC, Home Occupations; and PTMC 17.16.030, Bulk, dimensional and density requirements.
Tourist homes	C	C	C	C	PTMC 17.16.030, Bulk, dimensional and density requirements.
ACCESSORY USES – STET					
AGRICULTURAL USES – STET					
OTHER USES – STET					

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable					
DISTRICT	R-I	R-II	R-III	R-IV	APPLICABLE REGULATIONS/NOTES
TEMPORARY USES – STET					

(Ord. 3335 § 2 (Exh. C.F), 2024; Ord. 3306 § 1 (Exhs. D, E), 2023; Ord. 3287 § 5, 2022; Ord. 3272 § 1 (Exh. C), 2021; Ord. 3247 § 1 (Exhs. B, C), 2020; Ord. 3241 § 1 (Exhs. A, B), 2019; Ord. 3172 § 7 (Exh. F), 2017; Ord. 3112 § 1 (Exh. B), 2014; Ord. 3035 § 4, 2010; Ord. 3026 § 1 (Exh. A-6 § 1), 2010; Ord. 2982 § 1, 2008; Ord. 2977 § 1, 2008; Ord. 2939 §§ 4, 5, 8, 2007; Ord. 2916 § 4, 2006; Ord. 2898 §§ 2, 3, 2005; Ord. 2893 § 1, 2005; Ord. 2867 § 2, 2004; Ord. 2864 § 5(Exh. D § 2), 2004; Ord. 2837 § 2(Exh. B § 7), 2003; Ord. 2825 § 4, 2003; Ord. 2792 § 2, 2001; Ord. 2782 § 4, 2001; Ord. 2700 §§ 9, 10, 1999; Ord. 2670 § 3.2, 1998; Ord. 2571 § 2, 1997).

17.16.025 Medical marijuana, personal cultivation and noncommercial collective gardens – Standards and requirements.
STET

17.16.030 Bulk, dimensional and density requirements.

A. The standards contained in Table 17.16.030 apply to all residential zoning districts, and shall be determined to be minimum requirements, unless stated as maximum by this title.

B. Exceptions.

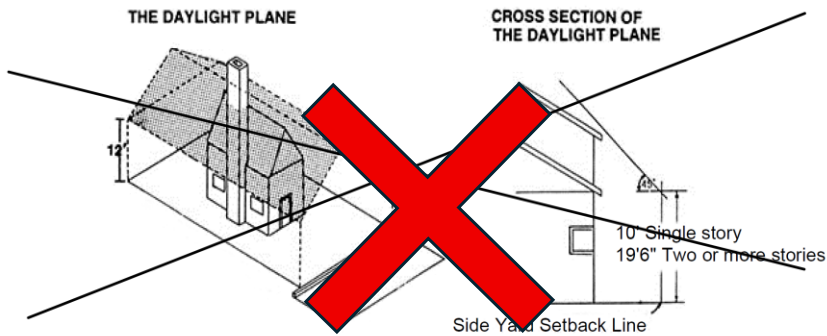
1. Outbuildings. The rear setbacks provided in Table 17.16.030 shall not apply to accessory structures smaller than 120 square feet in building coverage and 10 feet in height; provided, that all such accessory structures shall be a minimum of five feet from rear lot and/or property lines.

~~2. ADUs. The maximum density provisions in Table 17.16.030 shall not apply to accessory dwelling units in the R-I and R-II zoning districts.~~

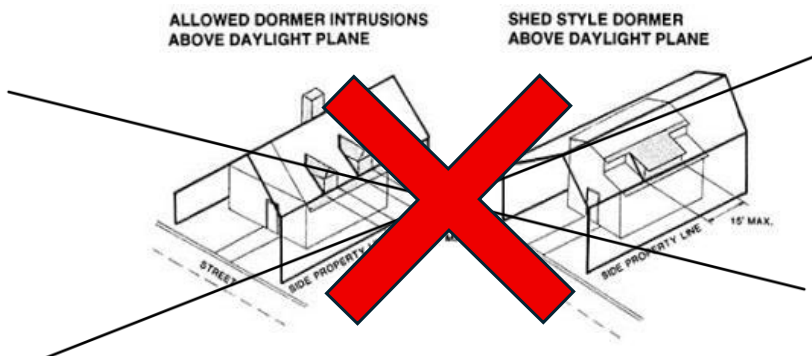
~~3. 2. Conversion of Single-Family. The maximum density provisions in Table 17.16.030 shall not apply to conversion of a detached single-family dwelling unit into a duplex, triplex, or fourplex.~~

C. Setbacks and Minimum Yard Requirements. Notwithstanding any other ordinance or provision of this title, all setbacks (yard requirements) shall be measured from the lot line to the building line. In addition, there shall be a five-foot setback measured from the closest edge of a public or private easement for ingress or egress. Provided, however, that the roof or eaves of a roof of a building may extend beyond the building line a maximum distance of two feet into the applicable minimum yard area. “Lot line” for purposes of this section means the lot lines established for the lot by a plat, or subdivision, and does not include any line or boundary encompassing property that may be part of the lot or attached to the lot by reason of a street vacation resulting from the effect of statutory vacation (State of Washington Laws of 1889-1890, Chapter 19, section 32, “statutory vacation statute”). Easements include easements evidenced by conveyance, or recorded plat (unless extinguished by judicial determination and owner provides a copy of title insurance without any exceptions for easements whether or not of record title).

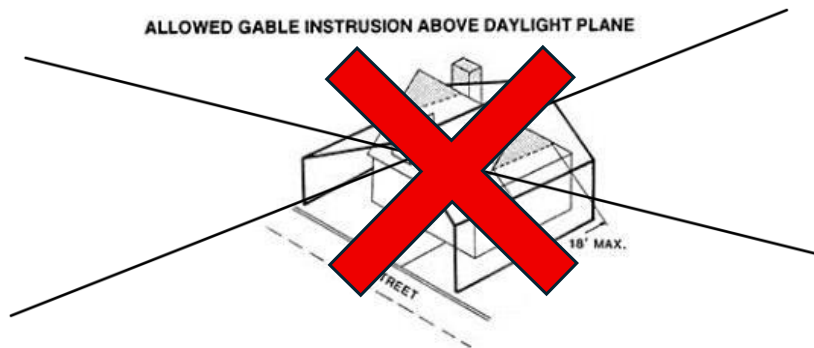
~~D. Daylight Plane. In R-I and R-II zones, no structure shall extend above or beyond a daylight plane having a height of 15 feet measured at the property line and extending into the parcel at an angle of 45 degrees, with the following encroachments allowed:~~



1. Television and radio antennas, chimneys, flues, eaves, or skylights;
2. Dormers or similar architectural features; provided, that the horizontal length of all such features shall not exceed a combined total of 15 feet on each side, measured along the intersection with the daylight plane;

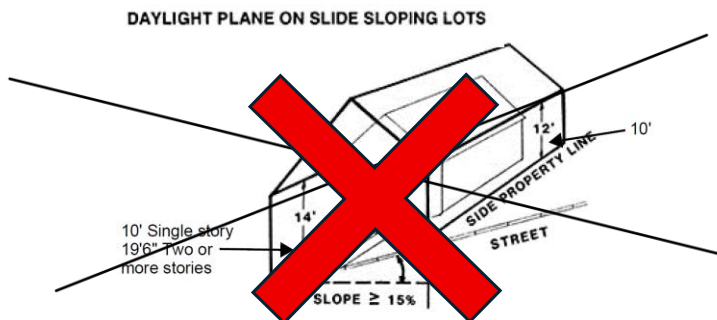


3. Gables or similar architectural features; provided, that the horizontal length of all such features shall not exceed a combined total of 18 feet on each side, measured along the intersection with the daylight plane; and provided, that the intersection of the gable with the daylight plane closest to the front property line is along the roof line;

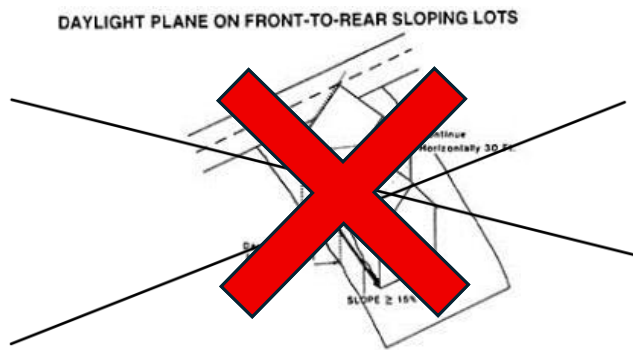


4. Where the finished first floor of an existing dwelling is more than three feet above existing grade and is being extended by an addition, the initial height of the daylight plane shall be 12 feet for a single-story residence and 21.5 feet for two or more story residences;

5. Where the slope of a parcel measured between the side property lines at the front setback is 15 percent or steeper, the initial height of the daylight plane shall be 10 feet for a single-story residence and 21.5 feet for two or more story residences on the downhill side of the parcel; and



6. Where the slope of a parcel measured between the front and rearmost points of the structure is 15 percent or steeper, the daylight plane shall be measured at the front setback line and each 30 feet thereafter, and the height limits established at these points shall be extended horizontally to the next measurement point.



7. The daylight plane requirements do not apply to the side yards of a property contiguous with a right-of-way.

E. Fences. STET

F. Construction and Permits. STET

Table 17.16.030

Residential Zoning Districts – Bulk, Dimensional and Density Requirements

DISTRICT	R-I	R-II	R-III	R-IV
MAXIMUM HOUSING DENSITY (units per 40,000 square foot area)	4 dwelling units (Multiple dwelling units on a single lot must be contained within a single structure, except: a permitted accessory dwelling unit (ADU) may be established in a separate building if allowed by PTMC 17.16.020) (10,000 sf of lot area per unit, except 5,000 sf of lot area per unit for a duplex)	8 32 dwelling units (Multiple dwelling units on a single lot must be contained within a single structure, except: a permitted accessory dwelling unit (ADU) may be established in a separate building if allowed by PTMC 17.16.020) (5,000 sf of lot area per unit; per detached single-family unit: 2,500 for any multifamily structure; and 1,150 sf of lot area per attached single-family unit)	46 48 units *Lodging house sleeping units count as one-quarter of a dwelling unit. per 40,000 sf of lot area	48 60 units *Lodging house sleeping units count as one-quarter of a dwelling unit per 40,000 sf of lot area
MINIMUM AVERAGE HOUSING DENSITY (units per 40,000 square foot area)	4 units	8 units	40 16 units Where a parcel and/or contiguous parcels under single ownership are 12,000 sf in size or greater; minimum average density = 1 unit/4,000 2,500 sf	45 32 units

DISTRICT	R-I	R-II	R-III	R-IV
MAXIMUM NUMBER OF DWELLING UNITS IN ANY ONE STRUCTURE	4 (Note: limited structures with more than 4 dwellings per structure may be permitted through the PUD process; see Chapter 17.32 PTMC)	Structures with 5, 6, 7, or 8 dwellings may be permitted through a conditional use permit <u>No limit</u>	No limit	No limit
MINIMUM LOT SIZE	10,000 sf = single-family detached <u>5,000 sf = single-family attached (duplex only)</u>	5,000 sf = single-family detached <u>1,500 sf = each unit of single-family attached</u> <u>2,500 sf = multifamily</u>	3,000 sf = single-family detached; 5,000 sf = single-family attached (duplex); 2,500 sf = each unit for a zero lot line duplex; 7,500 sf = single-family attached (triplex); 10,000 sf = single-family attached (fourplex) and 12,500 sf = multifamily ^{4b}	—
MINIMUM LOT WIDTH	50'	<u>50' = single-family detached</u> <u>18' = single-family attached</u> <u>14' = for townhomes and narrow "Shotgun style" single-family detached</u>	30' except: 100' = multifamily; 25' = single-family detached <u>No minimum lot width for attached units.</u>	—
MINIMUM FRONT YARD SETBACKS	20' except: 50' = barns and agricultural buildings	10' except: <u>5 20' for garages with vehicle access facing a street right-of-way;</u> <u>No setback for multifamily structures;</u> and 50' = barns and agricultural buildings	10 20' except: 5 10' with side or rear for parking; garages with vehicle access facing a street right-of-way must be set back 20'; no setback for multifamily structures located within 200' of an abutting mixed use zoning district	<u>10 20' except: 5' for garages 10' with side or rear parking; no setback for multifamily structures located within 200' of an abutting mixed use zoning district</u>
MINIMUM REAR YARD SETBACKS	20' except: 50' = barns and agricultural buildings, and 100' if abutting an R-II, R-III, or R-IV zoning district 5' for ADUs provided the rear property line does not abut a street right-of-way and the ADU has no door or garage door facing rear property line	<u>5 10' except:</u> 100' = barns and agricultural buildings 5' for ADUs provided the rear property line does not abut a street right-of-way and the ADU has no door or garage door facing rear property line <u>0' for ADU's provided the ADU abuts a public alley.</u>	<u>5 10' except:</u> no setback for multifamily structures located within 200' of an abutting mixed use zoning district <u>0' for ADU's provided the ADU abuts a public alley.</u>	<u>5 15' except:</u> 20' if directly abutting an R-I or R-II district; no setback for multifamily structures located within 200' of an abutting mixed use zoning district
MINIMUM SIDE YARD SETBACKS	Minimum of 5' on either side 10' = abutting a street r-o-w; 20' for garages with vehicle access facing a street right-of-way and 50'	Minimum of 5' on either side 10' = abutting a street r-o-w; 5; 20' for garages with vehicle access facing a	5' except: 10' = along a street r-o-w; 5 20' for garages with vehicle access facing a street right-of-way and no setback for multifamily	15' except: <u>10' = along a street r-o-w; 5' for garages with vehicle access facing a street right-of-way 20' if directly abutting an R-I or R-II</u>

DISTRICT	R-I	R-II	R-III	R-IV
	= barns and agricultural buildings and 100' if abutting an R-II, R-III, or R-IV zoning district 5' for ADUs with no door or garage door facing side property line	street right-of-way and 100' = barns and agricultural buildings 5' for ADUs with no door or garage door facing side property line <u>No setback for zero-lot line and attached developments.</u>	structures located within 200' of an abutting mixed-use zoning district <u>No setback for zero-lot line and attached developments.</u>	district; no setback for multifamily structures located within 200' of an abutting mixed-use zoning district <u>No setback for zero-lot line and attached developments.</u>
MAXIMUM BUILDING HEIGHT	30' 45'	30' 45'	35' 55'	35' 55'
MAXIMUM LOT COVERAGE	25% except 40% where an ADU or multiple units are included in the lot	35% except 60 45% where an ADU or multiple units are included in the lot	65 45%	75 60%
MAXIMUM FENCE HEIGHT*	Any lot line abutting a public r-o-w = 4'; any lot line not abutting a public r-o-w = 8'; rear abutting a public street r-o-w = 4'; see note below	Any lot line abutting a public r-o-w = 4'; any lot line not abutting a public r-o-w = 8'; rear abutting a public street r-o-w = 4'; see note below	Any lot line abutting a public r-o-w = 4'; any lot line not abutting a public r-o-w = 8'; rear abutting a public street r-o-w = 4'; see note below	Any lot line abutting a public r-o-w = 4'; any lot line not abutting a public r-o-w = 8'; rear abutting a public street r-o-w = 4'; see note below

⁽¹⁾ In order to achieve the minimum density, a subdivision of parcels 12,000 square feet or greater shall not allow individual lots larger than 4,000 square feet unless it can be assured that the minimum density will be achieved.

*Note: Maximum heights for up to 100 percent solid fences apply within any required front, side, or rear setback area or along the lot line except within the clear vision area; refer to Chapter 17.68 PTMC, Fences, Walls, Arbors and Hedges, for specific requirements. Standards apply to open and unopened right-of-way (r-o-w).

(Ord. 3323 § 1 (Exh. D), 2023; Ord. 3306 § 1 (Exhs. F, G), 2023; Ord. 3272 § 1 (Exh. F), 2021; Ord. 3247 § 1 (Exh. D), 2020; Ord. 3241 § 1 (Exhs. A, B), 2019; Ord. 3042 § 1 (Exh. A), 2010; Ord. 3038 § 1 (Exh. A), 2010¹; Ord. 3035 § 5, 2010; Ord. 2982 § 2, 2008; Ord. 2967 § 4.2, 2008; Ord. 2939 §§ 1, 2, 2007; Ord. 2913 § 2, 2005; Ord. 2825 § 4, 2003; Ord. 2782 § 4, 2001; Ord. 2716 § 4.3, 1999; Ord. 2700 § 11, 1999; Ord. 2571 § 2, 1997).

17.16.050 Cottage housing.

Repealed by Ord. 2864. (Ord. 2837 § 2 (Exh. B § 8), 2003; Ord. 2792 § 3, 2001).

¹ Code reviser's note: The city council clarified amendments made by Ordinance No. 3038 with a housekeeping change at its meetings on September 20, 2010, and on August 19, 2013.

Chapter 17.18

MIXED USE ZONING DISTRICTS

Sections:

- 17.18.010 Purposes.
17.18.020 Permitted, conditional and prohibited uses.
17.18.030 Bulk, dimensional and density requirements.

17.18.010 Purposes. STET

17.18.020 Permitted, conditional and prohibited uses.

A. Table 17.18.020 identifies land uses in the mixed use zoning districts that are permitted outright (P), subject to a conditional use permit (C), prohibited (X), or not applicable (N/A). However, notwithstanding the fact that a use may be permitted outright, additional permits may be required for certain projects. Uses not specifically identified within Table 17.18.020 are deemed to be contrary to the interests of the public health, safety and welfare of the citizens of Port Townsend and shall be prohibited.

B. Requirements for the uses identified in Table 17.18.020 which are contained within other provisions of this title are referenced under the heading “applicable regulations/ notes,” although this should not be construed as comprehensive listing of all provisions of this title which may apply to any given use. Specifically, the provisions of Chapter 17.72 PTMC, Off-Street Parking and Loading, and Chapter 17.76 PTMC, Signs, shall apply to all uses, even if not noted in Table 17.18.020.

C. Incidental uses which are identified in this title as prohibited or conditional uses within the applicable zoning district shall be considered conditional and processed in accordance with Chapter 20.01 PTMC subject to the approval criteria codified in Chapter 17.84 PTMC.

Table 17.18.020

Mixed Use Zoning Districts – Permitted, Conditional and Prohibited Uses

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable			
DISTRICT	C-I(MU)	C-II(MU)	APPLICABLE REGULATIONS/NOTES
RESIDENTIAL USES (Mixed with other permitted nonresidential uses)			
Apartment houses	P	P	PTMC 17.18.030, Bulk, dimensional and density requirements; and Ch. 17.36 PTMC, Multifamily Residential Development Standards.
Attached single-family residences (i.e., duplexes, triplexes and fourplexes)	P	X	PTMC 17.18.030, Bulk, dimensional and density requirements.
Boarding houses (six or fewer roomers) and lodging and rooming houses (seven or more roomers)	P	P	Same as above.
<u>Lodging Houses (seven or more roomers)</u>	<u>P</u>	<u>P</u>	<u>PTMC 17.18.030, Bulk, dimensional and density requirements; and Ch. 17.36 PTMC, Multifamily Residential Development Standards.</u>

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable			
DISTRICT	C-I(MU)	C-II(MU)	APPLICABLE REGULATIONS/NOTES
Continuum of care facilities	C	C	PTMC 17.18.030, Bulk, dimensional and density requirements; Ch. 17.36 PTMC, Multifamily Residential Development Standards; and Ch. 17.62 PTMC.
Detached single-family residences	X	X	
Disaster relief shelter	P	P	Disaster relief shelters are not subject to bulk, dimensional, and density requirements. This provision recognizes disaster relief agencies' desired use of various facilities located in various zoning districts during a time of declared public emergency.
Emergency indoor housing	P2	P2	PTMC 17.18.030, Bulk, dimensional and density requirements; Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.62.040, Permit review process Table and 17.62.050, Approval criteria
Emergency indoor day-use shelter	P	P	PTMC 17.18.030, Bulk, dimensional and density requirements; Ch. 17.36 PTMC, Multifamily Residential Development Standards; PTMC 17.62.040, Permit review process Table and 17.62.050, Approval criteria
Emergency indoor overnight shelter	P2	P2	PTMC 17.18.030, Bulk, dimensional and density requirements; Ch. 17.36 PTMC, Multifamily Residential Development Standards; PTMC 17.62.040, Permit review process Table and 17.62.050, Approval criteria
Emergency outdoor shelter	P2	P2	PTMC 17.18.030, Bulk, dimensional and density requirements; Ch. 17.36 PTMC, Multifamily Residential Development Standards; PTMC 17.62.040, Permit review process Table and 17.62.050, Approval criteria
Group homes for the disabled, attached (six or fewer residents)	P	X	"Group homes" are considered an "essential public facility" under RCW 36.70A.200; "...their siting cannot be precluded by development regulations..."; and PTMC 17.18.030, Bulk, dimensional and density requirements.
<u>Live-Work Units</u>	<u>C</u>	<u>P</u>	PTMC 17.18.030, Bulk, dimensional and density requirements; and Ch. 17.36

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable			
DISTRICT	C-I(MU)	C-II(MU)	APPLICABLE REGULATIONS/NOTES
			PTMC, Multifamily Residential Development Standards.
Multifamily dwellings	P	P	Same as above.
<u>Multiplex Small (5-12 units)</u>	<u>P</u>	<u>P</u>	PTMC 17.18.030, Bulk, dimensional and density requirements; and Ch. 17.36 PTMC, Multifamily Residential Development Standards.
<u>Multiplex Medium (13-18 units)</u>	<u>P</u>	<u>P</u>	PTMC 17.18.030, Bulk, dimensional and density requirements; and Ch. 17.36 PTMC, Multifamily Residential Development Standards.
<u>Multiplex Large (19 or more units)</u>	<u>P</u>	<u>P</u>	<u>PTMC 17.18.030, Bulk, dimensional and density requirements; and Ch. 17.36 PTMC, Multifamily Residential Development Standards.</u>
Permanent supportive housing	P	P	PTMC 17.18.030, Bulk, dimensional and density requirements; and Ch. 17.36 PTMC, Multifamily Residential Development Standards.
Residential treatment facilities including group homes for the disabled (seven or greater)	C	C	“Group homes” are considered an “essential public facility” under RCW 36.70A.200; “...their siting cannot be precluded by development regulations...”; and PTMC 17.18.030, Bulk, dimensional and density requirements.
Residences above commercial uses	P	P	The Port Townsend Comprehensive Plan identifies this as the preferred form of development within mixed use zoning districts.
Safe parking	P2*	P2*	See PTMC 17.62.040, Permit review process table; PTMC 17.62.050, Approval criteria; and PTMC 17.62.050(C), Standards for standalone safe parking. *Standalone safe parking facilities that are owned and/or operated by a religious organization shall be reviewed under a Type I-A process instead.
Tiny shelter villages	P2	P2	PTMC 17.18.030, Bulk, dimensional and density requirements; Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.62.040, Permit review process Table and 17.62.050, Approval criteria

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable			
DISTRICT	C-I(MU)	C-II(MU)	APPLICABLE REGULATIONS/NOTES
Townhouses or rowhouses (zero lot lines)	P	P	PTMC 17.18.030, Bulk, dimensional and density requirements; and Ch. 17.36 PTMC, Multifamily Residential Development Standards.
Transitional housing facilities	P	P	PTMC 17.18.030, Bulk, dimensional and density requirements; and Ch. 17.36 PTMC, Multifamily Residential Development Standards.
OFFICE USES – STET			
COMMERCIAL USES – STET			
COMMERCIAL SERVICE USES – STET			
ACCESSORY USES – STET			
TEMPORARY USES – STET			
OTHER USES – STET			

(Ord. 3335 § 2 (Exh. C.G), 2024; Ord. 3154 § 4(2) (Exh. D), 2016; amended by council motion, 9/2/14; Ord. 3112 § 1 (Exh. C), 2014; Ord. 2977 § 1, 2008; Ord. 2916 § 5, 2006; Ord. 2912 § 2, 2005; Ord. 2825 § 4, 2003; Ord. 2700 §§ 12, 13, 1999; Ord. 2670 §§ 3.3, 3.4, 1998; Ord. 2571 § 2, 1997).

