

## Exhibit A

### Section 17.08.020 A through D

“**Conditional (special) use, minor**” means a conditional use which:

1. Is to be established and conducted entirely within an existing building, or conducted entirely within an accessory structure not exceeding 120 square feet in building coverage and 10 feet in height; or
2. Child care centers requiring no new construction other than an outdoor play area and parking improvements.
3. Employer-Provided Housing in new or existing structures or tiny houses on wheels.

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

“**Employer-provided housing**” means housing owned by an employer for the exclusive use of his or her employees and household members.

## Exhibit B

### Section 17.08.040 E through Q

**“Guest house”/“detached bedroom”** means a detached building used as sleeping quarters with a bathroom but without a kitchen located on the same lot with a principal building and occupied ~~for the sole use of members of the family, temporary guests, or persons permanently employed on the premises.~~ Two guest houses/detached bedrooms is are permitted as an accessory use to a single-family dwelling.

**“Parcel, parent”** means those lots, parcels or tracts of land existing at the time of application for development from which all subsequent lots, parcels or tracts are created.

## Exhibit C

### Section 17.08.060 R through V

“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 townhome and cottage housing developments.

“Tiny house” means a dwelling no larger than 400 sf, not including lofts, to be used as permanent housing with provisions for living, sleeping, eating, cooking, and sanitation, built in accordance with the Washington State Building Code and affixed to a permanent foundation.

“Tiny house community” means real property ~~rented or held out for rent~~ to others for the placement of tiny houses on wheels utilizing the binding site plan process in RCW 58.17.035.

“Tiny house on wheels (THOW)” or “moveable tiny house” means a dwelling no larger than 400 sf, not including lofts, on a wheel chassis to be used as permanent housing with provisions for living, sleeping, eating, cooking, and sanitation built in accordance with ANSI 119.5.

“Townhouse or rowhouse” means multiple, single-family dwelling units in a row comprising a single building ~~of at least five such dwelling units~~ in which each dwelling unit has its own front and rear access to the outside, no dwelling unit is located over another unit, and each dwelling unit is separated from any other dwelling unit by one or more vertical common fire-resistant walls. For purposes of this title, townhouses or rowhouses of five or more residential units are considered multifamily dwellings for the purpose of design review requirements. See also “Duplex,” “Triplex,” “Fourplex,” “Dwelling, single-family attached,” and “Dwelling, multifamily.”

“Transient accommodations” see “short-term rental”

## Exhibit D

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

- C. Accessory Dwelling Units – Limitations on Use. ~~One~~ Two accessory dwelling units (ADU) may be established ~~only~~ as an accessory use to a single-family, ~~detached~~ residence ~~(and specifically not including a duplex, triplex or fourplex)~~, 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 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. ~~In order to preserve the outward appearance of single family neighborhoods, the front of the primary residence shall have only one exterior entrance.~~
  - 4.5. ~~An~~ 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 non-conforming use.
  6. ADUs may be configured as a duplex structure when detached from primary residence.

**Exhibit E**

**Table 17.16.020**

**Residential Zoning Districts – Permitted, Conditional and Prohibited Uses**

<b>Key to table:</b>					
<b>P = Permitted outright; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable</b>					
<b>DISTRICT</b>	<b>R-I</b>	<b>R-II</b>	<b>R-III</b>	<b>R-IV</b>	<b>APPLICABLE REGULATIONS/NOTES</b>
Single-family dwellings (including duplexes, triplexes, <del>and</del> fourplexes, <u>and townhouses or rowhouses of up to four units</u> which meet the base density requirements of the applicable district)	P	P	P	P	PTMC 17.16.030, Bulk, dimensional and density requirements. Single-family dwellings in the R-IV zone are limited to fourplexes <u>or townhouses or rowhouses</u> .  A duplex structure may be constructed along a zero lot line provided the structure complies with building code fire separation requirements <u>Other housing types proposing units in individual ownership will require a unit lot subdivision or binding site plan.</u>
<u>Duplex, triplex, or fourplex conversion of detached single-family homes</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	PTMC 17.16.030, Bulk, dimensional and density requirements apply.  <u>Housing types proposing units in individual ownership will require a unit lot subdivision or binding site plan.</u>
Townhouses or rowhouses (zero lot lines) <u>of five or more units</u>	X	<u>P</u>	P	P	Ch. 17.36 PTMC, Multifamily Residential Development Standards; and PTMC 17.16.030, Bulk, dimensional and density requirements.  <u>Housing types proposing units in individual ownership will require a unit lot subdivision or binding site plan.</u>
Cottage housing developments	<u>CP</u>	P	P	X	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.
Transient use of single-family residential uses (including duplexes, triplexes, and fourplexes and cottage housing)	X	X	X	X	See PTMC 17.08.060, “ <u>Short term rentals</u> <del>Transient accommodation.</del> ”

**Exhibit F**

**Table 17.16.030  
Residential Zoning Districts – Bulk, Dimensional, and Density Requirements**

DISTRICT	R-I	R-II	R-III	R-IV
STET				
STET	—	—		
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STET				
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 <u>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>	10' except: 100' = barns and agricultural buildings <u>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>	10' except: no setback for multifamily structures located within 200' of an abutting mixed use zoning district	15' except: 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	15' minimum total with <u>minimum of 5-feet on either side</u> <del>10' minimum on one side and 5' minimum on the other side.</del>	15' minimum total with <u>minimum of 5-feet on either side</u> <del>10' minimum on one side and 5' minimum on the other side.</del> 10' = abutting a	5' except: 10' = along a street r-o-w; 20' for garages with vehicle access facing a street right- of-way and no setback for multifamily	15' except: 20' if directly abutting an R-I or R- II district; no setback for multifamily structures located within 200' of an abutting mixed

	10' = abutting a street r-o-w; 20' for garages with vehicle access facing a street right-of-way and 50' = barns and agricultural buildings and 100' if abutting an R-II, R-III, or R-IV zoning district <u>5' for ADUs with no door or garage door facing side property line</u>	street r-o-w; 20' for garages with vehicle access facing a street right-of-way and 100' = barns and agricultural buildings <u>5' for ADUs with no door or garage door facing side property line</u>	structures located within 200' of an abutting mixed use zoning district	use zoning district
STET				
MAXIMUM LOT COVERAGE	<del>25%</del> <u>except 40% where an ADU is included in the lot</u>	35% except 40% where an ADU is included in the lot	45%	50%
STET				



## Exhibit G

### 17.16.030 Bulk, Dimensional, and Density Requirements

~~B Exceptions. 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.~~

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. 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.

**Exhibit H**

**Table 17.20.020**

**Commercial Zoning Districts – Permitted, Conditional, and Prohibited Uses (Excerpt)**

<b>DISTRICT</b>	<b>C-I</b>	<b>C-II</b>	<b>C-II(H)</b>	<b>C-III</b>	<b>APPLICABLE REGULATIONS/NOTES</b>
Rows 1-46 STET					
<b>RESIDENTIAL USES</b>					
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 (seven or more roomers)	X	P	X	P	Same as above.
Homeless shelters	X	C	C	C	PTMC 17.20.030, Bulk, dimensional and density requirements. The director may authorize a waiver of the basic permit fee.
Multifamily dwellings	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.
Owner/operator/ <u>employee</u> 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.
<u>Employer-provided housing</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>X</u>	<u>PTMC 17.64 standards for employer-provided housing</u>
Residential treatment facilities	X	X	P	X	PTMC 17.20.030, Bulk, dimensional and density requirements.
<u>Tiny House Communities</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>	PTMC 17.58