17.18.030 Bulk, dimensional and density requirements.

A. The standards contained in Table 17.18.030 apply to all mixed use zoning districts, and shall be determined to be minimum requirements, unless stated as maximum by this title.

B. Application of Minimum Commercial Space and Clear Ceiling Height Requirements.

STET

C. Open Space Requirement.

STET

D. Setbacks and Minimum Yard Requirements.

STET

E. Construction and Permits.

STET

Table 17.18.030

Mixed Use Zoning Districts – Bulk, Dimensional and Density Requirements

DISTRICT	C-I/MU	C-II/MU
MINIMUM LOT SIZE	5,000 sf	5,000 sf

DISTRICT	C-I/MU	C-II/MU
MINIMUM FRONT YARD SETBACKS	No Requirement	None
MAXIMUM FRONT YARD SETBACKS	No Requirement	None
MINIMUM REAR YARD SETBACKS	No requirement except: 20 feet if abutting an R-I or R-II zoning district; 5 feet if abutting an R-III or R-IV zoning district	None except: 20 feet if abutting an R-I or R-II zoning district; 5 feet if abutting an R-III or R-IV zoning district
MINIMUM SIDE YARD SETBACKS	No requirement except: 10 feet if abutting an R-I or R-II zoning district; 5 feet if abutting an R-III or R-IV zoning district	None except: 10 feet if abutting an R-I or R-II zoning district; 5 feet if abutting an R-III or R-IV zoning district
MINIMUM NUMBER OF STORIES (in any principal building)	2	2
MAXIMUM BUILDING HEIGHT	60 feet and as specified by PTMC 17.46.080	72 feet except: 40 feet if the development has no residential use component and as specified by PTMC 17.46.080
MINIMUM COMMERCIAL AREA REQUIREMENT	25% of the lot area	25% of the lot area
MAXIMUM FLOOR AREA RATIO	3 sf of gross floor area per 1 sf of lot	All-commercial developments (i.e., no residential component): 0.25 sf of gross floor area per 1 sf of lot area. Mixed-commercial/residential developments: None
MINIMUM CLEAR CEILING HEIGHT	12 feet if structure is 2 or more stories	12 feet if structure is 2 or more stories
MAXIMUM AMOUNT OF ANY INDIVIDUAL LEASABLE COMMERCIAL SPACE*	5,000 sf	None
MAXIMUM AMOUNT OF COMMERCIAL FLOOR SPACE (in any one structure)	30,000 sf	60,000 sf
MAXIMUM HOUSING DENSITY (units per 40,000 square foot area)	80 * <u>Lodging house sleeping units count as one-quarter of a dwelling unit</u>	100 * <u>Lodging house sleeping units count as one-quarter of a dwelling unit</u>
MINIMUM AVERAGE HOUSING DENSITY (units per 40,000 square foot area)	No requirement; provided, that second story is constructed to meet Energy Code for residential occupancy	None
MINIMUM OPEN SPACE AND TREE CONSERVATION	Minimum open space shall not be less than 10% of total gross floor area; preservation of existing trees, and/or, new trees shall be provided consistent with Chapter 19.06 PTMC, Article III, Standards for Tree Conservation	Minimum open space shall not be less than 10% of total gross floor area; preservation of existing trees, and/or, new trees shall be provided consistent with Chapter 19.06 PTMC, Article III, Standards for Tree Conservation

*Excluding storage areas which are incidental and subordinate to the commercial use.

(Ord. 3323 § 1 (Exhs. F, G), 2023; Ord. 3241 § 1 (Exh. C), 2019; Ord. 3154 § 4(2) (Exh. D), 2016; Ord. 2982 § 3, 2008; Ord. 2920 § 15, 2005; Ord. 2837 § 2(Exh. B § 11), 2003; Ord. 2716 § 4.4, 1999; Ord. 2700 § 14, 1999; Ord. 2670 §§ 3.5, 3.6, 1998; Ord. 2571 § 2, 1997).

Chapter 17.20
COMMERCIAL ZONING DISTRICTS

Sections:

- 17.20.010 Purposes.
- 17.20.020 Permitted, conditional and prohibited uses – Limitations on use.
- 17.20.025 Design review required.
- 17.20.030 Bulk, dimensional and density requirements.

17.20.010 Purposes.
STET

17.20.020 Permitted, conditional and prohibited uses – Limitations on use.
A. STET

B. STET

C. STET

D. STET

Table 17.20.020

Commercial Zoning Districts – Permitted, Conditional and Prohibited Uses

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; H = Subject to conditional use requirements for historic structures; X = Prohibited; N/A = Not applicable					
DISTRICT	C-I	C-II	C-II(H)	C-III	APPLICABLE REGULATIONS/NOTES
AGRICULTURAL USES – STET					
FOOD SERVICE USES – STET					
MANUFACTURING USES – STET					
OFFICE USES – STET					
RECREATIONAL AND CULTURAL USES – STET					
RESIDENTIAL USES					
Apartment houses	X	P	X	P	PTMC 17.20.030, Bulk, density and dimensional requirements; and Chapter 17.36 PTMC, Multifamily Residential Development Standards, and permitted on upper floors only.
Boarding houses (six or fewer roomers) and lodging and rooming houses	X	P	X	P	PTMC 17.16.030, Bulk, dimensional and density requirements. Same as above.
Continuum of care facilities	X	C	X	C	PTMC 17.20.030, Bulk, dimensional and density

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; H = Subject to conditional use requirements for historic structures; X = Prohibited; N/A = Not applicable					
DISTRICT	C-I	C-II	C-II(H)	C-III	APPLICABLE REGULATIONS/NOTES
					requirements; and PTMC 17.62.050, Approval criteria.
Disaster relief shelters	P	P	P	P	Disaster relief shelters are not subject to bulk, dimensional, and density requirements. This provision recognizes disaster relief agencies' desired use of various facilities located in the various zoning districts during a time of declared public emergency.
Emergency indoor housing	X	P2	C	P2	PTMC 17.20.030, Bulk, dimensional and density requirements; and PTMC 17.62.050, Approval criteria.
Emergency indoor day-use shelter	X	P	C	P	PTMC 17.62.050, Approval criteria.
Emergency indoor overnight shelter	X	P2	C	P2	PTMC 17.62.050, Approval criteria.
Emergency outdoor shelter	X	C	X	C	PTMC 17.62.050, Approval criteria.
Live-Work Units	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>PTMC 17.16.030, Bulk, dimensional and density requirements</u>
Multifamily dwellings	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>PTMC 17.20.030, Bulk, density and dimensional requirements; and Chapter 17.36 PTMC, Multifamily Residential Development Standards, and permitted on upper floors only.</u>
Multiplex Small (5-12 units)	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements</u>
Multiplex Medium (13-18 units)	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements</u>
Multiplex Large (19 or more units)	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements</u>
Permanent supportive housing	X	P	P	P	PTMC 17.20.030, Bulk, dimensional and density requirements. Multifamily

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; H = Subject to conditional use requirements for historic structures; X = Prohibited; N/A = Not applicable					
DISTRICT	C-I	C-II	C-II(H)	C-III	APPLICABLE REGULATIONS/NOTES
					housing requires design review.
Owner/operator/employee residences	P	P	P	P	PTMC 17.20.030, Bulk, dimensional and density requirements; such uses shall only be allowed if clearly subordinate and accessory to a primary commercial use and permitted on upper floors only.
Employer-provided housing	X	X	C	X	Chapter 17.64 PTMC standards for employer-provided housing.
Residential treatment facilities	X	X	P	X	PTMC 17.20.030, Bulk, dimensional and density requirements.
Safe parking	X	P2*	X	P2*	See PTMC 17.62.040, Permit review process table; PTMC 17.62.050, Approval criteria; and PTMC 17.62.050(C), Standards for standalone safe parking. *Standalone safe parking facilities that are owned and/or operated by a religious organization shall be reviewed under a Type I-A process instead.
Tiny house on wheels communities	X	C	X	X	Chapter 17.58 PTMC.
Tiny shelter villages	X	P	X	P	PTMC 17.20.030, Bulk, dimensional and density requirements; and PTMC 17.62.050, Approval criteria. The PCD director may authorize a waiver of the basic permit fee.
Transitional housing	X	P	X	P	PTMC 17.20.030, Bulk, dimensional and density requirements. Multifamily housing requires design review.
COMMERCIAL USES – STET					
COMMERCIAL RETAIL USES – STET					
SERVICE USES, HEALTH – STET					
SERVICE USES, LODGING – STET					
PERSONAL SERVICE USES – STET					
SERVICE USES, MISCELLANEOUS – STET					

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; H = Subject to conditional use requirements for historic structures; X = Prohibited; N/A = Not applicable					
DISTRICT	C-I	C-II	C-II(H)	C-III	APPLICABLE REGULATIONS/NOTES
PUBLIC FACILITY USES – STET					
TEMPORARY USES – STET					
ACCESSORY USES – STET					
OTHER USES – STET					

(Ord. 3335 § 2 (Exh. C.H), 2024; Ord. 3306 § 1 (Exh. H), 2023; Ord. 3166 § 1, 2017; Ord. 3154 § 4(3) (Exh. E), 2016; Ord. 3112 § 1 (Exh. D), 2014; Ord. 3035 §§ 3, 6, 2010; Ord. 2982 § 1, 2008; Ord. 2977 § 1, 2008; Ord. 2924 § 1,

2006; Ord. 2916 § 3, 2006; Ord. 2912 § 3, 2005; Ord. 2825 § 4, 2003; Ord. 2782 § 4, 2001; Ord. 2716 § 4.7, 1999; Ord. 2700 §§ 15, 16, 1999; Ord. 2599 § 2, 1997; Ord. 2571 § 2, 1997).

17.20.025 Design review required.
STET

17.20.030 Bulk, dimensional and density requirements.
STET

Chapter 17.22

MARINE-RELATED AND MANUFACTURING ZONING DISTRICTS

STET

Chapter 17.24

PUBLIC, PARK AND OPEN SPACE ZONING DISTRICTS

Sections:

- 17.24.010 Purposes.
- 17.24.020 Permitted, conditional and prohibited uses.
- 17.24.025 Alternative parcel-specific zoning.
- 17.24.030 Bulk, dimensional and density requirements.

17.24.010 Purposes.
STET

17.24.020 Permitted, conditional and prohibited uses.

A. STET

B. STET

C. STET

Table 17.24.020

**Public, Park and Open Space Zoning Districts –
Permitted, Conditional and Prohibited Uses**

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable				
DISTRICT	P/OS	P/OS(B)	P-I	APPLICABLE REGULATIONS/NOTES
RECREATIONAL AND CULTURAL USES -STET				
PUBLIC FACILITY AND UTILITY USES - STET				
OTHER USES				
Adult entertainment facilities	X	X	X	
Docks and piers for pleasure craft	P	C	P	Such facilities require compliance with the Shoreline Master Program.
Cemeteries, crematoriums and mausoleums	X, except C at Fort Worden	X	P	Cemeteries are a prohibited use in all areas zoned P/OS, except at Fort Worden State Park and Conference Center, where they shall be a conditional use. This provision acknowledges the existing military cemetery at Fort Worden. PTMC 17.24.030, Public, park and open space bulk, dimensional and density requirements.
Disaster relief shelters	P	P	P	Disaster relief shelters are not subject to bulk, dimensional, and density

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable				
DISTRICT	P/OS	P/OS(B)	P-I	APPLICABLE REGULATIONS/NOTES
				requirements. This provision recognizes disaster relief agencies' desired use of various facilities located in the various zoning districts during a time of declared public emergency.
<u>Emergency indoor day-use shelter</u>	C	X	P	<u>PTMC 17.62.040, Permit review process table; and PTMC 17.62.050, Approval criteria</u>
Ferry landings	X	X	P	Such facilities require compliance with the Shoreline Master Program; PTMC 17.24.030, Public, park and open space bulk, dimensional and density requirements.
Hospitals	X	X	P	PTMC 17.24.030, Public, park and open space bulk, dimensional and density requirements.
Personal wireless service facilities	N/A	N/A	N/A	Refer to Ch. 17.78 PTMC, Personal Wireless Service Facilities, for list of permitted, conditional and prohibited uses and other substantive requirements.
Radio and television towers	C	C	C	Such facilities are allowed in all zoning districts subject to the conditional use permit requirements of Ch. 17.84 PTMC; however, such facilities are prohibited within the limits of the Port Townsend National Register Historic District; and PTMC 17.24.030, Public, park and open space bulk, dimensional and density requirements, except as provided in applicable Federal Communications Commission rules and regulations.
Recycling facilities, minor	X, except P at Fort Worden	C	P	Recycling facilities are a prohibited use in all areas zoned P/OS, except Fort Worden State Park and Conference Center, where they shall be a permitted use. PTMC 17.24.030, Public, park and open space bulk, dimensional and density requirements.

Key to table: P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable				
DISTRICT	P/OS	P/OS(B)	P-I	APPLICABLE REGULATIONS/NOTES
Satellite dishes, noncommercial, and antennas	P	P	P	Satellite dishes and antennas shall meet the requirements of PTMC 17.24.030, Public, park and open space bulk, dimensional and density requirements, except as provided in applicable Federal Communications Commission rules and regulations.
ACCESSORY USES - STET				
Accessory buildings and structures	P	P	P	PTMC 17.24.030, Public, park and open space bulk, dimensional and density requirements.

(Ord. 3335 § 2 (Exh. C.J), 2024; Ord. 3306 § 1 (Exh. K), 2023; Ord. 3154 § 4(5) (Exh. G), 2016; Ord. 2916 § 7, 2006; Ord. 2878 § 2, 2004; Ord. 2782 § 4, 2001; Ord. 2700 §§ 22, 23, 1999; Ord. 2571 § 2, 1997).

17.24.025 Alternative parcel-specific zoning.
STET

17.24.030 Bulk, dimensional and density requirements.
STET

Chapter 17.26

OVERLAY DISTRICTS

STET

Chapter 17.27

BOAT HAVEN HEIGHT OVERLAY DISTRICT

STET

Chapter 17.28

SPECIAL HEIGHT OVERLAY DISTRICT

STET

Chapter 17.29

MARITIME CORRIDOR OVERLAY DISTRICT

(Repealed by Ord. 2945)

Chapter 17.30

HISTORIC PRESERVATION CODE

STET

Chapter 17.31

RAINIER STREET/UPPER SIMS WAY SUBAREA

Sections:

- 17.31.010 Definitions.
17.31.020 Purpose – C-II(S) commercial zoning district.
17.31.030 Permitted, conditional and prohibited uses in the C-II(S) district.
17.31.040 Design review required within the C-II(S) zoning district.
17.31.050 Bulk, dimensional and density requirements – C-II(S) zoning district.
17.31.060 Purpose – M/C mixed light manufacturing and commercial.
17.31.070 Permitted, conditional and prohibited uses – M/C zoning district.
17.31.080 Bulk, dimensional and density requirements within the M/C mixed light manufacturing and commercial zoning district.
17.31.090 Design review required within the M/C mixed light manufacturing and commercial zoning district.
17.31.100 Purpose – Commercial focus overlay.
17.31.110 Boundaries of district – Commercial focus overlay.
17.31.120 Development standards – Commercial focus overlay.
17.31.130 Application of regulations – Commercial focus overlay.
17.31.140 Purpose – Building-specific standards.
17.31.150 Bulk, dimensional and lot standards by building type.

17.31.010 Definitions.
STET

17.31.020 Purpose – C-II(S) commercial zoning district.
STET

17.31.030 Permitted, conditional and prohibited uses in the C-II(S) district.
A. STET

B. STET

C. STET

D. STET

E. STET

Table 17.31.030

Commercial Zoning District – Permitted, Conditional and Prohibited Uses

Key to table:

P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable

Use Type	C-II(S)	Specific Use Standards
Residential		
Continuum of Care Facility	C	Refer to PTMC 17.62.050, Approval criteria.
Cottage House	X	Refer to PTMC 17.31.150, Bulk, dimensional and lot standards by building type, for regulations
Dwelling, Multifamily		

The Port Townsend Municipal Code is current through Ordinance 3349, passed March 17, 2025.

Use Type	C-II(S)	Specific Use Standards
Multiplex Apartment House: Small	P	pertaining to applicable residential building types.
Multiplex Medium	P	
Multiplex Apartment House: Large	P	
Townhouse/Rowhouse, <u>five or more units</u>	P	
Dwelling, Single-Family Attached	P	
Dwelling, Single-Family Detached	X	
Dwelling, Live/Work	P	
Disaster Relief Shelter	P	Disaster relief shelters are not subject to bulk, dimensional, and density requirements. This provision recognizes disaster relief agencies' desired use of various facilities located in the various zoning districts during a time of declared public emergency.
Emergency Indoor Day-Use Shelter	P2	Refer to PTMC 17.62.050, Approval criteria.
Emergency Indoor Overnight Shelter	P2	Refer to PTMC 17.62.050, Approval criteria.
Emergency Indoor Housing Facility	P2	Refer to PTMC 17.62.050, Approval criteria.
Emergency Outdoor Shelter	P2	Refer to PTMC 17.62.050, Approval criteria.
Owner/Operator Residences	X	
Accessory Dwelling	X	
Home Occupation	X	Chapter 17.56 PTMC, Home Occupations
Nursing Homes	P	
Safe Parking	P2*	See PTMC 17.62.040, Permit review process Table; PTMC 17.62.050, Approval criteria; and PTMC 17.62.050.C, Standards for Standalone Safe Parking. *Standalone safe parking facilities that are owned and/or operated by a religious organization shall be reviewed under a Type I-A process instead.
Tiny House on Wheels Communities	C	Chapter 17.58 PTMC
Tiny Shelter Village	P2	Refer to Ch. 17.62 PTMC.
Industry, Manufacturing and Processing		
Artisan Production	P	
General Production, except with any of the following features:	P	Marijuana production or processing must demonstrate compliance with the standards found in the definition set in Chapter 17.08 PTMC.
Marijuana Production or Processing	C	
Alcohol Beverage Production or Processing	P	
Limited Production, except with any of the following features:	C	

Use Type	C-II(S)	Specific Use Standards
Boat Building, Repair, Maintenance and Storage	X	
Welding and Fabrication	C	
Printing and Publishing	P	
Retail		
Automotive Sales and Service	C	
Boat Sales and Service	C	
General Retail, except with any of the following features:	P	Formula retail establishments, refer to Chapter 17.54 PTMC for applicable regulations and definitions.
Convenience Stores	P	
Drive-Through Services	X	
Formula Retail Establishments	X	
Regional Retail Establishments	X	
Eating or Drinking Establishment, except with any of the following features:	P	Formula restaurants, refer to Chapter 17.54 PTMC for applicable regulations and definitions.
Drinking Establishments (No food sale/consumption on premises)	P	
Drive-Through Services	C	
Floor Area over 5,000 sf	X	
Formula Restaurants	X	
Specialty Retail, except with any of the following features:	P	
Building Materials or Garden and Farm Supplies Stores	P	
Farmers Markets and Flea Markets	P	
Motor Vehicle Supply Stores	P	
Wholesale, except with any of the following features:	C	
Wholesaling of Goods Not Produced on the Premises	X	
Services		
Animal Services, except with the following features:	C	
Boarding	X	
Automated Teller Machine	P	
Bank/Financial Services	P	
Day Care:		Refer to Chapter 17.52 PTMC, Child Care Facilities; home day care permitted only when occurring in the residence where the primary provider lives, see definition in Chapter 17.08 PTMC.
Home Day Care	P	
Day Care Centers and Preschools	P	
Equipment Rental and Repair	P	
Hospitals	P	
Lodging, except with the following features:	P	
Hotels/Motels/Hostels	P	

Use Type	C-II(S)	Specific Use Standards
Tourist Homes	X	
Mini-Storage	X	
Mobile, Manufactured and Modular Housing Sales	X	
Offices	P	
Personal Services, except with the following features:	P	
Funeral Parlors and Mortuaries	C	
Massage Clinic	P	
Production and Recording Studios	P	
Vehicle Services, except with the following features:	P	
Automotive Repair	P	
Service Stations (both automotive and marine)	P	
Truck, Trailer and Recreational Vehicle Rental	X	
Recreation, Education, Public Assembly		
Adult Entertainment Facilities	X	
Meeting Facilities	P	
Recreational or Cultural Facility:		
< 5,000 sf	P	
> 5,000 sf	C	
Religious Assembly	P	
School: Public or Private, except with the following features:	X	
Colleges and Universities (Public or Private) with Students in Residence	X	
Agriculture		
Community Gardens	P	
Transportation, Communications, Infrastructure		
Docks, Piers and Ferry Landings	X	
Parking Facility		Refer to Chapter 17.72 PTMC, Off-Street Parking and Loading, for required parking and design requirements.
Public	C	
Private	P (when accessory to an authorized use)	
Public Utility, except with the following features:	P	
Electrical Distribution Substations	X	
Radio and Television Towers	C	
Personal Wireless Service	N/A	Refer to Chapter 17.78 PTMC, Personal Wireless Service Facilities, for list of permitted, conditional and

Use Type	C-II(S)	Specific Use Standards
		prohibited uses and other substantive requirements.
Accessory		
Accessory Building/Structure	P	
Agriculture	P	Agriculture is allowed if it is incidental to the principal use and located on the same lot as the principal use or on lot(s) contiguous to a lot on which the principal use is located. Agricultural uses within the commercial zones exclude small livestock farming, pasturing, grazing, poultry, dairying and/or animal husbandry. Marijuana production is not allowed as an incidental use.
Electric Vehicle Infrastructure, except with the following features:	P	
Battery Exchange Stations Not Combined with Vehicle Services	X	
Temporary		
Amusement	P	Chapter 17.60 PTMC, Temporary Uses
Offices	P	Chapter 17.60 PTMC, Temporary Uses
Sales, except with the following features:	P	Chapter 17.60 PTMC, Temporary Uses
Swap Meet	X	

(Ord. 3335 § 2 (Exh. C.K), 2024; Ord. 3306 § 1 (Exh. L), 2023; Ord. 3252 § 1 (Exh. A), 2020; Ord. 3232 § 1 (Exh. B), 2019).

17.31.040 Design review required within the C-II(S) zoning district.
STET

17.31.050 Bulk, dimensional and density requirements – C-II(S) zoning district.

A. The standards contained in Table 17.31.050 apply to the C-II(S) zoning district, and shall be determined to be minimum requirements, unless stated as maximum by this title.

B. Setbacks and Minimum Yard Requirements. Notwithstanding any other ordinance or provision of this title, all setbacks (yard requirements) shall be measured from the lot line to the building line, as defined in Chapter 17.08 PTMC; provided, that the roof or eaves of a roof of a building may extend beyond the building line a maximum distance of two feet into the applicable minimum yard area.