**Exhibit I**

**Table 17.20.030**

**Commercial Zoning Districts – Bulk, Dimensional and Density Requirements (Excerpt)**

<b>DISTRICT</b>	<b>C-I</b>	<b>C-II</b>	<b>C-II(H)</b>	<b>C-III</b>
RESIDENTIAL REQUIREMENTS	Owner/operator residences allowed and residences above commercial uses allowed subject to the requirements below	Residences allowed above the ground floor, or as part of a development combining residential with commercial uses	Owner/operator/ <u>employer-provided</u> residences allowed above ground floor commercial uses subject to the requirements below	Residences allowed above the ground floor
Rows# 2-11 STET				

**Exhibit J**

**Table 17.22.020**

**Marine-Related and Manufacturing Districts – Permitted, Conditional, and Prohibited Uses**

<b>DISTRICT</b>	<b>M/ C</b>	<b>M- I</b>	<b>M-II(A)</b>	<b>M- II(B)</b>	<b>M- III</b>	<b>APPLICABLE REGULATIONS/NOTES</b>
Rows 1-55 STET						
<b>RESIDENTIAL USES</b>						
Residential quarters as an accessory use (i.e., guard’s quarters in large establishments, where such quarters are customarily provided for security and/or insurability of the premises)	P	P	P	P	P	PTMC 17.22.030, Bulk, dimensional and density requirements.
<u>Employer-provided housing</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>PTMC 17.64 standards for employer-provided housing</u>
Rows 59-88 STET-						

**Exhibit K**

**Table 17.24.020**

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

<b>Key to table:</b> <b>P = Permitted outright; C = Subject to a conditional use permit; X = Prohibited;</b> <b>N/A = Not applicable</b>				
<b>DISTRICT</b>	<b>P/OS</b>	<b>P/OS(B)</b>	<b>P-I</b>	<b>APPLICABLE REGULATIONS/NOTES</b>
Rows 1-27 STET				
Other facilities designated as essential public facilities by the Washington State Office of Financial Management	X	X	C	The siting of “essential public facilities” cannot be precluded by development regulations under RCW 36.70A.200.
<u>Employer-provided housing</u>	<u>X</u>	<u>C</u>	<u>C</u>	<u>PTMC 17.64 standards for “Employer- provided housing”</u>
<u>Residential quarters as an accessory use (i.e., guard’s quarters in large establishments, where such quarters are customarily provided for security and/or insurability of the premises)</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Lines 31-49 STET				

**Exhibit L**

**Table 17.31.030**

**Commercial Zoning District – Permitted, Conditional and Prohibited Uses**

Key to table:

P = Permitted outright; C = Subject to a conditional use permit; X = Prohibited; N/A = Not applicable

Use Type	C-II(S)	Specific Use Standards
<b>Residential</b>		
Cottage House	X	Refer to PTMC 17.31.150, Bulk, dimensional and lot standards by building type, for regulations pertaining to applicable residential building types.
Dwelling, Multifamily		
Apartment House: Small	P	
Apartment House: Large	P	
Townhouse/Rowhouse	P	
Dwelling, Single-Family Attached	P	
Dwelling, Single-Family Detached	X	
Dwelling, Live/Work	P	
Owner/Operator Residences	X	
Accessory Dwelling	X	
Home Occupation	X	Chapter 17.56 PTMC, Home Occupations
Homeless Shelters	C	
Nursing Homes	P	
<u>Tiny House Communities</u>	<u>P</u>	<u>Chapter 17.58</u>
Rows 16-63 STET		

## Exhibit M

### 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 ~~of typically one to two individuals~~. 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. Cottage housing developments proposed in the R-I zone are subject to special density standards and additional conditional use permit approval criteria. These special standards recognize that land located in the R-I zone is more likely to have this development type must address stormwater related constraints contain or be located in close proximity to environmentally sensitive areas, and/or lack full urban infrastructure at the time of development.~~
- E. D. All cottage housing developments are subject to current city stormwater standards and shall incorporate stormwater low impact development techniques whenever possible.



**Exhibit N**

**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:

<b>Zoning District</b>	<b>R-I Low Density Residential</b>	<b>R-II Medium Density Single-Family</b>	<b>R-III Medium Density Multifamily</b>
Maximum Cottage Density	1 cottage dwelling unit per 5,000 sf	1 cottage dwelling unit per 12,500 sf	1 cottage dwelling unit per 12,500 sf
Minimum number of cottages subject to zoning base density requirements	24	34	4
Maximum number of cottages per cottage housing development	8	12	14
Minimum lot size (accommodates 4 cottages)	120,000 sf	105,000 sf	10,000 sf

## Exhibit O

### **17.34.060 Exterior trim and roof eaves.**

A. Objective. Cottage housing development structures shall be provided with substantial exterior trim elements consistent with traditional northwest cottage design and small home craftsmanship. Roofs in cottage housing developments shall have eaves to recognize traditional northwest cottage design traits to efficiently shed rain, and provide rain protection for exterior walls. Departures from these standards (exterior trim and eave requirements) shall be reviewed through the alternative design review process. Alternative exterior trim and eave designs shall demonstrate a coherent cottage housing design based upon traditional design principles including weather protection.

1. Window and door trim with a minimum width of three and one half inches shall be provided on all cottage housing developments structures.
2. Eaves of at least 12 inches shall be provided on all cottage structures on at least two sides of each building. Where buildings are not square (one set of exterior parallel walls are longer than the other), the eaves shall be provided on the parallel walls that are the longest.

## Exhibit P

### 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. Residences in cottage housing developments are primarily intended for one- and two-person households and their occasional guests. 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. For at least 50 percent of the units, the ground floor area may not exceed 650 square feet.~~

~~ab. For no more than 50 percent of the units, t~~The ground floor area may be up to 800 square feet.

be. The net total floor area of each cottage shall not exceed one and one-half times the area of the main level.

## Exhibit Q

### 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 ~~5~~10 feet, ~~unless abutting an alley, then the minimum setback 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.

## Exhibit R

### 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 ~~with individual cottage entrances oriented towards the open space.~~

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.

## Exhibit S

### 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 ~~separate the main entrance to the cottage from the common open space~~ to 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 ~~separated from the common open space by a hedge or fence not to exceed 36 inches in height.~~
2. No dimension of the private open space shall be less than eight feet.

**Exhibit T**

**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. Parking Ratios.**

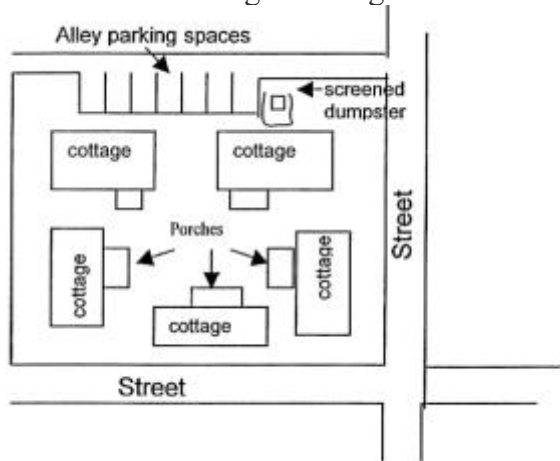
<b>Total Net Floor Area of Cottage or Nonconforming Dwelling Unit</b>	<b>Ratio of Off-Street Parking Spaces Required per Cottage or Nonconforming Dwelling Unit</b>
Up to 1,000 square feet	1.25 parking spaces
1,001 to 1,200 square feet	1.5 parking spaces
Existing nonconforming single family residence	2 parking spaces

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.