C. Construction and Permits. From and after the effective date of the ordinance codified in this section, no building permit shall be issued and no building shall be constructed on any tract, lot or site in the city unless the building is situated on such tract, lot or site in conformance with the requirements of this title and any other applicable provision of law.

D. Residential Building-Specific Standards. ~~All residential dwelling structures Single-family attached, townhouse/rowhouse, apartment house, and live/work building types~~ shall be subject to the setback, lot dimensions, and height requirements listed in PTMC 17.31.150, Bulk, dimensional and lot standards by building type. All other district bulk, dimensional and density requirements shall apply.

Table 17.31.050

Commercial Zoning District – Bulk, Dimensional and Density Requirements

DISTRICT	C-II(S)
RESIDENTIAL BUILDING-SPECIFIC STANDARDS (Applicable to: Single-Family Attached, Townhouse/Rowhouse, Apartment Houses, and/or Live/Work)	Refer to PTMC 17.31.150, Bulk, dimensional and lot standards by building type, for regulations pertaining to applicable residential building types. The setback and lot dimensions in this chapter shall apply to residential buildings in this district.
MINIMUM LOT SIZE	5,000 sf
FRONT YARD SETBACKS	None
REAR YARD SETBACKS	None unless contiguous with an R-I, R-II or R-III zoning district, then 45 <u>5</u> feet, or 10 <u>20</u> feet if building height is > 20 feet
SIDE YARD SETBACKS	None unless contiguous with an R-I, R-II or R-III zone, then 45 feet, or 10 <u>20</u> feet if building height is > 20 feet
MAXIMUM GROUND FLOOR AREA ^{1,3} (in any one structure)	40,000 sf
MAXIMUM GROSS FLOOR AREA ³	60,000 sf
MAXIMUM BUILDING HEIGHT	In C-II(S), 50 <u>55</u> feet or 4 stories
MAXIMUM FENCE HEIGHT ²	8 feet, unless otherwise authorized through applicable design review process
TREE CONSERVATION	Preservation of existing trees, and/or new trees shall be provided consistent with Chapter 19.06 PTMC, Article III, Standards for Tree Conservation

¹ Multiple structures on a single property or reviewed as a single development proposal may not be attached to exceed 40,000 square feet ground floor area. Such multiple structures must be separated by the minimum separation standards as established by PTMC 17.44.040 when their combined ground floor area exceeds 40,000 square feet.

² Maximum fence heights apply only within any required front, side, or rear setback area or along the edge of any required yard. Fences over six feet and retaining walls may require a building permit.

³ This standard only applies to nonresidential uses, mixed use structures, and apartment house buildings. This is not applicable to other residential building types and their accessory structures.

(Ord. 3232 § 1 (Exh. B), 2019).

17.31.060 Purpose – M/C mixed light manufacturing and commercial.
STET

17.31.070 Permitted, conditional and prohibited uses – M/C zoning district.

A. STET

B. STET

C. STET.

D. STET

E. STET

F. STET

Table 17.31.070

Manufacturing District – Permitted, Conditional and Prohibited Uses

Key to table:

P = Permitted outright; P2 = Permitted with a Type II process; C = Subject to a conditional use permit; X = Prohibited; N/A - Not applicable

Use Type	M/C	Specific Use Standards
Residential		
Continuum of Care Facility	C	Refer to PTMC 17.62.050, Approval criteria.
Cottage House	X	
Dwelling, Multifamily		Refer to PTMC 17.31.150, Bulk, dimensional and lot standards by building type, for regulations pertaining to applicable residential building types.
Multiplex, Apartment House: Small	P	
Multiplex, Medium		
Multiplex Apartment House: Large	P	
Townhouse/Rowhouse, five or more units	P	
Dwelling, Single-Family Attached	P	
Dwelling, Single-Family Detached	X	
Dwelling, Live/Work	P	
Disaster Relief Shelter	P	Disaster relief shelters are not subject to bulk, dimensional, and density requirements. This provision recognizes disaster relief agencies' desired use of various facilities located in the various zoning districts during a time of declared public emergency.
Emergency Indoor Day-Use Shelter	P	Refer to PTMC 17.62.050, Approval criteria.
Emergency Indoor Overnight Shelter	P2	Refer to PTMC 17.62.050, Approval criteria.
Emergency Indoor Housing	P2	Same as above.
Emergency Outdoor Shelter	P2	Same as above.
Home Occupation	X	Chapter 17.56 PTMC, Home Occupations
Owner/Operator Residences	X	
Permanent Supportive Housing	P	Refer to PTMC 17.31.150, Bulk, dimensional and lot standards by building type, for regulations pertaining to applicable residential building types.
Safe Parking	P2*	See PTMC 17.62.040, Permit review process table; PTMC 17.62.050, Approval criteria; and PTMC 17.62.050(C), Standards for standalone safe parking. *Standalone safe parking facilities that are owned and/or operated by a religious

Use Type	M/C	Specific Use Standards
		organization shall be reviewed under a Type I-A process instead.
Tiny Shelter Village	P2	Refer to PTMC 17.62.050, Approval criteria.
Transitional Housing	P	Refer to PTMC 17.31.150, Bulk, dimensional and lot standards by building type, for regulations pertaining to applicable residential building types.
Industry, Manufacturing and Processing		
Artisan Production	P	
General Production, except with any of the following features:	P	Marijuana production or processing must demonstrate compliance with the standards found in the definition set in Chapter 17.08 PTMC.
Freezer Plants, Food Mills and Fertilizer Production	X	
Marijuana Production or Processing	P	
Seafood Processing	X	
Transportation Equipment Manufacturing and Assembly	X	
Limited Production, except with any of the following features:	P	
Automobile Wrecking Yards	X	
Boat Building and Related Products Manufacture	P	
Building Construction Yards and Offices Occupying More Than 10,000 sf Total Area	X	
Printing and Publishing	P	
Retail		
General Retail, individual tenant spaces up to 10,000 sf	P	Formula retail establishments, refer to Chapter 17.54 PTMC for applicable regulations and definitions.
General Retail, individual tenant spaces over 10,000 sf	C	
Eating or Drinking Establishment, except with any of the following features:	P	
Commercial Kitchen	P	
Drive-Through Services	X	
Formula Restaurants	X	
Microbreweries	P	
Wholesale, except with any of the following features:	P	
Wholesaling of Goods Not Produced on the Premises	X	
Services		
Automotive Sales and Service	X	
Boat Sales and Service	X	
Day Care:		Refer to Chapter 17.52 PTMC, Child Care Facilities; home day care permitted only when occurring in the residence where the primary provider lives, see definition in Chapter 17.08 PTMC.
Home Day Care	P	
Day Care Centers and Preschools	C	

Use Type	M/C	Specific Use Standards
Equipment Rental and Repair	P	
Storage and Warehousing:		
Boat Storage	X	
Mini-Storage	X	
Warehousing and Freight Distribution	X	
Offices:		
Medical	P	
Professional	P	
Government	P	
Recreation		
Adult Entertainment Facilities	X	
Health Clubs, Dance Studios, Martial Arts Studios	P	
Transportation, Communications, Infrastructure		
Essential Public Facilities, except with any of the following features:	C	
Airports and Heliports	X	
Correctional Facility	C	
Parking Facility		Refer to Chapter 17.72 PTMC, Off-Street Parking and Loading, for required parking and design requirements.
Public	C	
Private	P	
State or Regional Transportation Facilities	C	
Public Utility, except with the following features:	P	
Electrical Distribution Substations	C	
Radio and Television Towers	C	
Solid Waste and Recycling Facilities	X	
Water and Wastewater Treatment Facilities	C	
Personal Wireless Service	N/A	Refer to Chapter 17.78 PTMC, Personal Wireless Service Facilities, for list of permitted, conditional and prohibited uses and other substantive requirements.
Accessory		
Accessory Building/Structure	P	
Agriculture	P	Agriculture is allowed if it is incidental to the principal use and located on the same lot as the principal use or on lot(s) contiguous to a lot on which the principal use is located. Agricultural uses within the commercial zones exclude small livestock farming, pasturing, grazing,

Use Type	M/C	Specific Use Standards
		poultry, dairying and/or animal husbandry. Marijuana production is not allowed as an incidental use.
Electric Vehicle Infrastructure, except with the following features:	P	
Battery Exchange Stations Not Combined with Vehicle Services	X	

(Ord. 3335 § 2 (Exh. C.L), 2024; Ord. 3323 § 1 (Exh. J), 2023; Ord. 3232 § 1 (Exh. B), 2019).

17.31.080 Bulk, dimensional and density requirements within the M/C mixed light manufacturing and commercial zoning district.

A. The standards contained in Table 17.31.080 apply to the M/C mixed light manufacturing and commercial zoning district, and shall be determined to be minimum requirements, unless stated as maximum by this title.

B. Setbacks and Minimum Yard Requirements. Notwithstanding any other ordinance or provision of this title, all setbacks (yard requirements) shall be measured from the lot line to the building line, as defined in Chapter 17.08 PTMC; provided, that the roof or eaves of a roof of a building may extend beyond the building line a maximum distance of two feet into the applicable minimum yard area.

C. Construction and Permits. From and after the effective date of the ordinance codified in this section, no building permit shall be issued and no building shall be constructed on any tract, lot or site in the city unless the building is situated on such tract, lot or site in conformance with the requirements of this title and any other applicable provision of law.

D. Residential Building-Specific Standards. Residential building types shall be subject to the setback, lot dimensions, and height requirements listed in PTMC 17.31.150, Bulk, dimensional and lot standards by building type. All other district bulk, dimensional and density requirements shall apply.

Table 17.31.080

Manufacturing Zoning District – Bulk, Dimensional and Density Requirements

DISTRICT	M/C
RESIDENTIAL BUILDING-SPECIFIC STANDARDS (Applicable to residential buildings)	Refer to PTMC 17.31.150, Bulk, dimensional and lot standards by building type, for regulations pertaining to applicable residential building types. The setback and lot dimensions in this chapter shall apply to residential buildings in this district.
MINIMUM FRONT YARD SETBACKS	10' = <u>along a street r-o-w; 5' for garages with vehicle access facing a street right-of-way and no setback for multifamily structures</u>
MINIMUM REAR YARD SETBACKS	10' <u>5'</u>
MINIMUM SIDE YARD SETBACKS	5' each side, No setback for zero-lot line and <u>attached developments</u>
MAXIMUM BUILDING HEIGHT	72'
MAXIMUM FENCE HEIGHT	Front = 8' Side = 8'

The Port Townsend Municipal Code is current through Ordinance 3349, passed March 17, 2025.

DISTRICT	M/C
	Rear = 8'
TREE CONSERVATION	Preservation shall be provided consistent with Chapter 19.06 PTMC, Article III, Standards for Tree Conservation

(Ord. 3323 § 1 (Exh. K), 2023; Ord. 3232 § 1 (Exh. B), 2019).

17.31.090 Design review required within the M/C mixed light manufacturing and commercial zoning district.
STET

17.31.100 Purpose – Commercial focus overlay.
STET

17.31.110 Boundaries of district – Commercial focus overlay.
STET

17.31.120 Development standards – Commercial focus overlay.
STET

17.31.130 Application of regulations – Commercial focus overlay.
STET

17.31.140 Purpose – Building-specific standards.
STET

17.31.150 Bulk, dimensional and lot standards by building type.

A. The standards herein are unique and applicable to the following residential building types in the mixed use, commercial, and manufacturing zoning districts:

1. Single-family attached;
2. Townhouse/rowhouse;
3. ~~Apartment houses~~ Multiplex Small;
4. Multiplex Medium
5. Multiplex Large
7. Live/work.

B. Table 17.31.150 (Building-Specific Standards) establishes the setback, height, and lot dimensional requirements for the residential building types listed in subsection A of this section. The table may also impose other dimensional requirements and design standards.

C. The dimensional standards listed in Table 17.31.150 (Building-Specific Standards) shall supersede other district requirements.

D. Where a site and/or development project is located within the commercial focus overlay district, the provisions of PTMC 17.31.120 shall also apply.

Table 17.31.150

Building-Specific Standards – Bulk, Dimensional and Lot Standards by Building Type

Standards	Attached Single-Family	Building Type				
		Townhouse/Rowhouse	Multiplex Apartment-House: Small	Multiplex Medium	Multiplex Apartment-House: Large	Live/Work
DESCRIPTION (also see Chapter 17.08 PTMC for specific definitions)	2 – 4 units per building (including duplexes, triplexes, and fourplexes)	5 – 10 units per building	5 – 12 40 units per building (includes units above nonresidential)	13 – 18 units per building (includes units above nonresidential)	19 or more units Over 10 per building (includes units above nonresidential)	Multifamily or attached dwelling that contains nonresidential space
UNIT ARRANGEMENT (also see Chapter 17.08 PTMC for specific definitions)	Side by side and/or over the other	Side by side	Side by side and/or over the other	Side by side and/or over the other	Side by side and/or over the other	Side by side and/or over the other
HEIGHT (MAXIMUM)	Based on zoning district	Based on zoning district	Based on zoning district	Based on zoning district	Based on zoning district	Based on zoning district
SETBACKS (MINIMUM)				-		
FRONT	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft
FRONT GARAGE	5 20 ft	5 20 ft	5 20 ft		5 20 ft	5 20 ft
SIDE	5 ft. No setback for zero lot line.	5 ft. No setback for zero lot line.	5 ft. No setback for zero lot line.	5 ft. No setback for zero lot line.	5 7 ft. No setback for zero lot line.	5 ft. No setback for zero lot line.
SIDE WITH SHARED EXTERIOR WALL	0 ft	0 ft	N/A	N/A	N/A	0 ft
REAR	5 40 ft	5 40 ft	5 40 ft	5 ft	5 40 ft	5 40 ft
REAR ABUTTING AN ALLEY	5 40 ft	5 40 ft	5 40 ft	5 ft	5 40 ft	5 40 ft
YARDS ABUTTING THE R-I OR R-II	5 40 ft	5 40 ft	5 40 ft	5 ft	5 40 ft	5 40 ft
LOT DIMENSIONS						
WIDTH (MINIMUM)	18 ft for standard single family 14 ft for shotgun house	14 ft	50 ft	50 ft	50 ft	18 ft
DEPTH (MINIMUM)	70 ft	70 ft	80 ft	80 ft	80 ft	70 ft
AREA (MINIMUM)	None	None	5,000 sf	5,000 sf	5,000 sf	None

(Ord. 3323 § 1 (Exh. L), 2023; Ord. 3232 § 1 (Exh. B), 2019).

Chapter 17.32
PLANNED UNIT DEVELOPMENTS

Sections:

- 17.32.010 Purpose.
- 17.32.020 Scope.
- 17.32.030 Minimum lot area.
- 17.32.040 Application submittal and contents.
- 17.32.050 Consolidated applications.
- 17.32.060 Innovative residential development.
- 17.32.070 Modification of permitted densities – Bonus density.
- 17.32.080 Modification of permitted uses – Commercial uses.
- 17.32.090 Modification of development standards.
- 17.32.100 Preliminary approval criteria.
- 17.32.110 PUD review process.
- 17.32.120 Performance guarantees – PUD agreement.
- 17.32.130 Modifications to an approved PUD.
- 17.32.140 Building and occupancy permits – Issuance after final PUD approval.
- 17.32.150 Final PUD plan requirements.
- 17.32.160 Time limitation on final PUD submittal.
- 17.32.170 Filing of final PUD plan.

17.32.010 Purpose.
STET

17.32.020 Scope.
STET

17.32.030 Minimum lot area.
STET

17.32.040 Application submittal and contents.
STET

17.32.050 Consolidated applications.
STET

17.32.060 Innovative residential development.
STET

17.32.070 Modification of permitted densities – Bonus density.
STET

17.32.080 Modification of permitted uses – Commercial uses.
STET

17.32.090 Modification of development standards.
A. The following development standards may be modified in approving a PUD application:

1. Building setbacks (excepting side yard setbacks and other setbacks adjacent to or abutting residentially zoned properties);
2. Height of building or structure in C-I/MU and C-II/MU zones, not to exceed 40 feet in the C-I/MU zone and 50 feet in the C-II/MU, C-II and M/C zones;
3. Required off-street parking spaces;

- 34. Landscaping requirements;
- 45. Lot size, except as provided in PTMC 17.32.060(C) (~~minimum lot size is limited to 2,000 square feet~~);
- 56. Lot width;
- 67. Engineering design standards;
- 78. Multifamily and mixed use development standards contained in Chapters 17.36 and 17.40 PTMC;
- 89. Maximum floor area ratio in the C-II/MU zone.

B. STET

C. STET

17.32.100 Preliminary approval criteria.
STET

17.32.110 PUD review process.
STET

17.32.120 Performance guarantees – PUD agreement.
STET

17.32.130 Modifications to an approved PUD.
STET

17.32.140 Building and occupancy permits – Issuance after final PUD approval.
STET

17.32.150 Final PUD plan requirements.
STET

17.32.160 Time limitation on final PUD submittal.
STET

17.32.170 Filing of final PUD plan.
STET

Chapter 17.34

COTTAGE HOUSING DEVELOPMENT DESIGN STANDARDS

Sections:

- 17.34.010 — Purpose and intent.
- 17.34.020 — Applicability, application process, and design review.
- 17.34.030 — Density, number of cottage housing units and minimum lot area.
- 17.34.040 — Existing nonconforming structures and accessory dwelling units.
- 17.34.050 — Building height.
- 17.34.060 — ~~Repealed.~~
- 17.34.070 — Covered main entry porches.
- 17.34.080 — Street facing facades.
- 17.34.090 — Lot coverage area.
- 17.34.100 — Impervious surface area — R-I zone limitation.
- 17.34.110 — Cottage floor area.
- 17.34.120 — Yards — Building setbacks from exterior lot lines.
- 17.34.130 — Cottage housing development building separation.
- 17.34.140 — Common open space.
- 17.34.150 — Private open space.
- 17.34.160 — Tree conservation.
- 17.34.170 — Stormwater low impact development techniques.
- 17.34.180 — Off street parking.
- 17.34.190 — Exterior lighting and heating/cooling equipment noise.
- 17.34.200 — ~~Repealed.~~
- 17.34.210 — Ownership and residential use of cottages.
- 17.34.220 — Alternative site design.

17.34.010 — Purpose and intent.

The general purposes of the cottage housing development design standards are as follows:

A. A cottage housing development is an alternative type of detached housing providing small residences for households. Cottage housing is provided as part of the city's overall housing strategy which intends to encourage affordability, innovation and variety in housing design and site development while ensuring compatibility with existing neighborhoods, and to promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition and individual needs.

B. The cottage housing development design standards contained in this section are intended to create a small community of cottages oriented around open space that is pedestrian oriented and minimizes the visibility of off street parking. These design standards are intended to ensure that cottage housing developments include pedestrian amenities and take advantage of existing natural features on the site including topography and vegetation. The cottage housing development design standards are intended to maintain traditional cottage amenities and proportions and ensure that cottage housing developments contribute to the overall community character. Because there may be alternative designs that meet the objectives of the design standards, Chapter 17.46 PTMC provides an alternative design review process to consider other acceptable ways to accomplish the objectives of this section.

C. Cottage housing may allow higher residential density than is normally allowed in the underlying zone district. This increased density is possible through the use of smaller than average home sizes, clustered parking, and site design standards.

D. All cottage housing developments are subject to current city stormwater standards and shall incorporate stormwater low impact development techniques whenever possible. (Ord. 3306 § 1 (Exh. M), 2023; Ord. 2864 § 3, 2004).

17.34.020 — Applicability, application process, and design review.

Applicability of this section, application procedure and the process for design review is pursuant to Chapter 17.46 PTMC. (Ord. 2864 § 3, 2004).

17.34.030 — Density, number of cottage housing units and minimum lot area.

A. In cottage housing developments the permitted densities shall be as follows:

Zoning District	R-I Low-Density Residential	R-II Medium-Density Single-Family	R-III Medium-Density Multifamily
Maximum Cottage Density	1 cottage dwelling unit per 5,000 sf	1 cottage dwelling unit per 1,500 sf	1 cottage dwelling unit per 1,500 sf
Minimum number of cottages per cottage housing development	2	3	4
Maximum number of cottages per cottage housing development	8	12	14
Minimum lot size	10,000 sf	5,000 sf	5,000 sf

B. Projects that exceed the above maximums must be processed as planned unit developments per Chapter 17.32 PTMC. (Ord. 3306 § 1 (Exh. N), 2023; Ord. 3247 § 1 (Exh. E), 2020; Ord. 2864 § 3, 2004).

17.34.040 — Existing nonconforming structures and accessory dwelling units.

A. On a lot to be used for a cottage housing development, an existing detached single-family residential structure, which may be nonconforming with respect to the standards of this chapter, shall be permitted to remain, but the extent of the nonconformity may not be increased. Such nonconforming dwelling units shall be included in the maximum permitted cottage density.

1. Nonconforming dwelling units may be modified to be more consistent with this chapter. For example, roof pitches may be increased consistent with PTMC 17.34.050, but the building ground floor or total floor area may not be increased greater than permitted by PTMC 17.34.110.

B. New accessory dwelling units (ADUs) are not permitted in cottage housing developments. All residential units in a cottage housing development count towards the maximum permitted density. An existing attached or detached ADU that is accessory to an existing nonconforming single-family structure may be counted as a cottage unit if the property is developed subject to the provisions of this chapter. (Ord. 2864 § 3, 2004).

17.34.050 — Building height.

A. Objective. Structures in cottage housing developments shall be designed to be single story or single story plus a loft. Because the base density is higher and building separation less than on typical residential lots, it is important to maintain a feeling of adequate light and open space by providing more restrictive maximum roof heights and roof proportion standards.

1. The maximum building height permitted for structures in cottage housing developments shall be 18 feet.
2. The highest point of a pitched roof may extend up to 23 feet. (Ord. 2864 § 3, 2004).

17.34.060 — Exterior trim and roof eaves.

Repealed by Ord. 3306. (Ord. 2864 § 3, 2004).

17.34.070 — Covered main entry porches.

A. Objective. All residences in cottage housing developments shall be provided with a covered main entry porch to create a private outdoor space protected from the weather and provide a transition from the interior private residential space to the semi-private outdoor space. Covered porches shall be usable both in design and dimension.

1. Cottage homes shall have a covered main entry porch with a floor area measuring at least 60 square feet in size.

~~2. The floor of the covered main entry porch shall have minimum dimensions of not less than five feet in any direction (length or width). (Ord. 2864 § 3, 2004).~~

17.34.080 — Street-facing facades.

~~A. Objective. The street-facing facades of cottages in a cottage housing development will contribute to the neighborhood by including attractive design details such as windows, changes in materials, and views of front doors or porches. The main entries of some cottages will be visible from the adjacent streets to provide a visual pedestrian connection with the surrounding neighborhood.~~

~~1. All cottages shall have street-facing facades that avoid blank walls or appear to “turn their backs” to the street. All cottages shall include one or more of the following on-street-facing facades:~~

- ~~a. Changes in exterior siding material and paint color;~~
- ~~b. Windows which may include bay windows; and/or~~
- ~~c. Building modulation with a depth measuring at least one foot.~~

~~2. At least one cottage shall have its front main entry door and/or front porches visible from each street frontage. (Ord. 2864 § 3, 2004).~~

17.34.090 — Lot coverage area.