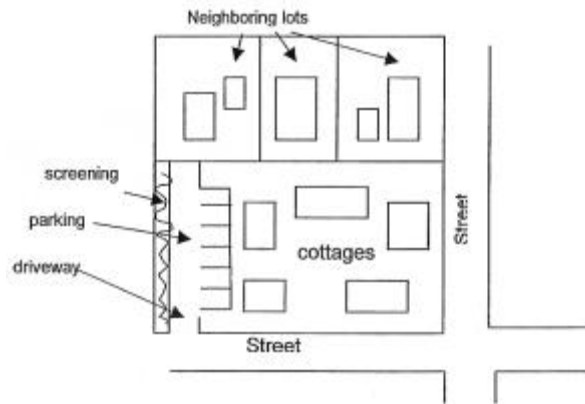
a. Off-Street Parking Screening. Off-street parking may be located in or under a noncottage parking structure (such as a single or multi-auto carport or garage), but such structures shall not be attached to individual cottages. Uncovered parking is also permitted; provided, that off-street parking shall 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:

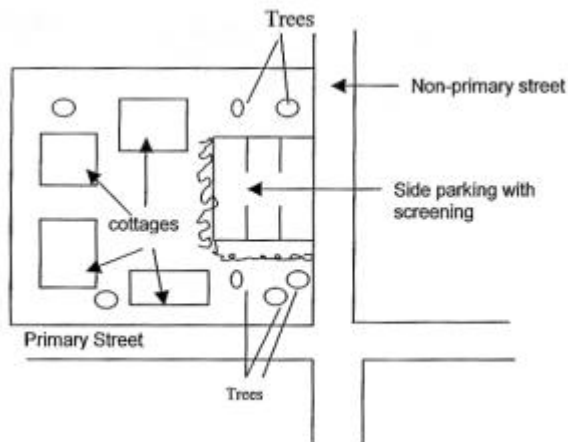
i. To the rear of cottage housing units accessed by an alley.



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.





## Exhibit U

### **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. ~~To help prevent noise problems, heat pumps shall not be used for cottage housing developments.~~

## Exhibit V

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

- ~~A. Objective. Cottage housing developments in single family zoning districts shall be separated from each other by a minimum distance to promote housing type diversity, to reduce potential cumulative impacts of cottage housing development, and to help protect neighborhood character.~~
- ~~1. Each cottage housing development in the R-I or R-II zoning districts shall be separated from any other cottage housing development in the R-I or R-II zoning district by a distance of at least 1,000 feet or one block, whichever is greater~~

## **Exhibit W**

### **17.34.210 Ownership and residential use of cottages.**

A. All cottage housing developments shall be developed utilizing the procedures of Ch 18.22 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.

## Exhibit X

### 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, pursuant to ~~Chapter 17.46 PTMC, Commercial, Multifamily, Cottage Housing Developments, and Mixed Use Architectural and Site Design Review Processes.~~

## Exhibit Y

### 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.
    - a. New buildings, canopies or other structures that exceed 1,000 square feet and are less than 4,000 square feet in size or no more than two stories above grade; or
    - b. Buildings, canopies, or other structures, the expansions of which either:
      - i. Exceed 1,000 square feet in size and are less than 4,000 square feet; or
      - ii. Comprise a ground floor expansion exceeding 50 percent of an existing building's ground floor square footage; or
    - c. Substantial alterations of existing structures, where the existing structure exceeds 1,000 square feet and is less than 4,000 square feet; or
    - d. Alterations to 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 17.44 PTMC.
  2. Multifamily Projects.
    - a. Including construction of apartments, townhouses, row houses or other forms of multifamily housing containing five to nine 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 new 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 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 PCDD 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.
- ~~3. Cottage housing developments in the R-II or R-III zoning districts.~~
- ~~C. Type III Administrative Review with an Advisory Committee Pursuant to PTMC 17.46.070. Cottage housing developments in the R-I zoning district shall be processed according to the procedures established in Chapter 20.01 PTMC, Land Development Administrative Procedures, and are subject to the conditional use permit criteria established in Chapter 17.84 PTMC, Conditional Uses.~~
- 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 charged above that required for review
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.

## Exhibit Z

### Chapter 17.58 Tiny Houses on Wheels and Tiny House on Wheel Communities

#### 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 wheel Communities

#### 17.58.010 Purpose and Intent

The general purpose of this section on tiny houses on wheels and tiny house communities is to:

A. Permit tiny houses on wheels as accessory dwelling units under certain conditions in all residential districts where detached accessory dwelling units are allowed.

B. Permit tiny house communities in the C-II and C-IIS districts, subject to the standards of those districts and those of Section 17.58.030 to ensure development of this type is generally compatible with surrounding uses.

C. Permit tiny houses on wheels as employer-provided housing per Chapter 17.64,

#### 17.58.020 Definition Tiny House on Wheels

A tiny house on wheels is a structure no larger than 400 square feet, excluding loft area space, intended for separate, independent living quarters, designed as a permanent, year-round residence for one household that meets these five conditions:

A. Is licensed and registered with the Department of Motor Vehicles and is constructed and certified to building and inspection standards in 17.58.030;

B. Is towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection, and is not designed to move under its own power;

C. Is no larger than allowed for movement on public highways;

D. Has at least 150 square feet of first floor interior living space and unit does not exceed 16 feet in height;

E. Is a detached self-contained unit which includes basic functional areas that support normal daily routines including cooking, sleeping, and sanitation.

#### 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. Insulation to a minimum of R-13 in walls and floors and R-19 in ceiling;
2. Residential grade insulated doors and windows, with windows to be as 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 4:12-2:12
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; and
8. Wall framing studs are 24” on center maximum, with a minimum of 2X4 wood or metal studs or equivalent SIP panels;
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 ordinance and ANSI 119.5 standards as follows:

1. Under RCW 43.22.355 for compliance with ANSI 119.5 standards; And2. By a licensed Washington State design professional, architect or engineer for compliance with Design Standards of 17.58.030 above; and,
2. By a licensed Washington State design professional, architect or engineer for compliance with Design Standards of 17.58.030 above.

C. Utilities. Tiny houses on wheels shall be connected to municipal approved water, sewer and electric utilities

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

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 or decomposed granite sufficient to hold the weight of unit on wheels and jacks.



#### **17.58.040 Accessory Dwelling Units**

Tiny houses on wheels are permitted as accessory dwelling units in R-I, R-II, and R-III districts subject to the provisions of Section 17.16.020 PTMC 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 approved by the City is required.

C. Separation. A tiny house on wheels shall be located at a fire separation distance of at least ten (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, residential windows.

#### **17.58.050 Tiny House on wheel Communities**

Applications for tiny house on wheel communities shall be processed in concert with a binding site plan and meet the following requirements:

A. Intensity. There shall be a minimum of four tiny houses and maximum of 12 tiny houses per tiny house community.

B. Location. Tiny house communities shall be setback a minimum of 50-feet from an arterial frontage.

C. Centralized common area. The common open space area shall include usable public spaces such as lawn, gardens, patios, plazas or scenic viewing area, with all houses having access to it.

1. Two hundred square feet of usable common open space is required per unit.

2. Fifty percent of units shall have their main entry on the common open space.

3. Setbacks shall not be counted towards the usable common open space calculation.

4. The usable common open space shall be located centrally to the tiny house community.

5. Community buildings or clubhouses may be counted towards the common open space calculation.

6. Tiny houses shall surround the common open space on a minimum of two sides.

7. Common open space shall be located outside of stormwater/detention ponds, wetlands, streams, lakes, and critical area buffers, and cannot be located on slopes greater than ten percent.

D. Porches. All houses shall have both front and rear porches, as follows:

1. Porches for primary entries shall be oriented towards common open space or street and designed to provide a sense of privacy between units. These porches shall be a minimum of 60 square feet and a minimum of eight feet deep on the common open space side of the building.
2. Porches for secondary entries shall have a minimum five-by-five-foot porch.