~~A. Objective. Cottage housing developments shall not exceed underlying lot coverage standards for the respective zoning district to maintain residential neighborhood character and the balance of built structures to open spaces.~~

~~1. The maximum lot coverage permitted for all structures in cottage housing developments shall not exceed the requirements for the underlying zoning district contained in Table 17.16.030. (Ord. 2864 § 3, 2004).~~

17.34.100 — Impervious surface area — R-I zone limitation.

~~A. Objective. Cottage housing developments located in the R-I zones shall limit their impervious surface area in recognition of the stormwater and soil conditions present in the R-I zone and to prevent adverse stormwater impacts.~~

~~1. Cottage housing developments in the R-I zoning district shall be limited to an impervious surface area of 40 percent of the total site area (excluding rights-of-way).~~

~~2. The use of paver stones, pervious pavement, grass-crete, or other types of low impact stormwater development techniques are encouraged for walkways and parking areas. (Ord. 2864 § 3, 2004).~~

17.34.110 — Cottage floor area.

~~A. Objective. Structures in cottage housing developments shall be designed to be single-story or single-story-plus-a-loft. Maintaining the maximum square footage of residences in cottage housing developments is necessary to prevent overbuilding of the site and to not exceed available off-street parking.~~

~~1. The maximum ground floor area for an individual principal structure in a cottage housing development shall be as follows:~~

- ~~a. The ground floor area may be up to 800 square feet.~~
- ~~b. The net total floor area of each cottage shall not exceed one and one-half times the area of the main level. (Ord. 3306 § 1 (Exh. P), 2023; Ord. 2864 § 3, 2004).~~

17.34.120 — Yards — Building setbacks from exterior lot lines.

~~A. Objective. Exterior lot line building setbacks in cottage housing developments are based upon setbacks in the R-II zoning district. These yard setbacks are appropriate based upon the allowed density of cottage housing as well as the small size of the structures. Flexible setbacks are allowed per the discretion of the PCD and public works directors to obtain improved site design and to avoid impacting existing physical features on the site such as trees.~~

~~1. Front yard and street side yard on corner lots shall be 10 feet.~~

a. Exception. The PCD director in consultation with the public works director may authorize the setback averaging from the public right of way. In such cases the setback average shall be 10 feet and at no point less than five feet where the location of all structures, landscaping and other improvements will not conflict with future improvements in the right of way. Fences may not be placed in the right of way and are subject to Chapter 17.68 PTMC.

2. Rear Yard Building Setback. The minimum rear yard shall be five feet.

3. Side Yard Building Setback—Interior Lot Lines. The minimum side yard setback shall be five feet for interior lot lines. (Ord. 3306 § 1 (Exh. Q), 2023; Ord. 2864 § 3, 2004).

17.34.130—Cottage housing development building separation.

A. Objective. Structures within cottage housing developments shall observe minimum setbacks from other cottage housing development structures to avoid overcrowding the site and to maintain a sense of privacy within the cottages themselves.

1. All buildings within a cottage housing development shall maintain a minimum separation of 10 feet from cottages within a cottage housing development measured from the nearest point of the exterior walls. Accessory buildings shall comply with building code requirements for separation from noncottage structures. (Ord. 2864 § 3, 2004).

17.34.140—Common open space.

A. Objective. Open space that is commonly owned by all members of a cottage housing development is an important feature of any site design. It is intended that the open space be adequately sized and centrally located.

1. Common Open Space. A minimum of 400 square feet per cottage unit of common open space is required. Parking areas, yard setbacks, spaces between buildings of 10 feet or less in width, private open space, and driveways do not qualify as common open space.

2. Proximity to Common Open Space.

a. At least 50 percent of the cottage units shall abut a common open space, all of the cottage units shall be within 60 feet walking distance measured from the nearest entrance of the cottage along the shortest safe walking route to the nearest point of the common open space. The common open space shall have cottages abutting at least two sides.

b. For the purposes of cottage housing, “common open space” shall be the central space that may be used by all occupants of the cottage complex. (Ord. 3306 § 1 (Exh. R), 2023; Ord. 2864 § 3, 2004).

17.34.150—Private open space.

A. Objective. Each residential unit in a cottage housing development shall be provided an area of private open space. The private open space shall create a sense of privacy and shall be oriented to take advantage of solar orientation and other natural features to create a small but pleasant private yard area. The private open space may be separated from the common open space with a small hedge, picket fence, or other similar visual separation to create a sense of separate ownership.

1. Each cottage unit shall be provided with a minimum of 200 square feet of usable private open space.

2. No dimension of the private open space shall be less than eight feet. (Ord. 3306 § 1 (Exh. S), 2023; Ord. 2864 § 3, 2004).

17.34.160—Tree conservation.

A. Objective. Cottage housing developments shall be designed to incorporate existing trees to the extent possible. New trees shall be located to create amenities in the common open space, private open space, provide shade where appropriate, to create separation between buildings when desired, and to screen and soften the perimeter of parking areas and street facing sides of cottage housing developments.

~~1. Preservation of existing trees, and/or new trees, shall be provided consistent with Chapter 19.06 PTMC, Article III, Standards for Tree Conservation. Native trees and other vegetation shall be preserved to the extent possible and the overall site design shall take advantage of the location of existing trees as well as natural openings or clearings on forested sites. (Ord. 2864 § 3, 2004).~~

17.34.170 — Stormwater low impact development techniques.

A. Objective. Cottage housing developments shall be designed to take advantage of open space and landscaped features to utilize stormwater low impact development techniques including natural filtration and on-site infiltration of stormwater.

- ~~1. Low impact development techniques for stormwater management shall be used wherever possible. Such techniques may include the use of pervious pavers in parking areas and for walkways, directing roof drains and parking lot runoff to landscape beds, green or living roofs, and the use of rain barrels.~~
- ~~2. In the R-I zone, cottages shall be located so as to maximize natural stormwater functions. In this zone, cottages shall be clustered and parking areas shall be located to preserve as much contiguous, permanently undeveloped open space and native vegetation as possible. (Ord. 2864 § 3, 2004).~~

17.34.180 — Off-street parking.

A. Objective. Off-street parking space requirements for cottage housing developments shall be less than normally required for detached single-family residences. These reduced standards are based upon the cottages being smaller than average detached single-family homes and on average containing fewer occupants. Off-street parking shall be located and designed to be less visible from frontage streets than the cottages themselves. Off-street parking shall be designed to maintain a pedestrian character for the overall cottage housing development. Clustering parking to the side or rear of a cottage project will most often best accomplish these goals. However, on a site-specific basis, design solutions other than clustering may be found to meet this objective through the alternative design process. Parking areas shall be attractively landscaped to screen parking from adjacent properties and street rights-of-way and shall meet applicable parking lot landscape standards.

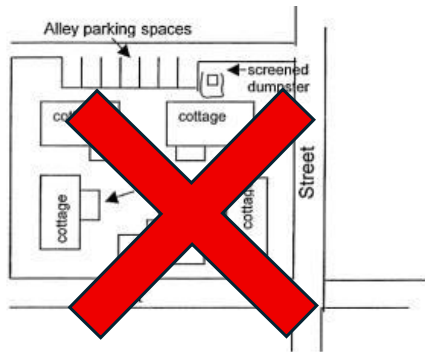
~~1. Repealed by Ord. 3306.~~

~~2. Off-Street Parking Location. Parking shall be located on the cottage housing development property. Off-street parking lots shall be located to the side or rear of the cottage housing development (see illustrations below). Subject to the site design administrative review approval process, parking may be adjacent to cottage units. Parking lots shall not be located between the cottage housing development and the primary street frontage.~~

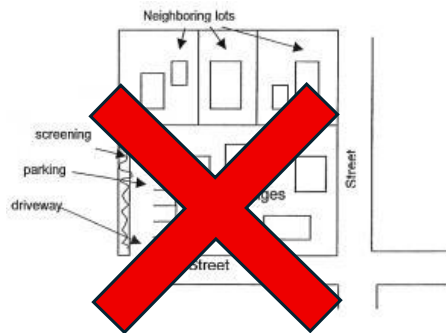
~~a. Off-Street Parking Screening. Off-street parking may be located in or under a noncottage parking structure (such as a single or multi-auto carport or garage), but such structures shall not be attached to individual cottages. Uncovered parking is also permitted; provided, that off-street parking shall be screened from direct street view from one or more street facades by garage doors, or by a fence and landscaping.~~

~~b. Preferred locations for parking, in descending order of preference, are as follows:~~

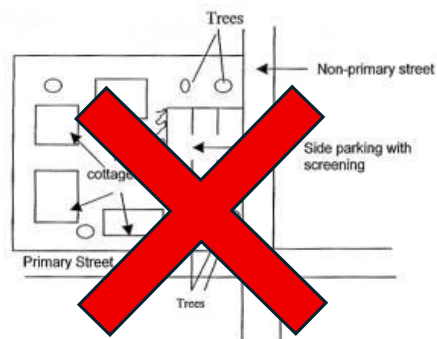
- ~~i. To the rear of cottage housing units accessed by an alley.~~



~~ii. To the side of the cottage housing units access by a private driveway.~~



~~iii. Parking on the side (nonprimary street) screened from the side street by either garage doors, landscaping, and/or fencing.~~



~~e. Parking Lot Landscaping. Parking lot landscaping shall comply with the requirements of PTMC 17.72.190. (Ord. 3306 § 1 (Exh. T), 2023; Ord. 2864 § 3, 2004).~~

~~17.34.190 — Exterior lighting and heating/cooling equipment noise.~~

~~A. Objective. Cottage housing developments should be designed to minimize light and noise impacts both within the development and to adjacent properties.~~

~~1. Where provided, exterior lighting shall be mounted as low as possible, pointed downward, and the light source shall be shielded from direct observation from above, adjacent properties, and public rights-of-way. Lighting “spillover” to adjacent properties shall be avoided.~~

~~2. Heating (and cooling, if applicable) equipment for cottage housing developments shall be designed to cause little or no noise impacts within the development and to adjacent properties. (Ord. 3306 § 1 (Exh. U), 2023; Ord. 2864 § 3, 2004).~~

~~17.34.200 — Required separation of cottage housing developments in the R-I and R-II zoning districts.~~

~~Repealed by Ord. 3306. (Ord. 2864 § 3, 2004).~~

~~17.34.210 — Ownership and residential use of cottages.~~

~~A. All cottage housing developments shall be developed utilizing the procedures of Chapter 18.22 PTMC, Unit Lot Subdivisions, or Chapter 18.20 PTMC, Binding Site Plans, except that an association, cooperative or other similar ownership technique may be substituted for the requirement of residential condominiums. Appropriate documentation of formal legal ownership of the development shall be recorded with the Jefferson County auditor’s office.~~

~~B. Cottages are for residential use only and may not be operated as transient accommodations. (Ord. 3306 § 1 (Exh. W), 2023; Ord. 2864 § 3, 2004).~~

~~17.34.220 — Alternative site design.~~

~~It is possible that an alternative design may fulfill the intent of this chapter while not complying with the provisions herein. Requests for alternative designs shall be processed administratively. Committee review shall be available at the developer’s request. (Ord. 3306 § 1 (Exh. X), 2023; Ord. 2864 § 3, 2004).~~

Chapter 17.36

MULTIFAMILY RESIDENTIAL DEVELOPMENT STANDARDS

Sections:

17.36.010	Purpose and intent.
<u>17.36.015</u>	<u>Exemptions.</u>
17.36.020	Applicability, application process and design review.
17.36.030	<i>Repealed.</i>
17.36.040	Orientation.
17.36.050	Parking location and design.
17.36.060	Fences and walls.
17.36.070	Support facilities.
17.36.080	Grading and tree/vegetation retention.
17.36.090	Open space.
17.36.100	Neighborhood-scale.
17.36.110	Privacy.
17.36.120	Facade, footprint, and roof articulation.
17.36.130	Entries.
17.36.140	Materials and colors.
17.36.150	Landscape design.

17.36.010 Purpose and intent.’

The general purposes of the multifamily development standards are as follows:

- A. To describe how new multifamily buildings can be compatible with their surroundings;
- B. To ensure new multifamily development is compatible with ~~and enhances the character of~~ Port Townsend’s residential neighborhoods;
- C. To enhance the built environment for pedestrians in higher density areas;
- D. To provide for development of neighborhoods with ~~attractive,~~ well-connected streets, sidewalks, and trails that enable convenient, direct access to neighborhood centers, parks, and transit stops;
- E. To ensure adequate light, air, and readily accessible open space for multifamily developments in order to maintain public health, safety, and welfare;
- F. To ensure the compatibility of dissimilar adjoining land uses;
- G. To maintain or improve the ~~character, appearance, and~~ livability of established neighborhoods by protecting them from incompatible uses, excessive noise, illumination, loss of privacy, and similar significant nuisances; and
- H. To encourage creativity and flexibility in the design of multifamily developments in a manner that maximizes unique site attributes and is compatible with the ~~character and~~ intensity of adjoining land uses. (Ord. 2571 § 2, 1997).

17.36.015 Exemptions.

The following development types are exempt from this Chapter:

- A. Multifamily structures containing up to 12 units.

17.36.020 Applicability, application process and design review.

Applicability of this section, application procedure and the process for design review is pursuant to Chapter 17.46 PTMC. (Ord. 2840 § 2(Exh. E), 2003; Ord. 2571 § 2, 1997).

17.36.030 Application process.

Repealed by Ord. 2840. (Ord. 2571 § 2, 1997).

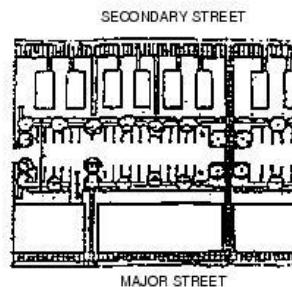
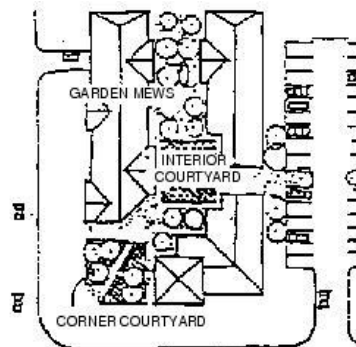
17.36.040 Orientation.

A. Requirement. Multifamily projects shall be designed to orient to public streets and to provide pedestrian and vehicular connections to existing neighborhoods.

B. Techniques for complying with the requirement in subsection A of this section include, but are not limited to:

1. Using a modified street grid system where most buildings in a project front on a street. Where no public streets exist, creating a grid street system within the project.
2. Locating parking areas behind or under buildings and accessing such parking from alley-type driveways. If driveway access from streets is necessary, minimum width driveways meeting the fire code standards should be used.
3. Providing each building with direct pedestrian access from the main street fronting the building and from any provided parking lot ~~the back where the parking is located.~~

C. The following illustrations depict site planning techniques that orient multifamily projects to streets, adding value and identity to the complex, by siting parking behind the buildings:



(Ord. 2571 § 2, 1997).

17.36.050 Parking location and design.

STET

17.36.060 Fences and walls.

STET

17.36.070 Support facilities.

STET

17.36.080 Grading and tree/vegetation retention.

STET

17.36.090 Open space.
STET

17.36.100 Neighborhood Scale.

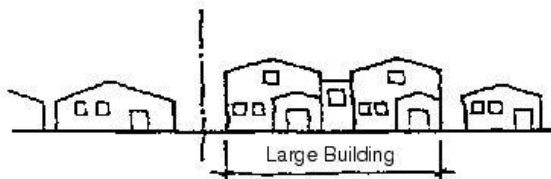
A. Requirement. To the extent reasonable and practicable, the architectural scale of new buildings proposed for existing neighborhoods shall be compatible with or complement the ~~scale architectural character~~ of neighboring buildings.

B. Techniques for complying with the requirement in subsection A of this section include, but are not limited to:

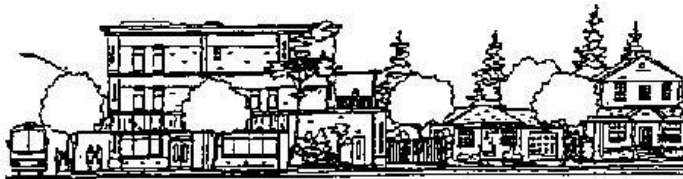
1. Breaking a multifamily building into house size building elements, especially where there is a building height transition from adjoining development; and
2. Using the existing separation pattern and orientation of buildings in the adjacent neighborhood to establish the pattern of the new developments.

C. The following illustrations depict how multifamily buildings can be integrated into existing neighborhoods:

Zone allowing greater bulk.

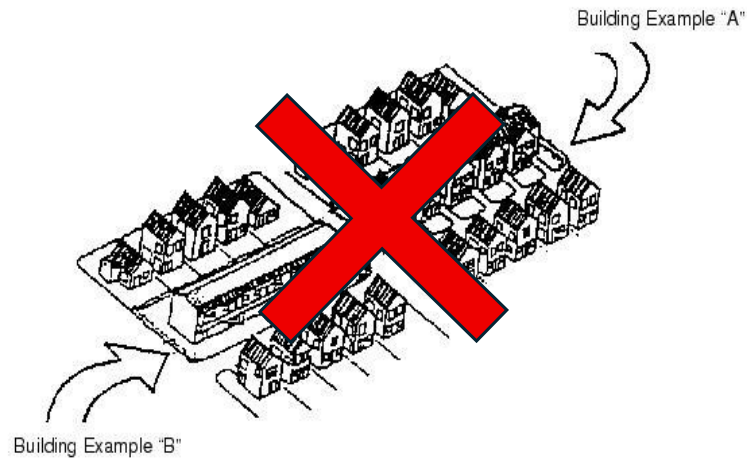


Good use of articulation could result in a form similar to this.



This higher density multifamily building “steps back” to conform to the abutting lower density property. This use of modulation helps the multifamily building fit into the neighborhood.

Preferred: The multifamily buildings depicted as “A” and “B” below have been built on an identical site. However, building example “A” incorporates design clues from the surrounding neighborhood. Building example “A” covers roughly the same lot areas building example “B” and provides for the same number of units, while “fitting in” with its surroundings.



Undesirable: Multifamily building example "B" has been built on a site surrounded by single-family development. The building bears no resemblance to the existing neighborhood, and looks out of place.

(Ord. 2571 § 2, 1997).

17.36.110 Privacy.

A. Requirement. Buildings shall be oriented for privacy, to the extent practicable, both within the project and to the neighborhood.

B. Techniques for complying with the requirement in subsection A of this section include, but are not limited to:

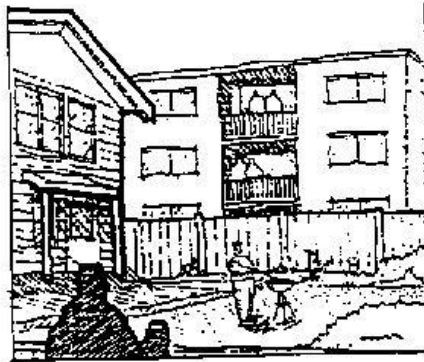
- ~~1. Reducing the number of windows or decks on the proposed building which overlook the neighbors;~~
- ~~2. Staggering windows to avoid aligning with adjacent windows;~~
- ~~3. Increasing the side or rear yard setback, or stepping back the upper floors so that window areas are farther from the property line.~~

C. The following illustrations depict how multifamily buildings can be sited and designed to preserve the privacy of adjacent homes:

Inappropriate siting and design of large buildings can reduce the privacy of adjacent homes.



Preferred



Undesirable

(Ord. 2571 § 2, 1997).

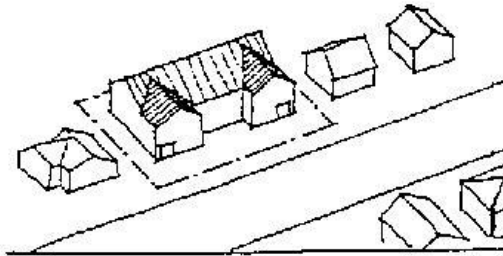
17.36.120 Facade, footprint, and roof articulation.

A. Requirement. Buildings shall have a common design theme that provides variety and ~~consistency character~~ within a project. Walls and roofs shall include separations, changes in plane and height, and architectural elements such as balconies, porches, dormers, and cross-gables.

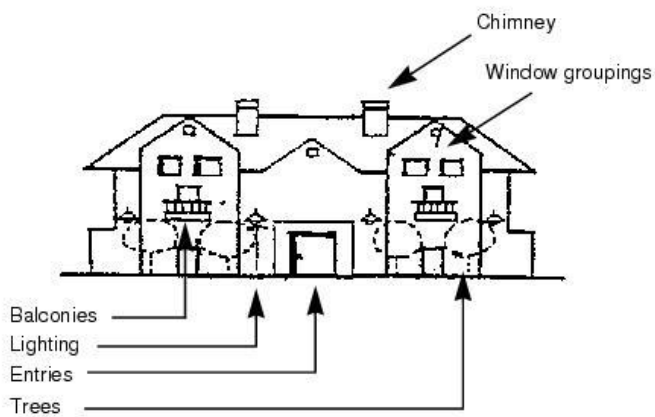
B. Techniques for complying with the requirement in subsection A of this section include, but are not limited to:

1. Facade modulation – stepping back or extending forward a portion of the facade for each interval;
2. Articulating each interval with architectural elements like a porch, balcony, bay window, and/or covered entry;
3. Articulating the roof line by stepping the roof and by emphasizing dormers, chimneys, or gables; and
4. Providing a ground or wall-mounted fixture, a trellis, a tree, or other site feature within each interval.

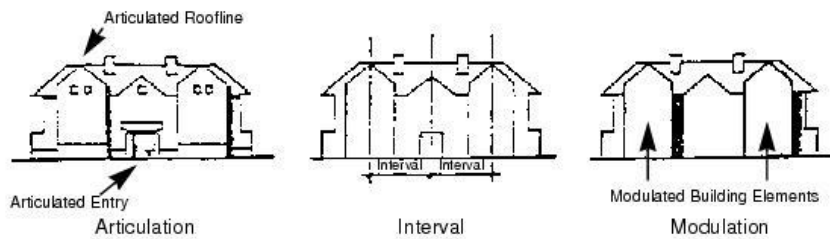
C. The following illustrations depict multifamily design themes that provide project variety and character:

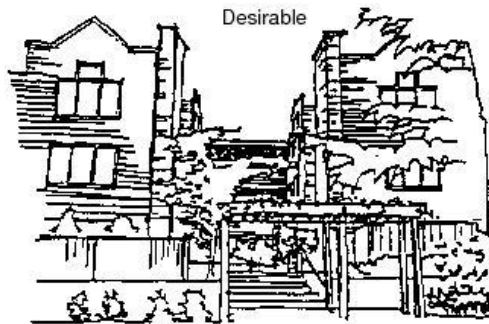


Building details can reinforce the articulation interval.

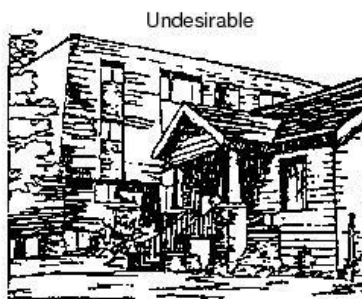


Modulation of the principal building facade adds interest to a long building.





Multifamily buildings with well detailed facades, cornice detail that gives the building a top, and covered, recessed entries can contribute quality to a neighborhood. An example of a project emphasizing varied rooflines, window details, facade articulation, a trellis, chimneys, entry details and other features to add interest and a greater sense of quality.



A multifamily building with a blank wall that faces the street and that lacks architectural and cornice detail does not contribute quality or maintain human scale in this neighborhood.

(Ord. 2571 § 2, 1997).

17.36.130 Entries.

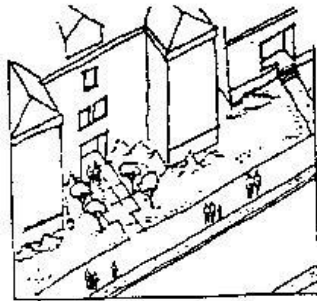
A. Requirement. Clearly defined building entries shall be provided that are well-lighted, easily accessible, and satisfy Washington State Barrier-Free Regulations.

B. Techniques for complying with the requirement in subsection A of this section include, but are not limited to:

1. Making entrances plainly visible from the fronting street and walkway;
2. Using distinctive architectural elements and materials to denote prominent entrances; and
3. Ensuring that entries include a transition space from the sidewalk, such as steps, a terrace, or a landscaped area.

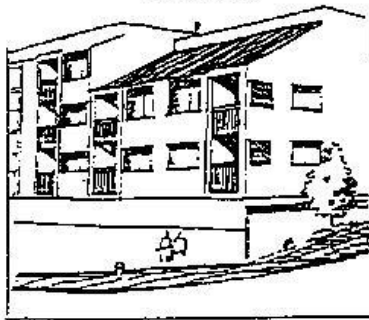
C. The following illustrations depict desirable and undesirable multifamily building entries:

Preferred



Clear entries to the sidewalk encourage pedestrian circulation.

Undesirable



Lack of clear entries on the street can create an unfriendly streetscape.

(Ord. 2571 § 2, 1997).

17.36.140 Materials and colors.

A. Requirement. Exterior materials and colors in new building construction shall be compatible with or complement the character of surrounding buildings.

B. Techniques for complying with the requirement in subsection A of this section include, but are not limited to:

1. Using building materials that are durable and easily maintained;
2. Using materials with textures or patterns; and
3. Using exterior colors that are subdued and emphasize earth tones. (Ord. 2571 § 2, 1997).

17.36.150 Landscape design.

A. Requirement. Landscaping (including living plant material) and supporting elements (such as trellises, planters, site furniture, or similar features) shall be appropriately incorporated into the project design.

B. Techniques for complying with the requirement in subsection A of this section include, but are not limited to:

1. Minimizing tree removal and incorporating larger caliper trees to obtain the immediate impact of more mature trees when the project is completed consistent with Chapter 19.06 PTMC, Article III, Standards for Tree Conservation;
2. Providing frameworks such as trellises or arbors for plants to grow on;
3. Incorporating planter guards or low planter walls as part of the architecture;
4. Landscaping the open areas created by building modulation;
5. Incorporating upper story planter boxes or **roof plants;**
6. Retaining natural greenbelt vegetation that contributes to greenbelt preservation;
7. On streets with uniform plantings of street trees and/or distinctive species, planting street trees that match the street tree spacing and/or species if they are on the City's current allowed tree list; and
8. Using plants that require low amounts of water, including native drought-resistant species, and require low amounts of chemicals and fertilizers. (Ord. 2837 § 2(Exh. B § 10), 2003; Ord. 2571 § 2, 1997).

Commented [AS1]: @Emma Bolin would the WUI prohibition of green roofs contradict encouraging roof plants?

Commented [EB2R1]: I think it prevents green roofs, but a rooftop garden is a different story (plants would be watered)

Chapter 17.40

MIXED USE DEVELOPMENTS

Sections:

- 17.40.010 Purpose.
17.40.020 Applicability, application process and design review.

17.40.010 Purpose.

The general purposes of the mixed use development standards are as follows:

- A. To promote a compatible mix of multifamily housing and neighborhood commercial businesses and services within multistory structures;
- B. To protect established neighborhoods surrounding mixed use centers from incompatible uses, excessive noise, illumination, loss of privacy, and similar significant nuisances;
- C. To ensure that mixed use developments are arranged, scaled, and designed to be compatible with surrounding permitted land uses and provide sensitive transitions between significantly different land uses (e.g., commercial and residential uses);
- D. To ensure that mixed use buildings are arranged, designed, and oriented to facilitate pedestrian and transit access;
- E. To ensure adequate light, air, and readily accessible open space for mixed use developments in order to maintain public health, safety, and welfare;
- F. To foster development that supports the safe and efficient movement of goods and people;
- G. To encourage creativity and flexibility in the design of mixed use developments in a manner that maximizes unique site attributes and is compatible with the character and intensity of adjoining land uses. (Ord. 2571 § 2, 1997).

17.40.020 Applicability, application process and design review.

STET

Chapter 17.44

COMMERCIAL AND MIXED USE ARCHITECTURAL AND SITE DESIGN STANDARDS

Sections:

- 17.44.010 Purpose and intent.
- 17.44.030 Process information.
- 17.44.040 Commercial and mixed use short plats, subdivisions and binding site plans – Block sizes, building separation and street layout.
- 17.44.050 Maximum building setback from primary street frontage.
- 17.44.060 Topography.
- 17.44.070 Gateway Forest Corridor.
- 17.44.080 Landscaping.
- 17.44.090 Off-street parking lots.
- 17.44.100 On-street parking.
- 17.44.110 Pedestrian- and bicycle-friendly commercial development.
- 17.44.120 Commercial development adjacent to residential zones.
- 17.44.130 Building design, materials, and colors.
- 17.44.140 Vehicle canopies.
- 17.44.150 Building entrances.
- 17.44.160 Weather protection.
- 17.44.170 Transparency.
- 17.44.180 Lighting.
- 17.44.190 Support elements.

17.44.010 Purpose and intent.

The general purposes of the commercial and mixed use design standards are as follows:

A. To help implement the city of Port Townsend's:

1. Comprehensive plan;
2. Gateway development plan; ~~and~~
3. ~~Active Transportation~~ ~~Nonmotorized transportation~~ plan; ~~and~~
4. PT Sustainable Streets Plan

B. Promote development in the city's commercial and mixed use zones that is compatible with the historic structures ~~character~~ and pedestrian orientation of Port Townsend, encouraging and requiring commercial development that enables the safe circulation of pedestrians with minimal vehicle-pedestrian conflicts, softens the auto-dominated nature of the zoning district, and provides a regional design, which invites the pedestrian into ~~ground-floor~~ commercial establishments;

C. Enrich the quality of the commercial and mixed use zones' built and natural environment;

D. Foster development that is compatible with and implements the city's "Port Townsend Future community-direction statement," Chapter III of the comprehensive plan;

E. Promote distinct communities and senses of place that strengthen the commercial and mixed use districts as commercial service destinations for Port Townsend's residents and visitors;

F. Provide clear directions to public and private decision makers regarding the city's property development expectations; and

G. Require building design that is compatible with adopted requirements, while allowing design professionals guidance that is flexible and encourages creative solutions. (Ord. 2840 § 2(Exh. A), 2003).

17.44.030 Process information.
STET

17.44.040 Commercial and mixed use short plats, subdivisions, and binding site plans – Block sizes, building separation and street layout.
STET

17.44.050 Maximum building setback from primary street frontage.
STET

17.44.060 Topography.
STET

17.44.070 Gateway Forest Corridor.
STET

17.44.080 Landscaping.
STET

17.44.090 Off-street parking lots.
STET

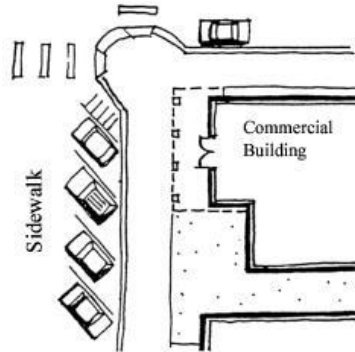
17.44.100 On-street parking.
A. Objective. On-street parking is encouraged along the streets, access drives, and alleys in order to provide convenient access and reduce the need for off-street parking lots.

~~11. The required number of off-street parking spaces shall be reduced by two spaces for each developed on-street parking space pursuant to PTMC 17.72.120(C). For projects located in R-IV, C-I/MU, C-II/MU, and M/C(S) zones, the required number of off-street parking spaces shall be reduced by three spaces for each developed on-street parking space.~~

12. Allow use of on-street parking for Americans with Disabilities Act (ADA) requirements if such a location meets ADA design standards and would better serve the public than off-street ADA parking.

Illustration No. 6:

Commented [EB3]: @Adrian Smith I believe we can strike this.



Angled and parallel on-street parking example

(Ord. 3323 § 1 (Exh. M), 2023; Ord. 2920 § 7, 2005; Ord. 2840 § 2(Exh. A), 2003).

17.44.110 Pedestrian- and bicycle-friendly commercial development.
STET

17.44.120 Commercial development adjacent to residential zones.
STET

17.44.130 Building design, materials, and colors.

A. Objective. New development should recognize the city's historic architectural heritage through the use of building materials and proportions compatible with those design principles inherent in historic architecture without replicating historical buildings.

1. Roof Design.

a. Roof design shall reduce the mass and scale of buildings, add visual interest and prevent reflective glare. Flat roofs shall have parapets to conceal the roof and mechanical equipment from ground level views. Sloping roofs shall have three or more roof planes.

b. When designing rooftops visible from hillsides, special attention shall be given to prevention of reflective glare and placement/design of mechanical equipment. Roof gardens or "living roofs" may be considered and are encouraged.

2. Overhanging eaves are encouraged on sloped roofs.

3. Exterior siding consisting of wood, brick, and/or other materials with "natural" textures is encouraged. The use of recycled and "ecologically friendly" materials is also encouraged.

4. Exterior building materials shall be of similar type (e.g., wood or masonry) on all sides of a building, except that embellishments and details proposed for the street side frontage(s) of the building need not be carried through on other sides.

5. Exterior walls shall not be constructed of tilt-up concrete.

~~6. Building colors should be compatible with other buildings as well as natural and topographic features in the vicinity. The use of colors that emphasize earth tones typical of the Port Townsend area or those selected from~~

~~the historic preservation committee's color palette of tertiary colors are encouraged. Bright colors should be minimized or used for minor architectural accents rather than on major portions of the building.~~

7.6. Building fascias shall not be used as sign platforms.

8.7. Departures From the Sign Code Maximum Height Limit for Signs in the C-I, C-II, and C-II(H) Zones to Exceed 17-Foot Height Limit. In reviewing such departure requests the committee shall recognize that signs should generally be pedestrian-oriented, but that in some cases good design may call for taller signage. All signage otherwise shall conform to the provisions of Chapter 17.76 PTMC.

9.8. Buildings should be provided with a distinct "base" through the use of materials, texture, or massing.

10.9. Towers of up to 100 square feet in plain view, which exceed the height limit of the applicable zoning district by up to 10 feet, may be considered and approved through the departure process.

Illustration No. 11:



11.10. Multistory buildings are strongly encouraged. Residential development is permitted outright on upper floors and is encouraged.

12.11. When buildings include residences on upper floors, rooftop gardens and upper floor terraces and decks are encouraged and may partially fulfill landscaping requirements.

13.12. Walls shall appear to be composed of relatively small increments. No wall segment on a street frontage shall be longer than 30 feet. Walls may be articulated in two or more of the following ways:

- a. Reveals;
- b. Recesses (at least two feet in depth or five percent of wall length whichever is larger);
- c. Offsets;
- d. Overhangs, porches and covered walkways;
- e. Providing window and door openings with substantial trim elements;
- f. Projecting bays or upper floors;
- g. Stepped back upper floors;
- h. Changes in roof form;
- i. Changes in materials;
- j. Permanently installed and maintained trellises or vegetation.

~~14-13.~~ New development should locate windows, skylights, open spaces, and decks to take advantage of southern exposure. Buildings and canopies should be designed to utilize natural light to reduce energy costs.

~~15-14.~~ Building placement and design shall consider shadow impacts to adjacent properties and minimize these impacts to the extent reasonable and practicable. For example, where building features are nonfunctional or decorative (parapets, unused attic space) such features should be reduced in scale where shadowing of adjacent properties will occur. (Ord. 2920 § 2, 2005; Ord. 2840 § 2(Exh. A), 2003).

17.44.140 Vehicle canopies.

STET

17.44.150 Building entrances.

STET

17.44.160 Weather protection.

STET

17.44.170 Transparency.

STET

17.44.180 Lighting.

A. Objective. All exterior lighting, including that used to illuminate signs, shall be designed to reduce glare impacts to adjacent properties and public rights-of-way, to use energy efficiently, and to reduce nighttime “light pollution.”

1. An exterior lighting plan shall be included with the design review application pursuant to the requirements of PTMC 17.46.040.
2. a. All exterior lighting, including that to illuminate signs, shall be pointed downward and shielded from direct observation from the air, adjacent properties, and public rights-of-way. Lighting “spillover” to adjacent properties shall be minimized. Lamps shall use recessed or flat lenses. Light fixtures, shall be “full cutoff” fixtures as defined by the Illuminating Engineering Society of North America.

b. Alternative. If use of fixtures which do not meet the “full cutoff” definition are proposed, other fixtures may be used if it is determined by the PCD director that no significant light pollution or trespass will result and if the maximum initial lumens generated by each fixture does not exceed 1,500 lumens in total (approximately equivalent to an 18-watt compact fluorescent or 100-watt incandescent bulb).
3. Lighting in exterior canopies shall be recessed so that the lens does not drop below the level of the canopy.
4. Exterior light poles shall not exceed a height of 17 feet above grade, including the base.
5. When lighting is used for security, the use of motion sensors and/or timers is required.
6. Exterior lighting shall be limited to nighttime business hours only. Lighting shall be located near the activity needing illumination. Walkways, entrances, and parking areas may be lit during nighttime business hours, but such lighting shall be the minimum necessary for safety. Lighting in parking lots should be of uniform intensity, since the eye cannot easily adapt to areas of darkness and brightness in proximity to one another.
7. Buildings shall not be outlined with neon or other lighting, except seasonal lighting.
8. If, once installed, lighting is found to be performing in violation of these standards, the city may require the business owner to take corrective action to bring the lighting into compliance.
9. Lighting shall be maintained to meet these standards at all times.
10. Nighttime lighting of the American flag is exempt from the provisions of this chapter, except that such lighting shall not provide direct glare to neighboring properties or traffic.

Illustration No. 15:

Figure 1. Wall-mounted lights.

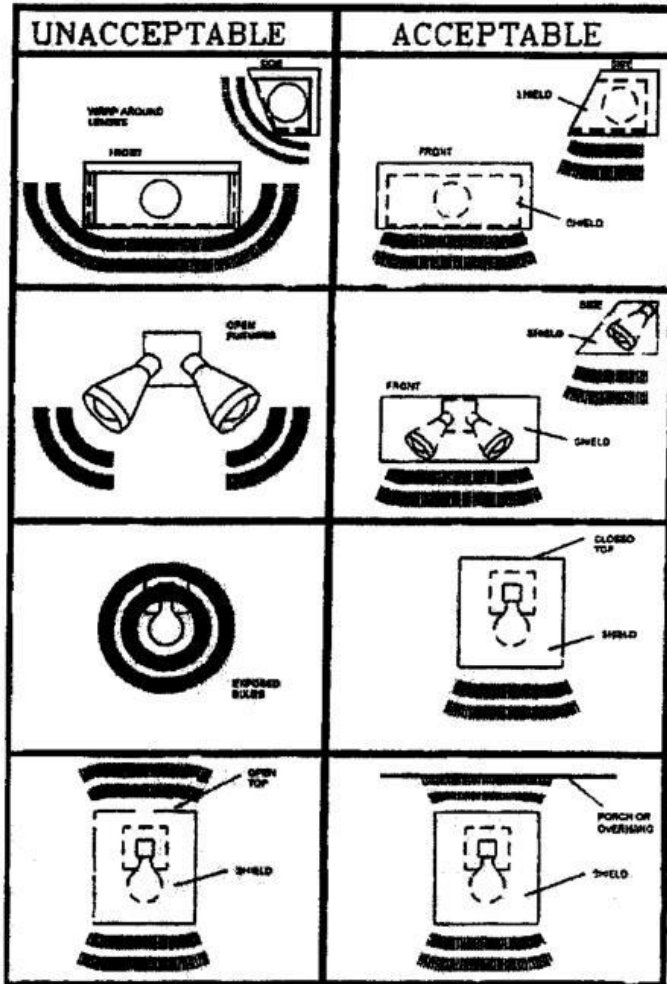


Figure 2. Freestanding outdoor lighting fixtures.

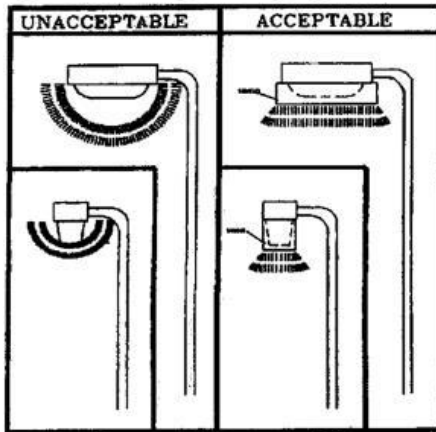
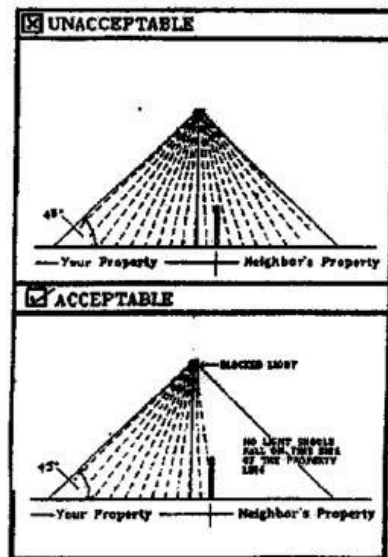
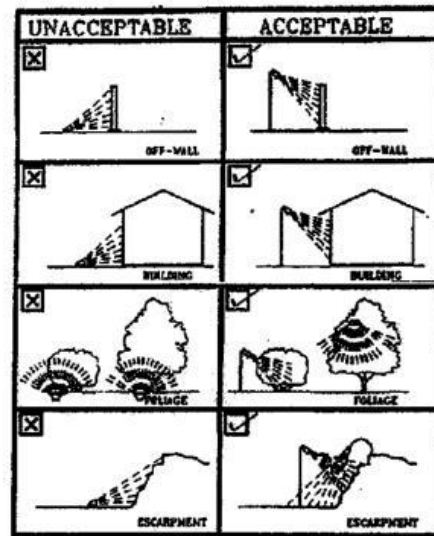


Figure 3. Outdoor lighting fixtures – Street and lot light cut-off at property line.



(Ord. 3287 § 5, 2022; Ord. 2892 § 1, 2005; Ord. 2840 § 2(Exh. A), 2003).

Figure 4. Accent lighting.



17.44.190 Support elements.

A. Objective. Mechanical elements, loading areas, trash, and recycling containers shall be located and/or screened to minimize their visibility from public view.

1. Refuse and storage containers shall be screened with built and/or landscaped confinements.
2. Refuse and storage areas should be located to the rear or side of the property and away from adjacent streets and residential property.
3. Service and loading areas should be located to the rear or sides of buildings away from adjacent streets but shall be designed for convenient use.
4. On waterfront buildings, support facilities should not be located between the building and the water but rather should be located to the side of the building.
5. Rooftop mechanical equipment shall be concealed from view by a roof form integrated with the overall architecture of the building, either by locating the equipment within the structure or concealing it from ground level view behind a parapet.
6. Views of rooftop equipment from nearby hillsides shall be minimized.
7. Other outdoor mechanical equipment (such as ground-mounted heat pumps and wall-ducted exhaust vents) and electrical service equipment (meter boxes, service lines, etc.) shall be integrated with the overall architecture of the building or screened from ground-level view. (Ord. 2920 § 13, 2005; Ord. 2840 § 2(Exh. A), 2003).

Chapter 17.46

COMMERCIAL, MULTIFAMILY, ~~COTTAGE HOUSING DEVELOPMENTS~~, AND MIXED USE

Commented [EB4]: @Adrian Smith removing from title

ARCHITECTURAL AND SITE DESIGN REVIEW PROCESSES

Sections:

- 17.46.010 Purpose and intent.
- 17.46.020 Predesign process.
- 17.46.030 Applicability and permit review process – Standards.
- 17.46.040 Application submittal and contents.
- 17.46.050 Notice requirements.
- 17.46.060 Permit review process – Administrative review (Type IA).
- 17.46.070 Permit review process – Review by design committee (Type II and III).
- 17.46.080 Design standard departures.
- 17.46.090 Outcome of review.
- 17.46.095 Advisory committee review of building permits.
- 17.46.100 Variance criteria.
- 17.46.110 Design review permit conditions to run with the land.
- 17.46.120 *Repealed.*

17.46.010 Purpose and intent.

It is the intent of this chapter to:

- A. Provide common application procedures, permit review, and decisionmaking processes for commercial, mixed use, and multifamily, ~~and cottage housing~~ developments.
- B. Combine Port Townsend's multiple review processes into a single chapter for multifamily projects, ~~cottage housing projects (R-I, R-II, and R-III districts)~~ and for development within the commercial (C-I, C-II, C-II(H)), mixed use (C-I/MU and C-II/MU) zoning districts. This does not include development that is otherwise subject to the historic design review process in Chapter 17.30 PTMC, Historic Preservation Code.
- C. Encourage high quality design.
- D. Provide predictable, timely and cost efficient review of commercial, mixed use and multifamily projects.
- E. Establish a clear process and review standards for Port Townsend's cottage housing projects and development within the above-referenced commercial, mixed use, and residential multifamily districts. (Ord. 3026 § 1 (Exh. A-6 § 6), 2010; Ord. 2864 § 4, 2004; Ord. 2840 § 2(Exh. C), 2003).

17.46.020 Predesign process.

For all projects subject to design review, staff shall meet with the proponent at a pre-design meeting to identify and review applicable design guidelines. Staff shall identify the appropriate design review process, provide a list of application materials, and provide design recommendations based upon applicable standards. This predesign feedback may be folded into a technical review conference or overall land use or building preapplication meeting covering all project related issues. (Ord. 3026 § 1 (Exh. A-6 § 6), 2010; Ord. 2864 § 4, 2004; Ord. 2840 § 2(Exh. C), 2003).

17.46.030 Applicability and permit review process – Standards.

Unless otherwise subject to the historic design review process in Chapter 17.30 PTMC, Historic Preservation Code, all projects in the C-I, C-II, C-II(H), C-I/MU, and C-II/MU zones, ~~cottage housing developments~~, as well as multifamily projects in any zone regardless of their location or form of ownership shall be subject to the design review process contained within this chapter and processed in accordance with the permit review process in Chapter 20.01 PTMC as set forth below:

A. Type IA – Administrative Review Pursuant to PTMC 17.46.060.

1. Commercial and Mixed Use Projects.

STET

2. Multifamily Projects.

a. Including construction of apartments, townhouses, row houses or other forms of multifamily housing containing five to nine proposing more than 12 units; or

b. Alterations to the exterior facades of buildings (including but not limited to new or altered exterior electrical or mechanical systems such as pole-mounted or other light fixtures) excepting that ordinary (i.e., nonemergency) maintenance and repair activities may be granted a waiver of design review by the director. All work, even that qualifying for a waiver from the review process, must be conducted in accordance with applicable code requirements, including architectural design standards of Chapter 17.36 PTMC.

3. Cottage Housing Developments. All cottage housing developments and alterations to the exterior facades of buildings which are visible from adjacent properties or rights-of-way (including but not limited to new or altered exterior electrical or mechanical systems such as pole-mounted or other light fixtures) excepting that ordinary (i.e., nonemergency) maintenance and repair activities may be granted a waiver of design review by the director. All work, even that qualifying for a waiver from the review process, must be conducted in accordance with applicable code requirements, including architectural design standards of Chapter 17.34 PTMC.

B. Type II – Administrative Review with an Advisory Committee Pursuant to PTMC 17.46.070.

1. All other commercial or mixed use projects and projects which include requests for departure pursuant to PTMC 17.46.080.

2. All projects in all applicable districts exceeding the following thresholds are further subject to administrative review with the design review advisory committee:

a. Any new building canopy or other structure with a ground floor exceeding 4,000 square feet in size; or

b. Any new building with more than two stories above grade, or any expansion creating more than two stories above grade; or

c. Any building containing 10 or more dwelling units; or

d. Substantial alterations of existing structures, where the existing structure exceeds 5,000 square feet of ground floor area or otherwise exceeds categorical exemption limits of SEPA (Chapter 19.05 PTMC); or

e. Any project where the PCD director determines that the proposed design has generated strong public interest, or is proposed for a sensitive or highly visible site; the director may require that review with the advisory committee is warranted.

C. Standards to Be Applied. Applications for design review shall be subject to the site design and architectural design standards of this title as follows:

Commercial and mixed use projects	Chapter 17.44 PTMC
Commercial or mixed use projects with five or more residential units	Subject to a combined single review for compliance with Chapters 17.36 and 17.44 PTMC. No additional fee will be

Commented [AS5]: @Emma Bolin striking reference to advisory committee because Planning Commission voted to end the Design Review Committee

Commented [EB6]: @Adrian Smith we also need to strike large portions of this too to eliminate the committee.

Commented [AS7R6]: I struck most of PTMC 17.46.070, and all of PTMC 2.73 where the Design Review Advisory Committee is established

Commented [EB8R6]: I added some clarity here to align with Ch 20 and our intent.

	charged above that required for review under a single standard
Multifamily development in any zoning district	Chapter 17.36 PTMC
Cottage housing development	Chapter 17.34 PTMC, Cottage Housing Development Design Standards

Note: For development that is subject to historic design review process see Chapter 17.30 PTMC, Historic Preservation Code. (Ord. 3306 § 1 (Exh. Y), 2023; Ord. 3287 § 5, 2022; Ord. 3035 § 8, 2010; Ord. 3026 § 1 (Exh. A-6 § 6), 2010; Ord. 2920 § 10, 2005; Ord. 2892 § 1, 2005; Ord. 2864 § 4, 2004; Ord. 2840 § 2(Exh. C), 2003).

17.46.040 Application submittal and contents.

A. Applications for design review shall be submitted to PCD and shall consist of a completed application on a form prescribed by PCD, the appropriate fee, if any, established by Chapter 20.09 PTMC, and all materials required pursuant to PTMC 20.01.100. It shall also be accompanied by:

1. Preliminary architectural renderings (elevations required with details of architectural features, but not construction documents).
2. The type ~~and finished color~~ of exterior siding, windows and roofing to be used, signs and trim to the extent known.
3. Lighting plan showing the location, type, wattage, and light output of all exterior light fixtures, height of standards and wall mounted fixtures, and glare reduction/control devices. The plan shall also include proposed hours of lighting use, proposed use of any timing/motion detection switches, and a statement of any expected light impacts to neighboring properties.
4. Site plan (including landscaping details) sufficiently complete to show comprehensive project design. Site plan shall include conceptual street frontage improvements, including street and sidewalk cross sections.
5. All land, trees, and tree canopy to be cleared and the trees or tree canopy to be preserved shall be identified. Criteria for trees to be retained shall be in conformance with PTMC 17.44.080 and Chapter 19.06 PTMC, Tree Conservation.
6. The location of the proposed access to the site for clearing and grading during site development and construction shall be shown on the site plan.
7. The PCD director may allow later submittal of certain requirements, such as the lighting or landscaping plan, if the applicant wishes to first have conceptual review of the overall project. (Ord. 3287 § 5, 2022; Ord. 3026 § 1 (Exh. A-6 § 6), 2010; Ord. 2920 § 11, 2005; Ord. 2892 § 1, 2005; Ord. 2864 § 4, 2004; Ord. 2840 § 2(Exh. C), 2003).

17.46.050 Notice requirements.

A. Commercial, Multifamily, and Mixed Use Design Review.

1. Notice of application for design review shall conform with the requirements of PTMC 20.01.150. Notice shall be posted in the manner prescribed by PTMC 20.01.160.
2. Notice of design review for commercial, multifamily, and mixed use projects shall be included when notice is required for other applications, e.g., SEPA determination or shorelines permit.

~~B. Cottage Housing Developments. Notice of design review for cottage housing developments will be provided as specified by Chapter 20.01 PTMC, particularly as set forth in PTMC 20.01.150 and 20.01.160. (Ord. 3026 § 1 (Exh. A-6 § 6), 2010; Ord. 2982 § 17, 2008; Ord. 2920 § 4, 2005; Ord. 2864 § 4, 2004; Ord. 2840 § 2(Exh. C), 2003).~~

17.46.060 Permit review process – Type IA and II Administrative review (Type IA).

A. Projects falling under the criteria of PTMC 17.46.030(A) and PTMC 17.46.030(B) shall be reviewed administratively by PCD staff. Staff shall work with the proponent to address design development as an integral part of the permit review process. ~~The director may require that review with the advisory committee is warranted per PTMC 17.46.070.~~

B. PCD staff shall coordinate design review with review of infrastructure requirements and street frontage improvements required for project. (Ord. 3287 § 5, 2022; Ord. 3026 § 1 (Exh. A-6 § 6), 2010; Ord. 2920 § 12, 2005; Ord. 2892 § 1, 2005; Ord. 2864 § 4, 2004; Ord. 2840 § 2(Exh. C), 2003).

17.46.070 Permit review process – Review by design committee (Type II and III).

A. ~~Projects meeting the criteria of PTMC 17.46.030(B) and cottage housing developments shall be reviewed by a design review advisory committee established per Chapter 2.73 PTMC. Projects shall be considered in the following manner:~~

- ~~1. Staff shall first meet with the applicant to identify and work out design issues.~~
- ~~2. When the proposal has sufficiently addressed the design guidelines identified at the pre-design meeting, staff shall schedule a meeting with the applicant and the advisory committee. The meeting shall occur during business hours unless all participants agree to an alternate time. PCD staff shall coordinate design review with review of infrastructure requirements and street frontage improvements required for project.~~
- ~~3. The design review advisory committee shall meet once with the applicant or his/her representative. The design review meeting shall consist of a presentation by the project proponent that focuses on how the proposed design meets the criteria of the design guidelines. The committee will ask clarifying questions and take public comment if it chooses. The committee shall review how the proposed project meets the identified guidelines, and if a departure from the standards has been requested, if it is appropriate. The committee shall provide a recommendation to the PCD director/hearing examiner for approval, approval with conditions, or denial.~~
- ~~4. The meeting is open to the public; public testimony is not solicited but may be accepted at the discretion of the committee.~~
- ~~5. Meetings will not be continued except at the request of the applicant. The proponent may request additional meetings with staff and/or the committee, for instance, in circumstances where a departure has not been favorably received, and the applicant has subsequently made extensive revision and desires reconsideration of his request. Should the proposed project be found to have one or more guidelines that have not been successfully addressed, the committee or staff will work with the applicant to remedy, if possible, the identified circumstance. If it is not possible to come to a workable solution, the committee may recommend denial of the proposal. (Ord. 3287 § 5, 2022; Ord. 3026 § 1 (Exh. A-6 § 6), 2010; Ord. 2920 § 12, 2005; Ord. 2892 § 1, 2005; Ord. 2864 § 4, 2004; Ord. 2840 § 2(Exh. C), 2003).~~

17.46.080 Design standard departures.

A. A “departure” is a request by the applicant to meet or exceed a particular design guideline “objective” through the use of a technique or standard not otherwise listed under the applicable design guideline.

B. Departures from the architectural and site design standards of Chapter 17.34 PTMC, ~~Cottage Housing Development Design Standards~~; Chapter 17.36 PTMC, Multifamily Residential Development Standards; and Chapter 17.44 PTMC, Commercial and Mixed Use Architectural and Site Design Standards, may be permitted for ~~cottage housing~~, multifamily, commercial, and mixed use projects as part of the design review process. In order for a departure from development standards to be allowed, an applicant must demonstrate that the overall development, including departures from the design standards, would better serve the public interest, and a finding shall be made in the affirmative that each proposed departure meets or exceeds the intent of the respective design guideline as compared to a strict application of the established standard. Through the design review process established by this chapter, departures may be allowed from the following design guideline standards:

1. Building setbacks;

Commented [AS9]: Struck per Planning Commission's vote to end the Design Review Advisory Board

2. Window glazing and building transparency;
3. Off-street parking location;
4. Site grading and tree conservation;
5. Neighborhood scale;
6. Facade modulation and roof articulation;
7. Building exterior materials ~~and colors~~;
8. Landscape and screening;
9. Pedestrian walkways;
10. Building (including canopy) design;
11. Lighting;
12. Location and design of support/mechanical elements;
- ~~13. Building height in cottage housing developments;~~
- ~~14. Minimum building/dwelling unit separation in cottage housing developments (attached cottages);~~
- ~~15. Open space (including private open space) requirements in cottage housing developments;~~
- ~~16. Exterior building materials standards (including trim and roof eave design in cottage housing developments);~~
- ~~17. Covered main entries in cottage housing developments;~~
- ~~138.~~ Signs in C-I, C-II, and C-II(H) zoning districts to exceed 17-foot height limit;
- ~~1449.~~ Block sizes, building separation, and street layout in commercial and mixed use short plats, subdivisions, and binding site plans;
- ~~1520.~~ Building height for towers of up to 100 square feet in plan view may be allowed to exceed the height limit of the applicable zoning district by up to 10 feet;
- ~~1624.~~ Minimum building separation in the C-II general commercial zoning district when multiple buildings, if attached, would exceed a ground floor area of 40,000 square feet where the separation is proposed to be less than 60 feet and will be used for pedestrian and emergency vehicle use only.

C. Departure Approval Process. ~~Departures shall be considered by the director. Before a departure can be approved by the director, the director shall first receive and consider the recommendation of the advisory committee.~~ (Ord. 3026 § 1 (Exh. A-6 § 6), 2010; Ord. 2920 § 1, 2005; Ord. 2864 § 4, 2004; Ord. 2840 § 2(Exh. C), 2003).

17.46.090 Outcome of review.

A. A completed review form or checklist will comprise the recommendation from staff ~~or the design advisory committee~~ to the PCD director, or to the hearing examiner in the case of Type III/CUP cottage housing developments, including whether the departure provisions have been invoked.

B. If applicable, the SEPA responsible official shall consider the staff/~~committee~~ recommendation in the SEPA threshold determination, and he or she may incorporate recommended conditions into the SEPA mitigation.

~~C. The director, or hearing examiner for Type III/CUP cottage housing developments, shall not act upon the recommendation of the design review committee for a period of seven days. During this seven-day period, interested citizens or aggrieved parties may request in writing a "reconsideration" of the advisory committee recommendation. Such reconsideration requests shall be made in writing, shall state the reasons why a reconsideration request is made, and the relief sought. Upon review of the advisory committee's recommendation, and after reviewing any requests for reconsideration, the director or hearing examiner may:~~

- ~~1. Issue the design review permit, including any modifications, conditions, or denial of approval; or~~
- ~~2. Return the project to the advisory committee with directions for additional review.~~

~~D. The decisionmaker (PCD director or hearing examiner) may not incorporate a departure into a design review permit without first having received and considered the recommendation of the advisory committee.~~

~~CE. Design review permit conditions shall be incorporated into associated land use and/or building permit.~~

~~DE. No building permit shall be issued for a project subject to review under this chapter until such a design review permit has been issued. (Ord. 3287 § 5, 2022; Ord. 3026 § 1 (Exh. A-6 § 6), 2010; Ord. 2920 § 5, 2005; Ord. 2892 § 1, 2005; Ord. 2864 § 4, 2004; Ord. 2840 § 2(Exh. C), 2003).~~

17.46.095 — Advisory committee review of building permits.

~~Upon receipt of a complete building permit application that has been previously reviewed by the advisory committee, the advisory committee shall be contacted and afforded an opportunity to review the completed building permit application for conformity with the design review permit issued for the project. The purpose of this review is to identify any inconsistencies between the design review permit and the completed building permit application. Any inconsistencies shall be remedied prior to issuance of the building permit. This review process shall not interfere with the normal processing timelines for building permit applications. (Ord. 3026 § 1 (Exh. A-6 § 6), 2010; Ord. 2920 § 9, 2006).~~

17.46.100 Variance criteria.

STET

17.46.110 Design review permit conditions to run with the land.

The conditions of the design review permit granted pursuant to this chapter shall remain in force upon a change of ownership of the site, business, service, use or structure which was the subject of the permit application. Changes to any design aspects regulated by Chapter 17.44 PTMC, Commercial and Mixed Use Architectural and Site Design Standards, Chapter 17.34 PTMC, Cottage Housing Development Design Standards, or Chapter 17.36 PTMC, Multifamily Residential Development Standards, must be approved by the PCD director. (Ord. 3287 § 5, 2022; Ord. 3026 § 1 (Exh. A-6 § 6), 2010; Ord. 2892 § 1, 2005; Ord. 2864 § 4, 2004; Ord. 2840 § 2(Exh. C), 2003).

17.46.120 Enforcement.

Repealed by Ord. 2952. (Ord. 2892 § 1, 2005; Ord. 2864 § 4, 2004; Ord. 2840 § 2(Exh. C), 2003).

Chapter 17.50

ESSENTIAL PUBLIC FACILITIES

STET

Chapter 17.52

CHILD CARE FACILITIES

STET

Chapter 17.54

FORMULA RETAIL AND RESTAURANT ESTABLISHMENTS*

STET

Chapter 17.56

HOME OCCUPATIONS

STET

Chapter 17.57

BED AND BREAKFAST INNS AND TOURIST HOMES

STET

Chapter 17.58

TINY HOUSES ON WHEELS AND TINY HOUSE ON WHEELS COMMUNITIES

Sections:

- 17.58.010 Purpose and intent.
- 17.58.020 Definition – Tiny house on wheels.
- 17.58.030 Design standards.
- 17.58.040 Accessory dwelling units.
- 17.58.050 Tiny house on wheels communities.

17.58.010 Purpose and intent.

STET

17.58.020 Definition – Tiny house on wheels.

STET

17.58.030 Design standards.

A. Tiny houses on wheels must be built to meet requirements of American National Standards Institute (ANSI) Standard A119.5. Such standards shall include standards for the installation of heating, electrical systems and fire and life safety. In addition, tiny houses on wheels must meet these standards:

1. ~~Newly constructed Tiny Houses on Wheels shall be insulated to not less than~~ Insulation to a minimum of R-13 in walls and floors and R-19 in ceiling. Existing Tiny Houses on Wheels shall provide insulation levels acceptable to the Building Official;
2. Residential-grade insulated doors and windows, with windows to be at minimum double-pane and-of-~~tempered or laminated safety glazing;~~
3. ~~Full trim surrounds for all exterior windows and doors;~~
4. Roof pitch of at least 2:12;
5. Roofing materials of 20-year asphalt composite shingle or better, ~~minimum Class A;~~
6. Electrical system that meets NFPA 70 NEC, Section 551 or 552 as applicable;
7. Low voltage electrical systems meet the requirements of ANSI/RVIA Low Voltage Standard, current edition;
8. Wall framing studs are 24 inches on center maximum, with a minimum of two by four wood or metal studs or equivalent SIP panels; and
9. Mechanical equipment shall be incorporated into the structure and not located on the roof.

B. Certification. Tiny houses on wheels shall be inspected and certified for compliance with the additional requirements in this chapter and ANSI 119.5 standards as follows:

1. Under RCW 43.22.355 for compliance with ANSI 119.5 standards; and
2. By a licensed Washington State design professional, architect, ~~or engineer, or Building Official for the jurisdiction having authority,~~ for compliance with design standards of this section.

C. Utilities. Tiny houses on wheels shall be connected to municipal utilities as required by city and state law.

D. Foundation. Tiny houses on wheels shall incorporate the following foundation elements:

The Port Townsend Municipal Code is current through Ordinance 3349, passed March 17, 2025.

Commented [AS10]: @Matt Logue do we need these two points for THOWs?

Commented [ML11R10]: I think we should keep these to help maintain the residential home look of the THOWs. With out these provisions I think we could get some very stark looking structures.

1. The undercarriage (wheels, axles, tongue and hitch) shall be hidden from view with fire retardant skirting surrounding the entire unit.
2. The wheels and leveling or support jacks must sit on a paving surface such as concrete, asphalt, $\frac{3}{4}$ minus compacted gravel, or decomposed granite sufficient to hold the weight of the unit on wheels and jacks. (Ord. 3306 § 1 (Exh. Z), 2023).
3. The foundation shall have an adequate amount of foundation pads and piers to structurally support the unit without the wheels as approved by the Building Official. A minimum of four hold down devices shall be used to provide uplift and lateral protection for D2 seismic zone.

17.58.040 Accessory dwelling units.

As of July 1, 2023, tiny houses on wheels are permitted as accessory dwelling units in R-I, R-II, and R-III districts subject to the provisions of PTMC 17.16.020 and the requirements below:

- A. Review. Tiny houses on wheels shall be subject to a Type I review.
- B. Entry. To meet egress requirements, a front porch or landing approved by the city is required.
- C. Separation. A tiny house on wheels shall be located at a fire separation distance of at least 5-10 feet from any other structures on the premises.
- D. Appearance. To maintain the character of residential areas, a tiny house on wheels shall be designed to look like a conventional residential structure rather than a recreational vehicle. This shall be done by incorporating design features and materials typically used for houses, such as typical siding or roofing materials, pitched roofs, or residential windows.
- E. Addressing. All tiny houses on wheels must obtain separate address approval from the city for the unit.
- F. Utility Connection. A tiny house on wheels must have a permitted and permanent connection to all applicable municipal utilities. (Ord. 3306 § 1 (Exh. Z), 2023).

17.58.050 Tiny house on wheels communities.
STET

Chapter 17.60
TEMPORARY USES

STET

Chapter 17.62

SHELTER AND EMERGENCY HOUSING PERFORMANCE STANDARDS

Sections:

- 17.62.010 Purpose.
- 17.62.020 Scope.
- 17.62.030 Application and submittal contents.
- 17.62.040 Permit review process table.
- 17.62.050 Approval criteria.
- 17.62.060 Time limitations.
- 17.62.070 Modification.
- 17.62.080 Assurance device.
- 17.62.090 Permit suspension or revocation.

17.62.010 Purpose.
STET

17.62.020 Scope.
STET

17.62.030 Application and submittal contents.
STET

17.62.040 Permit review process table.
The following table describes the permitting process each allowed use shall follow, unless exempted by state law.

Permit Review Process	Zone
Disaster Relief Shelter	
STET	STET
Safe Parking	
Type I-A Permit Review Process. STET	STET
Emergency Indoor Housing	
Type II Permit Review Process. STET	STET
Emergency Indoor Day-Use Shelters	
Type I Permit Review Process. Applications for emergency indoor day-use shelters in the specified zones shall be reviewed under a Type I permit and be processed according to the procedures for Type I land use decisions established in Chapter 20.01 PTMC, Land Development Administrative Procedures.	R-III
	R-IV
	C-I(MU)
	C-II(MU)
	C-II
	C-III
	C-II(S)
	M/C(S)

Permit Review Process	Zone
	P-J
Type II Permit Review Process. STET.	STET
Type III Major Conditional Use Permit Review Process. STET	STET
Emergency Indoor Overnight Shelters	
STET	STET
Emergency Outdoor Shelters	
STET	STET
Tiny Shelter Villages	
STET	STET
Continuum of Care	
STET	STET

(Ord. 3335 § 2 (Exh. C.M), 2024).

17.62.050 Approval criteria.
STET

17.62.060 Time limitations.
STET

17.62.070 Modification.
STET

17.62.080 Assurance device.
STET

17.62.090 Permit suspension or revocation.
STET

Chapter 17.64

EMPLOYER-PROVIDED HOUSING

STET

Chapter 17.68

FENCES, WALLS, ARBORS AND HEDGES

STET

Chapter 17.72

OFF-STREET PARKING AND LOADING

Sections:

- 17.72.010 Purposes.
- 17.72.020 Applicability and exemptions.
- 17.72.030 Off-street parking and loading requirements and recommendations.
- 17.72.040 Existing off-street parking facilities.
- 17.72.050 Expansion.
- 17.72.060 Change of use.
- 17.72.070 Mixed occupancies.
- 17.72.080 Table of vehicular and bicycle parking standards.
- 17.72.085 *Repealed*.
- 17.72.090 Fractional spaces.
- 17.72.100 Uses not specified.
- 17.72.110 Location.
- 17.72.120 On-street parking spaces – Credit, debit.
- 17.72.130 *Repealed*.
- 17.72.140 Joint use.
- 17.72.150 Parking facilities – Plan required – Contents.
- 17.72.160 Parking facilities – Design requirements.
- 17.72.170 Parking facilities – Landscaping.
- 17.72.180 Bicycle parking facilities – Design standards.
- 17.72.190 Parking facilities – Maintenance.
- 17.72.195 Parking facilities – Compliance with ADA and laws of Washington.
- 17.72.200 Off-street loading and queuing spaces – Number required.

17.72.010 Purposes.
STET

17.72.020 Applicability and exemptions.
STET

17.72.030 Off-street parking and loading requirements.
STET

B. STET.

C. STET

D. Except as otherwise provided herein, ~~recommended~~ ~~required~~ parking areas shall be used for motor vehicle parking only, with no sales, storage, repair work or dismantling of any kind. Removal, discontinuance or reduction of such ~~required~~ parking and loading facilities from practical use by obstruction, erection of building, or other actions which reduce the parking or loading capacity or usefulness thereof is prohibited unless replacement facilities are established which meet the requirements of this chapter; provided, however, that up to 10 percent of required parking areas which have at least 10 parking spaces may be used for solid waste recycling facilities. (Ord. 2893 § 2, 2005; Ord. 2571 § 2, 1997).

17.72.040 Existing off-street parking facilities.
STET

17.72.050 Expansion.
Whenever any building is expanded in floor area, or whenever an outdoor use is expanded in activity area, off-street parking shall be provided for the uses to be established in such expansion in accordance with the requirements and recommendations of this chapter. (Ord. 2893 § 2, 2005; Ord. 2571 § 2, 1997).

17.72.060 Change of use.

A. Whenever use of an existing building or portion is changed to a different use, off-street parking shall be provided in accordance with the provisions of this chapter; provided, however, that such ~~recommendation requirement~~ shall be reduced by the number of spaces required for the pre-existing use as if such pre-existing use had been established pursuant to this chapter. For example, if a 2,000-square-foot apparel and accessory store was to be replaced by a restaurant with four employees and seating for 24 patrons, the parking ~~recommendation requirement~~ would be computed as follows:

Restaurant (2,000/1 space per each 2 employees, plus 1 each 6 seats) =	6 spaces
less pre-existing use requirement apparel and accessory store	
(2,000/400 sq. ft.) =	5 spaces
Required parking for new use =	1 space

B. The reduction provided in subsection A of this section applies whether or not the preexisting use was established pursuant to this chapter.

C. In the event the building in which the new use is to be established is served by existing off-street parking facilities, the ~~recommended required~~ parking for the new use shall be reduced by the number of existing off-street parking spaces which exceeds the ~~recommended required~~ parking for the existing uses in the building.

D. For the purposes of this section, any use or portion thereof that has been discontinued for a period of three years or more shall not be considered a pre-existing use. (Ord. 2893 § 2, 2005; Ord. 2571 § 2, 1997).

17.72.070 Mixed occupancies.

In the case of two or more uses in the same building, the total off-street parking ~~recommendations requirements~~ for the various uses shall be the sum of the requirements for the principal uses computed separately. (Ord. 2893 § 2, 2005; Ord. 2571 § 2, 1997).

17.72.080 Table of vehicular and bicycle parking standards.

Unless otherwise provided in this title, the ~~required recommended~~ number of off-street parking spaces shall be in conformance with Table 17.72.080. For purposes of this chapter, gross floor area shall not include elevator shafts, stairwells or mechanical equipment rooms. Where alternative requirements result in conflicting computations, the greater shall apply.

The Following Conditions will Require Off-Street Parking:

- A. Due to the high level of traffic;
- B. Due to substandard intersection and driveway sight distance. Applicants must submit a plan showing sight distance triangles to Public Works for approval;
- C. Due to topographic constraints; and/or
- D. Mixed use, commercial, and/or multifamily projects where sufficient on-street parking is not available as determined by the City using an applicant-submitted parking study

Table 17.72.080
Vehicular and Bicycle Parking Standards

Use	<u>Minimum Recommended Required Parking Spaces (may be on-street, off-street, or combination)</u> ⁵	Maximum Permissible Parking Spaces	Required Bicycle Spaces (minimum of two spaces if not listed)
FOOD SERVICE USES, COMMERCIAL			
Bakeries, retail	1 space per each 2 employees, plus 1 space per each 6 seats	1 space per each employee, plus 1 space per each 4 seats	2 spaces, plus 1 space per each 10 vehicle parking stalls
Drinking establishments (bars, cocktail lounges, night clubs, and taverns)	Same as above	Same as above	Same as above
Restaurants with or without drive-in or drive-through service	1 space per each 2 employees, plus 1 space per each 6 seats	1 space per each employee, plus 1 space per each 4 seats	Same as above
MANUFACTURING USES			
Boat building and related products manufacture and repair	2 spaces	1 space per each 2 employees on the largest shift	2 spaces, plus 1 space per each 10 vehicle parking stalls
Manufacturing, all other	2 spaces, or 1 space per each 2 employees on the largest shift, whichever is greater	1 space per each employee on the largest shift	Same as above
Mini-storages	3 spaces, plus 1 space per each 100 storage units	3 spaces, plus 1 space per each 50 storage units	None
Warehousing operations	2 spaces, plus 1 space per each 2 employees on the largest shift	2 spaces, plus 1 space per each employee on the largest shift	2 spaces, plus 1 space per each 10 vehicle parking stalls
OFFICE USES			
Banks and financial institutions	1 space per each 400 sq. ft. of gross floor area	1 space per each 200 sq. ft. of gross floor area	2 spaces, plus 1 space per each 10 vehicle parking stalls
Business services	1 space per each 600 sq. ft. of gross floor area	1 space per 300 sq. ft. of gross floor area	Same as above
Offices, business and professional	Same as above	Same as above	Same as above
RECREATIONAL AND CULTURAL USES			
Health clubs, dance studios, martial arts studios	3 spaces per 1,000 sq. ft. of floor area used for recreation purposes	6 spaces per 1,000 sq. ft. of floor area used for recreation purposes	2 spaces, plus 1 space per each 10 vehicle parking stalls
Libraries	2 spaces per 1,000 sq. ft. of floor area used for library collections	4 spaces per 1,000 sq. ft. of floor area used for library collections	4 spaces, plus 1 space per each 5 vehicle parking stalls
Museums	2 spaces per 1,000 sq. ft. of floor area used for collections display	4 spaces per 1,000 sq. ft. of floor area used for collections display	2 spaces, plus 1 space per each 10 vehicle parking stalls
Recreation, commercial	1 space per 400 sq. ft. of gross floor area	1 space per 200 sq. ft. of gross floor area	4 spaces, plus 1 space per each 5 vehicle parking stalls
Stadiums, arenas and assembly halls	1 space per 8 fixed seats, or 1 space per 150 sq. ft. of assembly space without fixed seats	1 per 4 fixed seats, or 1 space per 75 sq. ft. of assembly space without fixed seats	4 spaces, plus 1 space per each 25 vehicle parking stalls
Theaters and auditoriums	Same as above	Same as above	Same as above
RESIDENTIAL USES			
Accessory dwelling units	None	None	None
Adult family homes	2	None	None
Boarding house	1 space per 2 bedrooms	None	None

Use	<u>Minimum Recommended Required Parking Spaces (may be on-street, off-street, or combination)</u> ⁵	Maximum Permissible Parking Spaces	Required Bicycle Spaces (minimum of two spaces if not listed)
Home occupations	See PTMC 17.56.060	See PTMC 17.56.060	See PTMC 17.56.060
Multifamily dwellings and mixed-use dwellings in the C-III zoned portions of the Uptown National Landmark Historic District	1 space per unit	None	None
Multifamily dwellings (including apartment houses and townhouses or row houses)	1 space per dwelling unit	None	2 spaces, plus 1 space per each 5 vehicle parking stalls
Multifamily dwellings restricted to use for seniors (i.e., 65 and older) and disabled persons	1 space per dwelling unit	2 spaces per dwelling unit	2 spaces, plus 1 space per each 10 vehicle parking stalls
Residential treatment facilities including group homes for the disabled	1 space per each staff member plus 1 space for each 5 residents	None	2 spaces, plus 1 space per each 10 vehicle parking stalls
Detached single-family dwellings (including manufactured and modular homes, cottage houses meeting the base density requirements of the applicable district)	1 space per unit 1,200 gross sf in size or less 2 spaces per dwelling unit over 1,200 gross sf in size	None	None
Duplexes, triplexes, and fourplexes meeting base density requirements of the applicable district	1 space per dwelling unit	None	None
RETAIL USES, COMMERCIAL			
Building materials, garden and farm supplies stores	1 space per each 2 employees, plus 1 space per each 1,000 sq. ft. of gross floor area	1 space per each employee, plus 3 spaces per each 1,000 sq. ft. of gross floor area	2 spaces, plus 1 space per each 10 vehicle parking stalls
Furniture, home furnishings, and appliance stores	4 spaces, plus 1 space per each 1,000 sq. ft. of gross showroom floor area	5 spaces, plus 1 space per each 600 sq. ft. of gross showroom floor area in excess of 1,000 sq. ft.	Same as above
Motor vehicle supply stores	1 space per each 2 employees, plus 1 space per each 1,000 sq. ft. of gross floor area	1 space per each employee, plus 3 spaces per each 1,000 sq. ft. of gross floor area	Same as above
Other retail commercial uses	1 space per 400 sq. ft. of gross floor area	1 space per 200 sq. ft. of gross floor area	Same as above
Plant nurseries, landscaping materials, greenhouses (commercial)	Same as above	Same as above	Same as above
SERVICE USES, HEALTH			
Hospitals	1 space per each 2 regular staff members on the largest shift, plus 1 space per each 10 beds	1 space per each regular staff member on the largest shift, plus 1 space per each 5 beds	2 spaces, plus 1 per each 10 vehicle parking stalls
Nursing, rest or convalescent homes	Same as above	Same as above	Same as above
Offices, medical and dental	2 spaces per each exam or consultation room	3 spaces per each exam or consultation room	Same as above
SERVICE USES, LODGING			
Bed and breakfast inns/tourist homes	1 space in addition to the spaces required for the residential unit	1 space per sleeping room in addition to the spaces required for the residential unit	None

Use	<u>Minimum Recommended Required Parking Spaces (may be on-street, off-street, or combination)</u> ⁵	Maximum Permissible Parking Spaces	Required Bicycle Spaces (minimum of two spaces if not listed)
Hotels/motels	1 space per hotel/motel unit	1.25 spaces per hotel/motel unit if meeting and/or banquet space is provided	2 spaces, plus 1 space per each 10 hotel/motel units
SERVICE USES, PERSONAL			
Child day care centers and stand alone preschools ⁴	1 space per each staff member plus 1 drop-off/pick-up space	1 space per each staff member, plus 1 drop-off/pick-up space, plus one space per each 10 children	2 spaces
Funeral parlors and mortuaries	1 space per 150 sq. ft. of assembly space	1 space per 75 sq. ft. of assembly space	None
Laundry and dry cleaning services	1 space per each 2 employees, plus 1 designated drop-off/ pick-up space	1 space per each employee, plus 3 additional spaces	None
Other personal services (e.g., barber shops, beauty salons, etc.)	1 space per 400 sq. ft. of gross floor area	1 space per 200 sq. ft. of gross floor area	2 spaces, plus 1 space per each 10 vehicle parking stalls
SERVICE USES, MISCELLANEOUS			
Automotive repair establishments ²	1 space per each 2 employees, plus 2 additional spaces	1 space per each employee, plus 4 additional spaces	2 spaces
PUBLIC FACILITY USES			
Offices, government	1 space per each 600 sq. ft. of gross floor area	1 space per each 300 sq. ft. of gross floor area	2 spaces, plus 1 space per each 10 vehicle parking stalls
Public parks	Determined on a case-by-case basis through SEPA review	Determined on a case-by-case basis through SEPA review	Determined on a case-by-case basis through SEPA review
OTHER USES			
Churches	1 space per 8 seats or 1 space per each 12 lineal feet of bench or pew	1 space per 4 seats or 1 space per each 6 lineal feet of bench or pew	None
Ferry landings	Determined on a case-by-case basis through SEPA review	Determined on a case-by-case basis through SEPA review	Determined on a case-by-case basis through SEPA review
Marinas	No requirement for transient moorage slips; 1 space per each 20 permanent moorage slips	1 space per each 10 transient and/or permanent moorage slips	4 spaces, plus 1 space per each 10 vehicle parking stalls
Schools, elementary and middle (public or private)	1 space per classroom, plus 2 loading spaces per classroom	None	10 spaces per classroom
Schools, higher education	Determined on a case-by-case basis through SEPA review	Determined on a case-by-case basis through SEPA review	Determined on a case-by-case basis through SEPA review
Schools, high schools ³	1 space per each classroom and office, plus 1 space per 8 pupils that are of legal driving age	1 space per each classroom and office, plus 1 space per 4 pupils that are of legal driving age	5 spaces per classroom
Storage areas that are incidental and subordinate to a principal use	None	None	None

¹ Repealed by Ord. 3300.

² The area for off-street parking is exclusive of areas required for vehicle storage.

³ Parking requirements for associated public assembly areas, auditoriums, and stadiums shall be calculated separately.

⁴ Parking standards do not apply to in-home preschools, see Chapter 17.52 PTMC.

⁵ Projects in compliance with the 2024 interim Engineering Design Standards for street development shall treat off-street parking requirements as recommended, not required. Otherwise, projects shall comply with the minimum required parking quantities on site.

(Ord. 3306 § 1 (Exh. BB), 2023; Ord. 3300 § 1 (Exh. A), 2022; Ord. 3035 § 9, 2010; Ord. 2996 § 2, 2008; Ord. 2977 § 1, 2008; Ord. 2939 § 4, 2007; Ord. 2893 § 2, 2005; Ord. 2782 § 4, 2001; Ord. 2635 § 1, 1998; Ord. 2571 § 2, 1997).

17.72.085 Maximum permitted parking.

Repealed by Ord. 2893. (Ord. 2840 § 2(Exh. E), 2003).

17.72.090 Fractional spaces.

If the provisions of this chapter result in a parking ~~recommendation requirement~~ which includes a fractional parking space, any fraction less than one-half shall be disregarded, and fractions of one-half or greater shall recommend ~~require~~ one parking space. (Ord. 2893 § 2, 2005; Ord. 2571 § 2, 1997).

17.72.100 Uses not specified.

In the case of a use not specifically mentioned in this chapter, the ~~recommendation requirements~~ for off-street parking facilities shall be determined by the decision-maker based on similar uses for which recommendations ~~requirements~~ are specified. (Ord. 2893 § 2, 2005; Ord. 2571 § 2, 1997).

17.72.110 Location.

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17.72.120 On-street parking spaces – Credit, debit.

A. If the proposed parking area plan submitted pursuant to PTMC 17.72.150 would require elimination of one or more existing on-street parking spaces within the C-III zoning district, the parking ~~recommendations requirements~~ prescribed in PTMC 17.72.080 are increased by two off-street spaces for each on-street space to be eliminated; provided, that the building official may waive all or part of any such increase upon a showing to his/her satisfaction that one or more of the spaces to be eliminated had been created by permission of the applicant within the six years preceding the proposed building, use or expansion.

B. If, however, such parking area plan would restore one or more existing on-street parking spaces within the C-III zoning district by reducing existing curb cuts or other conflicts, the off-street parking recommendations ~~requirements~~ prescribed in PTMC 17.72.080 are reduced by two off-street parking spaces for each on-street parking space restored by said plan.

C. The recommended required number of off-street parking spaces provided for commercial, mixed use, and multifamily residential properties outside the C-III historic commercial district that are being developed, redeveloped, or expanded shall be reduced by two spaces for each on-street parking space provided adjacent to a site. The design, placement, and proposed construction standard of on-street parking spaces will be reviewed and approved by the public works director. Due to the high level of traffic, on-street parking may not be possible along Sims Way or other streets as determined by public works.

D. To promote adaptive reuse and preservation of historic buildings as defined under Chapter 17.08 PTMC, the recommended required number of off-street parking spaces shall be reduced by the number of on-street parking spaces when the proposal retains or upgrades the historic classification and the proposed use is:

1. A bed and breakfast inn or a tourist home; or
2. Multifamily dwelling; or
3. Boarding house.

E. One on-street parking space may be counted towards recommended required parking for single-family dwelling units if it meets the city's engineered design standards, unless otherwise waived by the public works director.

On-street parking must be located on that portion of the public street right-of-way which is abutting the front and side lot lines of the property. In such instances, one on-street parking space shall be counted for each continuous 20 feet of abutting street frontage, less the 20 feet closest to each street intersection and any frontage which may not be

safely used for on-street parking due to the presence of driveways, hydrants or other conflicting uses. On-street parking must meet the city's engineering design standards.

F. On-street parking spaces may be used to meet ADA (Americans with Disabilities Act) parking requirements if such a location meets ADA design standards and would better serve the public than off-street ADA parking.

G. All on-street parking shall be open to the public. Abutting property owners shall not be granted exclusive use of on-street parking spaces. (Ord. 3300 § 1 (Exh. B), 2022; Ord. 2920 § 8, 2005; Ord. 2893 § 2, 2005; Ord. 2840 § 2(Exh. E), 2003; Ord. 2571 § 2, 1997).

17.72.130 Residential transient accommodations – Parking requirements.
Repealed by Ord. 3300. (Ord. 2893 § 2, 2005; Ord. 2571 § 2, 1997).

17.72.140 Joint use.
STET

17.72.150 Parking facilities – Plan required – Contents.
STET

17.72.160 Parking facilities – Design requirements.
STET

17.72.170 Parking facilities – Landscaping.
STET

17.72.180 Bicycle parking facilities – Design standards.
STET

17.72.190 Parking facilities – Maintenance.
STET

17.72.195 Parking facilities – Compliance with ADA and laws of Washington.
STET

17.72.200 Off-street loading and queuing spaces – Number required.
STET

Chapter 17.76

SIGNS

STET

Chapter 17.78

PERSONAL WIRELESS SERVICE FACILITIES

STET

Chapter 17.80

DESIGN REVIEW – NATIONAL REGISTER HISTORIC DISTRICT

(Repealed by Ord. 2859)

Chapter 17.84

CONDITIONAL USES

STET

Chapter 17.86

VARIANCES

STET

Chapter 17.88

NONCONFORMING LOTS, STRUCTURES AND USES

STET

Chapter 17.90

RULES OF CONSTRUCTION AND INTERPRETATION OF CODE

STET

Chapter 17.94

ADMINISTRATION AND ENFORCEMENT

STET

Title 18

LAND DIVISION*

Chapters:

- 18.04 General Provisions**
- 18.08 Lot Line Adjustments**
- 18.12 Short Subdivisions**
- 18.16 Full Subdivisions**
- 18.18 Subdivision and Recognition of Lots of Record**
- 18.20 Binding Site Plans**
- 18.22 Unit Lot Subdivisions**
- 18.24 Subdivision Development Standards**

* Code reviser's note: Ord. 2892 changed references in this title to the building and community development department (BCD) to development services department (DSD). Ord. 3287 further changed references to the development services department (DSD) to the planning and community development department (PCD).

Chapter 18.04

GENERAL PROVISIONS

STET

Chapter 18.08

LOT LINE ADJUSTMENTS

STET

Chapter 18.12

SHORT SUBDIVISIONS

STET

Chapter 18.16

FULL SUBDIVISIONS

STET

Chapter 18.18

SUBDIVISION AND RECOGNITION OF LOTS OF RECORD

STET

Chapter 18.20

BINDING SITE PLANS

STET

Chapter 18.22

UNIT LOT SUBDIVISIONS

Sections:

18.22.010	Purpose.
18.22.015	Scope.
18.22.020	Application.
18.22.030	Preliminary unit lot plat – Preparation.
18.22.040	Preliminary unit lot plat – Contents.
18.22.050	Approval criteria.
18.22.060	Unit lot plat review process.
18.22.070	Preliminary approval.
18.22.080	Modifications to an approved preliminary unit lot plat.
18.22.090	Improvement method report.
18.22.100	Public works director's certificate of improvements.
18.22.110	Preparation of final unit lot plat.
18.22.120	Accompanying documents – Final unit lot plat.
18.22.130	Final unit lot plat application.
18.22.140	Time limitation on final unit lot plat submittal.
18.22.150	Effect of an approved final unit lot plat – Valid land use.
18.22.160	Distribution of copies and filing of final unit lot plat.
18.22.170	Transfer of ownership following final unit lot plat approval.
18.22.180	Building and occupancy permits – Issuance after final unit lot plat approval.

18.22.010 Purpose.

This chapter is established to provide an alternative to the traditional method of land division for creating sellable lots for accessory dwelling units (ADUs) attached homes, subdivisions comprised of both attached and detached homes, and/or tiny house on wheels communities and ~~cottage housing developments~~. The unit lot subdivision (ULS) process provides opportunities for fee-simple ownership of land. Unit lot subdivisions allow development on individual unit lots to avoid complying with typical dimensional standards if the parent lot conforms to all such development standards. (Ord. 3306 § 1 (Exh. DD), 2023).

18.22.015 Scope.

A. The provisions of this chapter apply exclusively to the unit lot subdivision of land for ~~townhouse attached homes,~~ subdivisions comprised of both attached and detached homes, ADUs, ~~cottage housing~~ and/or tiny house on wheels community developments in zones where such uses are allowed.

B. STET

C. STET

D. STET

E. STET

18.22.020 Application.

STET

18.22.030 Preliminary unit lot plat – Preparation.

STET

18.22.040 Preliminary unit lot plat – Contents.

STET

- 18.22.050 Approval criteria.**
STET
- 18.22.060 Unit lot plat review process.**
STET
- 18.22.070 Preliminary approval.**
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- 18.22.080 Modifications to an approved preliminary unit lot plat.**
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- 18.22.090 Improvement method report.**
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- 18.22.150 Effect of an approved final unit lot plat – Valid land use.**
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- 18.22.160 Distribution of copies and filing of final unit lot plat.**
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- 18.22.170 Transfer of ownership following final unit lot plat approval.**
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- 18.22.180 Building and occupancy permits – Issuance after final unit lot plat approval.**
STET

Chapter 18.24

SUBDIVISION DEVELOPMENT STANDARDS

STET

Title 20

ADMINISTRATION OF LAND DEVELOPMENT REGULATIONS*

Chapters:

- 20.01 Land Development Administrative Procedures**
- 20.02 Interpretation of Land Development Codes**
- 20.04 Port Townsend Comprehensive Plan and Development Regulations Amendment Process**
- 20.06 *Repealed***
- 20.09 Land Development Permit Application and Appeal Fees**
- 20.10 *Repealed***

* Code reviser's note: Ord. 3287 changed references in this title to the development services department (DSD) to the planning and community development department (PCD). These changes will be incorporated in the printed volume of the code as those pages are reprinted in future supplements. Users accessing the Internet version of the code will note that all of these references have already been changed.

Chapter 20.01

LAND DEVELOPMENT ADMINISTRATIVE PROCEDURES

Sections:

Article I. Types of Project Permit Applications

- 20.01.010 Purpose and definitions.
- 20.01.020 Procedures for processing development project permits.
- 20.01.030 Determination of proper type of procedure.
- 20.01.040 Project permit application framework.
- 20.01.045 *Reserved.*
- 20.01.050 Joint public hearings (other public agency hearings).
- 20.01.060 Legislative decisions.
- 20.01.070 Legislative enactments not restricted.
- 20.01.080 Exemptions from project permit application processing.

Article II. Type I – III Project Permit Applications

- 20.01.090 Preapplication conference.
- 20.01.100 Development permit application.
- 20.01.110 Submission and acceptance of application – Determination of completeness – Additional information and project revisions.
- 20.01.120 Referral and review of development permit applications.
- 20.01.130 Scope of project review.
- 20.01.140 Project consistency.

Article III. Public Notice

- 20.01.150 Notice of application.
- 20.01.160 Methods of public notice of application.
- 20.01.170 Shoreline master program (SMP) permits.
- 20.01.180 Optional additional public notice.
- 20.01.190 Notice of public hearing.

Article IV. Project Review and Approval Process

- 20.01.200 Administrative approvals without notice (Type I and I-A).
- 20.01.210 Administrative approvals subject to notice (Type II and Type II-S).
- 20.01.220 *Reserved.*
- 20.01.230 *Repealed.*
- 20.01.235 Hearing examiner review and decision (Type III and Type III-S).
- 20.01.240 Procedures for public hearings.
- 20.01.250 Procedures for closed record hearings and appeals.
- 20.01.260 Reconsideration.
- 20.01.270 Remand.
- 20.01.280 Final decision – Exclusions to the permit review time period.

Article V. Appeals

- 20.01.290 Administrative interpretations and decisions (Type I, Type IA, Type IA-S, Type II and Type II-S) – Standing to appeal.
- 20.01.295 Administrative appeals – Procedure.
- 20.01.300 Appeal of hearing examiner decisions (Type III and Type III-S) – Standing to appeal.
- 20.01.320 Judicial appeal.
- 20.01.330 Effective date – Severability.

Article I. Types of Project Permit Applications

20.01.010 Purpose and definitions.

STET

20.01.020 Procedures for processing development project permits.

STET

20.01.030 Determination of proper type of procedure.

A. Determination by Director. The director of the planning and community development department (“PCD”) or his/her designee (hereinafter the “director”) shall determine the proper procedure for all development applications. If there is a question as to the appropriate type of procedure, the director shall resolve it in favor of the higher procedure type number. If the provisions found in this chapter are in conflict with any other section of the land use codes (PTMC Titles 17, 18, 19 and 20), then this section shall prevail.

B. Optional Consolidated Permit Processing. An application that involves two or more procedures may be processed collectively under the highest numbered procedure required for any part of the application or processed individually under each of the procedures identified by the code. The applicant may determine whether the application shall be processed collectively or individually. If the application is processed under the individual procedure option, the highest numbered type procedure must be processed prior to the subsequent lower numbered procedure.

C. Decisionmaker(s). Applications processed in accordance with subsection B of this section which have the same highest numbered procedure but are assigned different hearing bodies shall be heard collectively by the highest decisionmaker(s). The city council is the highest, followed by the hearing examiner, and then the director. Joint public hearings with other agencies shall be processed according to PTMC 20.01.050.

D. Administrator. Upon issuance of a determination of completeness described in PTMC 20.01.110, the director shall assign an administrator to the project who will coordinate and be responsible for all phases of development application administration. At any stage during project review the director may assign a different project administrator.

E. SEPA Review. Project review conducted pursuant to the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, shall occur concurrently with project review set forth in this chapter. The SEPA review process, including all public comment procedures, is set forth in Chapter 19.04 PTMC. Nothing contained in this chapter shall be construed to restrict the need for full environmental review in accordance with Chapters 19.04 (SEPA) and 19.05 (Critical Areas) PTMC.

F. Shoreline Master Program (SMP) Permits. No permit for a development or use within the shoreline jurisdiction may be issued until approval has been granted pursuant to the Port Townsend SMP. (Ord. 3345 § 3 (Exh. C), 2024; Ord. 3287 § 5, 2022; Ord. 3026 § 1 (Exh. A-4), 2010; Ord. 2982 § 17, 2008; Ord. 2892 § 1, 2005; Ord. 2762 § 1, 2001; Ord. 2651 § 2, 1998; Ord. 2592 § 1, 1997; Ord. 2521 § 1, 1996).

20.01.040 Project permit application framework.

These tables provide guidance to permit applications. In the event of a conflict between the table and a development code, the development code shall apply.

Table 1 – Permits/Decisions					
Type I ¹	Type I-A ¹	Type II ¹	Type III ¹	Type IV	Type V
Permitted uses not requiring notice of application (<i>e.g.</i> , building permits, <i>etc.</i>) Tiny house as ADU	Binding site plans, cottage housing developments	Short subdivisions, unit lot subdivisions less than one-acre Employer-provided housing CUP	Tiny house communities, preliminary full subdivisions, unit lot subdivisions of one-acre or greater , plat vacations, including short subdivisions that involve right-of-way vacations or plat alterations	Final plats ³	Site-specific rezones requiring a comprehensive plan amendment, including rezones/alternative parcel-specific zones considered in conjunction with the annual comprehensive

					plan amendment process
Lot line adjustments	Implementing alternative parcel-specific zoning redesignations in P zones	Lot line adjustments resulting in lot reorientation	Recognition/subdivision of 10 or more lots of record	Final planned unit developments (PUDs) ²	Development regulations
Minor amendments to planned unit developments (PUDs)	Historic preservation certificates of approval (design review)	Plat and short plat extensions	Shoreline management permits (major shoreline substantial development permits, conditional use permits, variances)		Zoning text amendments and zoning map amendments
Minor modifications to approved preliminary short and full subdivisions/plats Design review for multifamily developments with fewer than 12 units	Design review for Commercial, multifamily <u>developments with more than 12 units</u> , and mixed use Type IA permits per Chapter 17.46 PTMC	Revisions to shoreline management permits	PUDs and major amendments to PUDs		Annexations
		Design review for Commercial, multifamily <u>developments with departures</u> , cottage and mixed use Type II permits per Chapter 17.46 PTMC			
Nonconforming – Change of use	Recognition/certification of 9 or fewer lots of record	Nonconforming use – Relocation/Expansion	Major variances		Shoreline master program (SMP) amendments ³
Sign permits	Shoreline exemptions	Critical areas permits	Major CUPs		Other land use and utility plans and amendments
Temporary uses		Minor variances			
Street use permits		Minor conditional use permits (CUPs)			
Land clearing/grading	Tree removal activity combined with statement of intent not to convert commercial forest lands, Chapter 19.06 PTMC, Article II	All personal wireless facility permits and minor variances described as Type II permit applications in Chapter 17.78 PTMC	All personal wireless service facility permits and major variances described as Type III permit applications in Chapter 17.78 PTMC		
Home occupations	Tree removal activity requiring a written exemption, Chapter 19.06 PTMC, Tree Conservation, Article II	Tree removal activity classified as a tree conservation permit approval, Chapter 19.06 PTMC, Article II	Emergency indoor housing facilities, emergency indoor day use, emergency indoor overnight shelters, and tiny shelter villages in the C-II(H), M/C, M-I, M-II(A), M-II(B), and M-III zones		
Minor critical area permits	Minor modifications to approved tree	Minor shoreline permits (minor shoreline			

	conservation permits or tree conservation plans, Chapter 19.06 PTMC, Tree Conservation	substantial development permits, minor conditional use permits, minor variances)			
Street development permits/waivers/modifications/variances Emergency indoor day-use shelters in R-III, R-IV, C-I(MU), C-II(MU), C-II, C-III, C-II(S), and M/C(S) zones	Flood development permits	Emergency indoor day-use shelters in R-I and R-II zones Emergency indoor housing in all residential zones, mixed use zones, and C-II, C-III, C-II(S), and M/C(S) Emergency indoor overnight shelters in residential zones, mixed use zones, C-II, C-III, C-II(S), and M/C(S) zones Emergency outdoor shelter in R-II, R-IV, C-I(MU), C-II(MU), C-II(S), and M/C(S) zones Tiny shelter villages in all residential and mixed use zones C-II, C-III, C-II(S), and M/C(S) zones	Flood development variances Emergency outdoor shelter in R-I, R-II, C-II and C-III zones		
Disaster relief shelters	Standalone safe parking facilities owned or operated by a religious organization	Standalone safe parking facilities owned or operated by a nonprofit entity other than a religious organization	Continuum of Care in all residential and mixed use zones, C-II, C-III, M/C, M-I, M-II(A), M-II(B), M-III, C-II(S), and M/C(S) zones		
Small and medium multiplexes in R-I and R-II zones, and small, medium, and large multiplexes in all Residential zones per PTMC 17.16.020		<u>Multiplex Large with 19 or more units in R-II district, per PTMC 17.16.020</u>			
		Sign variances			
¹ Assignment of a project to Type I, I-A, or II status shall not limit or restrict the public notice and procedures available pursuant to Chapter 43.21C RCW (SEPA) and Chapter 19.04 PTMC if a project is deemed to be subject to SEPA review. ² Final plats and final PUD plans are approved by the city council pursuant to PTMC 18.16.150 and 17.32.150.					

³ Subject to RCW 90.58.120 and 90.58.200, Chapter 173-26 WAC, WAC 173-22-040, and Chapter 13 of the SMP.

Table 2 – Action Type (Except Shoreline Master Program Permits)							
		Procedure Project Permit Applications (Type I – IV)					Legislative
	SEPA Threshold Determination	Type I	Type I-A	Type II	Type III	Type IV	Type V
Notice of application ¹	Yes ^{2,3}	No, unless subject to SEPA (20 days)	No, unless subject to SEPA (20 days); MF design review (5-9 du); or R-III cottage housing 14 days ⁴	Yes (14 days; 20 days if subject to SEPA)	Yes (14 days; 20 days if subject to SEPA)	No	N/A
Recommendation made by	N/A	N/A	N/A	N/A	PCD director	PCD director	Planning commission, except for utility plans ⁵
Open record predecision hearing	No, unless appealed under SEPA ⁶	No, unless appealed under SEPA ^{5,7}	No, unless appealed under SEPA ^{5,6}	No, unless appealed under SEPA ^{5,6}	Yes	No ⁸	Yes, before planning commission for recommendation and subsequently before city council ^{9,10}
Local decision made by	SEPA responsible official	Admin.	PCD director	PCD director	Hearing examiner	City council ¹¹	City council
Administrative appeal ¹²	Yes, for Type I, II, III: Open record before the hearing examiner ¹³ Yes for Type IV/Type V: Open record before city council No if exempt from SEPA ¹⁴	Yes, if involving SEPA No, if SEPA exempt ⁶	Yes, open record before the hearing examiner ¹⁵	Yes, open record before the hearing examiner ¹⁴	No ¹⁴	N/A	N/A
Days to file administrative appeal	15 or 21 calendar days ¹⁶	21 days if SEPA issued concurrent ¹⁷	14 days 21 days if SEPA issued concurrent ¹⁸	14 days 21 days if SEPA issued concurrent ¹⁹	N/A	N/A	N/A
Who may file administrative appeal	Applicant or other party of record who may be aggrieved ²⁰	Applicant or other party of record who may be aggrieved ^{21, 22}	Applicant only ¹⁴	Applicant or party of record	Applicant or party of record	N/A	N/A
State decision by	N/A	N/A	N/A	N/A	N/A	N/A	For SMP amendments – Ecology ²³
Judicial/other appeal	Superior Court (LUPA) ²⁴	Superior Court (LUPA) ²⁵	Superior Court (LUPA) ²⁴	Superior Court (LUPA) ²⁴	Superior Court (LUPA) ²⁴	Superior Court (LUPA) ²⁴	Yes; Growth Management

Table 2 – Action Type (Except Shoreline Master Program Permits)							
		Procedure Project Permit Applications (Type I – IV)					Legislative
	SEPA Threshold Determination	Type I	Type I-A	Type II	Type III	Type IV	Type V
							Hearings Board, etc. ^{26,27}
Days to file judicial/hearings board appeal	21 with exceptions ²⁸	21 ²⁹	21 ²⁸	21 ²⁸	21 ²⁸	21 ²⁸	60 ³⁰
Who may appeal file judicial/hearings board appeal	Person aggrieved ³¹	Persons with standing ³²	Persons with standing ³¹	Persons with standing ³¹	Persons with standing ³¹	Persons with standing ³¹	Person, organization, or government as specified in RCW ³³
Permit review time period		65 days if exempt from SEPA and not consolidated with another permit 100 days if exempt from SEPA and consolidated with another Type I or I-A permit 120 days if not exempt from SEPA	65 days if exempt from SEPA and not consolidated with another permit 100 days if exempt from SEPA and consolidated with another Type I or I-A permit 120 days if not exempt from SEPA	120 days if not consolidated with another Type II permit 170 days if consolidated with another Type II permit	170 days	170 days	N/A

¹ PMTC 20.01.150(A)(2) and (E)(8).

² PMTC 19.04.220; 20.01.150(A)(2): All applications requiring SEPA review require notice of application.

³ PMTC 19.04.220(B)(2) notice of pending threshold determination and notice of optional DNS are combined with notice of application. Comment period for notice of threshold determination is 15 days or 21 if issued concurrent with permit decision.

⁴ PMTC 20.01.150(A)(1).

⁵ PMTC 20.01.040 – Type V land use plans are subject to review and recommendation by the planning commission. However, the following utility plans may be reviewed or considered by the planning commission only upon referral by the city council to the planning commission of all or part of the plans: wastewater (sewer) plans, stormwater plans, water system plans, and solid waste plans. The city council shall conduct review and hold one or more open record public hearing(s) on all such plans. At the time of consideration by the full city council, the applicable council committee, as directed by council, may make a recommendation to the city council regarding utility plans.

⁶ PMTC 19.04.280(A).

⁷ PMTC 20.01.290 and 20.01.295. In ADM18-003, Hastings Appeal, hearings examiner confirmed no administrative appeal of Type I unless involving SEPA.

⁸ PMTC 20.01.190(B); 20.01.040, summary of decision making.

⁹ The planning commission shall not hold public hearings regarding the utility plans described herein, unless the city council refers all or part of the plans to the planning commission. The city council shall hold one or more open record public hearing(s) on all such plans.

¹⁰ Pursuant to RCW 36.70B.060, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan are processed as a Type V application with a notice of application and provided only one open record hearing before the planning commission and one closed record hearing before the city council. Certain legislative decisions, including site-specific rezones, are subject to rules governing quasi-judicial proceedings.

¹¹ PTMC 20.01.040, summary of decision making.

¹² PTMC 1.14.030(C) – Time limitation is from “date of issuance.” For administrative appeals, the date on which a land use decision is deemed “issued” is three days after a written decision is mailed by the city or, if not mailed, the date on which the city provides notice that a written decision is publicly available.

¹³ PTMC 19.04.280 – Any such SEPA appeal shall be consolidated with the decision on the underlying proposal; does not apply if shoreline permit.

¹⁴ PTMC 19.04.090 – The responsible official’s determination that a proposal is SEPA exempt shall be final and not subject to administrative review.

¹⁵ PTMC 20.01.040, summary of decision making.

¹⁶ PTMC 19.04.280(E).

¹⁷ Type I is only appealable if it involves SEPA – therefore appeal period is 21 days (PTMC 19.04.280; 20.01.290).

¹⁸ PTMC 20.01.295(A).

¹⁹ PTMC 20.01.295(A) and 20.01.210.

²⁰ PTMC 19.04.280(D).

²¹ PTMC 20.01.200(B)(1) “or other party who may be aggrieved.”

²² PTMC 20.01.290 “applicants or other parties of record.”

²³ RCW 90.58.090 – After council action, SMP amendments are submitted to Ecology for review and approval.

²⁴ PTMC 19.04.280(F).

²⁵ Chapter 36.70C RCW.

²⁶ RCW 90.58.190 – Ecology’s final decision to approve or reject a proposed shoreline master program or master program amendment by a local government planning under RCW 36.70A.040 shall be appealed to the growth management hearings board by filing a petition as provided in RCW 36.70A.290.

²⁷ The GMHB decision is further appealable to Superior Court per WAC 242-03-970.

²⁸ See PTMC 19.04.280(F) and RCW 43.21C.075.

²⁹ RCW 36.70C.040 LUPA.

³⁰ RCW 36.70A.290(2); Guidance may be found at <https://www.gmh.b.wa.gov/pages/Documents/PracticeHandbookJan2017Final.pdf>.

³¹ PTMC 19.04.280; RCW 43.21C.075.

³² RCW 36.70C.060 LUPA.

³³ See RCW 36.70A.280(2).

Summary of Decision-Making Based on Table 2

Type I – Administrative without notice; no administrative appeal.

Type I-A – Administrative without notice; administrative appeal by the applicant only (unless the development code provides for an appeal); appealable to the hearing examiner.

Type II – Administrative with notice, administrative appeal by any aggrieved party to the hearing examiner.

Type III – Hearing examiner review. Notice and open record public hearing before the hearing examiner. Hearing examiner makes the final decision; appeal to superior court.

Type IV – Decision by city council during regular council meeting.

Type V – Except for utility plans as described in this section, notice and public hearing before planning commission, with planning commission recommendation to city council. City council also provides notice and public hearing before making final legislative decision.

Table 3 – Action Type (Shoreline Master Program Permits)							
		Shoreline Permit Applications					
–	SEPA Threshold Determination	SSDP Exemption (Type I-A)	Minor SSDP (Type II)	Minor Shoreline CUP/Variance (Type II-S)	Shoreline Permit Revisions (Type II)	Major SSDP (Type III)	Major Shoreline CUP/Variance (Type III-S)
Notice of application ¹	Yes	No, unless subject to SEPA (30 days)	Yes (30 days)	Yes (30 days)	Yes (30 days)	Yes (30 days)	Yes (30 days)
Recommendation made by	N/A	N/A	N/A	N/A	N/A	Shoreline administrator	Shoreline administrator
Open record predecision hearing	No, unless appealed under SEPA ²	No, unless appealed under SEPA ^{2,3}	No, unless appealed under SEPA	No, unless appealed under SEPA	No	Yes	Yes
Local decision made by	SEPA responsible official	Shoreline administrator	Shoreline administrator	Shoreline administrator	Shoreline administrator	Hearing examiner	Hearing examiner
Administrative appeal ⁴	Yes, if not SEPA exempt: Open record before the hearing examiner No if exempt from SEPA ⁵	Yes, open record before the hearing examiner ⁶	Yes, open record before the hearing examiner ⁶	No	SSDP: Yes, open record before the hearing examiner ⁶ CUP/variance: No	No ⁶	No ⁶
Days to file administrative appeal	15 or 21 calendar days ⁷	14 days 21 days if SEPA issued concurrent ⁸	14 days 21 days if SEPA issued concurrent ⁹	N/A	14 days 21 days if SEPA issued concurrent ⁹	N/A	N/A
Who may file administrative appeal	Applicant or other party of record who may be aggrieved ¹⁰	Applicant only ⁶	Applicant only ⁶	N/A	Applicant or party of record	N/A	N/A
State decision by	N/A	N/A	N/A	Ecology	SSDP: N/A CUP/variance: Ecology	N/A	Ecology
Judicial/other appeal	Superior Court (LUPA) ¹¹	Superior Court (LUPA) ¹²	Shoreline Hearings Board ¹²	Shoreline Hearings Board ¹²	Shoreline Hearings Board ¹²	Shoreline Hearings Board ¹²	Shoreline Hearings Board ¹²
Days to appeal	21 with exceptions ¹³	21 ¹⁴	21 ¹⁴	21 ¹⁴	21 ¹⁴	21 ¹⁴	21 ¹⁴
Who may appeal	Person aggrieved ¹⁵	Persons with standing ¹⁶	Ecology, Attorney General, or any person aggrieved ¹⁷	Ecology, Attorney General, or any person aggrieved ¹⁷	Ecology, Attorney General, or any person aggrieved ¹⁷	Ecology, Attorney General, or any person aggrieved ¹⁷	Ecology, Attorney General, or any person aggrieved ¹⁷
Permit review time period		65 days if exempt from SEPA and not	120 days if not consolidated with another	120 days if not consolidated with another	120 days if not consolidated with another	170 days	170 days

Table 3 – Action Type (Shoreline Master Program Permits)							
		Shoreline Permit Applications					
–	SEPA Threshold Determination	SSDP Exemption (Type I-A)	Minor SSDP (Type II)	Minor Shoreline CUP/Variance (Type II-S)	Shoreline Permit Revisions (Type II)	Major SSDP (Type III)	Major Shoreline CUP/Variance (Type III-S)
		consolidated with another permit 100 days if exempt from SEPA and consolidate with another Type I or I-A permit 120 days if not exempt from SEPA	Type II or Type II-S permit 170 days if consolidated with another Type II or Type II-S permit	Type II or Type II-S permit 170 days if consolidated with another Type II or Type II-S permit	Type II or Type II-S permit 170 days if consolidated with another Type II or Type II-S permit		

¹ PTMC 20.01.150(A)(2) and (E)(8).

² PTMC 19.04.280(A).

³ PTMC 20.01.290 and 20.01.295. In ADM18-003 Hastings Appeal, hearings examiner confirmed no administrative appeal of Type I unless involving SEPA.

⁴ PTMC 1.14.030(C) – Time limitation is from “date of issuance”: For Administrative appeals, the date on which a land use decision is deemed “issued” is three days after a written decision is mailed by the city or, if not mailed, the date on which the city provides notice that a written decision is publicly available.

⁵ PTMC 19.04.090 – The responsible official’s determination that a proposal is SEPA exempt shall be final and not subject to administrative review.

⁶ PTMC 20.01.040 summary of decision making.

⁷ PTMC 19.04.280(E).

⁸ PTMC 20.01.295(A).

⁹ PTMC 20.01.295(A) and 20.01.210.

¹⁰ PTMC 19.04.280(D).

¹¹ PTMC 19.04.280(F).

¹² ECY Permitting Manual page 4-2; RCW 90.58.180.

¹³ See PTMC 19.04.280(F) and RCW 43.21C.075.

¹⁴ RCW 90.58.180 Petitions must be filed within 21 days from the date the final decision was filed with Ecology as provided in RCW 90.58.140.

¹⁵ PTMC 19.04.280; RCW 43.21C.075.

¹⁶ RCW 36.70C.060 LUPA.

¹⁷ RCW 90.58.180 SMA.

Summary of Decision-Making Based on Table 3:

SSDP Exemption (Type I-A) – Administrative without notice (unless subject to SEPA); administrative appeal by the applicant only; appealable to the hearing examiner. Hearing examiner decision on appeals is appealable to superior court.

Minor SSDP and SSDP Permit Revisions (Type II) – Administrative with notice, administrative appeal by the applicant or part of record to the hearing examiner. Hearing examiner decisions on appeals is appealable to the Shoreline Hearings Board.

Minor Shoreline CUP/Variance and Shoreline CUP/Variance Permit Revisions (Type II-S) – Administrative with notice, with local decision transmitted to the Department of Ecology for final decision. Appeals of Ecology decision by any aggrieved person to the Shoreline Hearings Board.

Major SSDP (Type III) – Hearing examiner review. Notice and open record public hearing before the hearing examiner. Hearing examiner makes the final decision; appeal to Shoreline Hearings Board.

Major Shoreline CUP/Variance (Type III-S) – Hearing examiner review, with local decision transmitted to the Department of Ecology for final decision. Notice and open record public hearing before the hearing examiner. Appeals of Ecology decision by any aggrieved person to the Shoreline Hearings Board. (Ord. 3345 § 3 (Exh. C), 2024; Ord. 3335* § 2 (Exh. C.O), 2024; Ord. 3306 § 1 (Exh. EE), 2023; Ord. 3287 § 5, 2022; Ord. 3173 § 2, 2017; Ord. 3078 § 2, 2012; Ord. 3075 § 4 (Exh. A), 2012; Ord. 3026 § 1 (Exh. A-4), 2010; Ord. 2982 §§ 17, 20, 22, 2008; Ord. 2892 § 1, 2005; Ord. 2864 § 5(Exh. D § 3), 2004; Ord. 2837 § 2(Exh. B § 16), 2003; Ord. 2811 § 10, 2002; Ord. 2778 § 3, 2001; Ord. 2762 § 1, 2001; Ord. 2699 § 1, 1999; Ord. 2651 § 3, 1998; Ord. 2634 § 1, 1998; Ord. 2592, § 6, 1997; Ord. 2521 § 1, 1996).

* Code reviser's note: Table 20.01.040 has been updated to correct errors in Ordinance 3335 that included some application types in the wrong column of the table. The table text now conforms to the text of PTMC 17.62.020(C), 17.62.030(A) and 17.62.040 and reflects the intent of Ordinance 3335 as adopted by the council.

20.01.045 Reserved.

(Ord. 3345 § 3 (Exh. C), 2024; Ord. 3026 § 1 (Exh. A-4), 2010; Ord. 2762 § 1, 2001; Ord. 2651 § 4, 1998).

20.01.050 Joint public hearings (other public agency hearings).

STET

20.01.060 Legislative decisions.

STET

20.01.070 Legislative enactments not restricted.

STET

20.01.080 Exemptions from project permit application processing.

STET

Article II. Type I – III Project Permit Applications

STET

Article III. Public Notice

STET

Article IV. Project Review and Approval Process

STET

Article V. Appeals

STET

Chapter 20.02

INTERPRETATION OF LAND DEVELOPMENT CODES

STET

Chapter 20.04

**PORT TOWNSEND COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS AMENDMENT
PROCESS**

STET

Chapter 20.06

BOARD OF APPEALS

(Repealed by Ord. 2760)

Chapter 20.09

LAND DEVELOPMENT PERMIT APPLICATION AND APPEAL FEES

STET

Chapter 20.10

LAND USE ADMINISTRATION AND ENFORCEMENT

(Repealed by Ord. 2952)