E. Standards. Tiny house communities shall comply with applicable bulk, dimensional, and density requirements for the district(s) in which they are located in addition to the standards below:

- A. The minimum lot area per dwelling unit shall be 1,250 square feet. In no case shall the project exceed the base density of the underlying zone.
- B. The maximum lot area per dwelling unit shall be 3,000 square feet.
- C. The maximum lot coverage shall not exceed 40 percent.
- D. Perimeter setbacks shall be no less than 10 feet along all exterior property lines.
- E. Tiny house and porches shall be set back no less than five feet from the usable common open space.
- F. No structure or portion thereof shall be closer than five feet to any neighboring structure.
- G. Maintenance of open space and utilities. Before approval is granted, the applicant shall submit covenants, deeds and homeowners association bylaws or other documents guaranteeing maintenance and common fee ownership of public open space, community facilities, private roads and drives, and all other commonly owned and operated property. These documents shall be reviewed and accompanied by a certificate from an attorney that they comply with the requirements of this chapter prior to approval. Such documents and conveyances shall be accomplished and be recorded, as applicable, with the county auditor as a condition precedent to the granting of occupancy or the filing of any final plat of the property or division thereof, except that the conveyance of land to a homeowners association may be recorded simultaneously with the filing of a final plat.
- H. Tiny houses on wheels (THOW) in tiny house communities must comply with the following:
  1. THOWs shall be placed in a designated area in the approved site plan of the pocket neighborhood.
  2. At least 50 percent of the units shall abut a common open space, all of the units shall be within 60 feet walking distance measured from the nearest entrance of the unit along the shortest safe walking route to the nearest point of the common open space.
- I. All THOWs shall meet the tie down and skirting requirements of the applicable building codes. The Building Official may require additional standards to ensure the porches hide any hitches.
- J. Applications for tiny house communities shall be processed according to Type III review.

## Exhibit AA

### Chapter 17.64 Employer-Provided Housing

#### Sections

17.64.010 Purpose

17.64.020 Applicability

17.64.030 Criteria

17.64.040 Review Process

#### 17.64.010 Purpose.

The purpose of this Chapter is to permit safe, healthy, and temporary quartering of employees of institutional, marine-related, or manufacturing operations for up to one year, accommodating seasonal worker demand and providing employees an opportunity to reside in Port Townsend while seeking permanent housing.

#### 17.64.020 Applicability

This chapter applies to the C-II(H), M-II(A), M-II(B), M-III, P/OS(B), and P/I districts, permitting employer-provided housing.

#### 17.64.030 Criteria

Employer-provided housing shall be permitted under the following circumstances:

- A. Employer-provided housing shall comply with applicable bulk, dimensional and density requirements of the zoning district.
- B. Parking shall be provided in accordance with Table 17.78.020
- C. Housing units may be upper-story multi-family or upper-story group quarters. Units may also be tiny houses on wheels, subject to the design standards of Chapter 17.58.020.

#### 17.64.040 Review process

Applications for employer-provided housing shall be subject to a Type II review process.

**Exhibit BB**

**Table 17.72.080 Vehicular and Bicycle Parking Standards (Excerpt)**

<b>RESIDENTIAL USES</b>			
<b>Use</b>	<b>Minimum Required Parking Spaces</b>	<b>Maximum Permissible Parking Spaces</b>	<b>Required Bicycle Spaces (minimum of two spaces if not listed)</b>
Accessory dwelling units	None <del>No additional parking is required for the first ADU. A second ADU requires 1.</del>	None	None
Adult family homes	2	None	None
Cottage homes	See PTMC 17.34.180	None	None
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)	<del>1.25</del> -spaces 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	1 space per each staff member plus 1 space	None	2 spaces, plus 1 space per each 10 vehicle

group homes for the disabled	for each 5 residents		parking stalls
<u>Detached</u> <del>Single-</del> family dwellings (including manufactured and modular homes <u>and duplexes, triplexes and fourplexes, cottage houses</u> that 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
<u>Duplexes, triplexes, and fourplexes meeting base density requirements of the applicable district</u>	<u>1 space per dwelling unit</u>	<u>None</u>	<u>None</u>

## Exhibit CC

### Section 17.72.170 Parking Facilities – Landscaping

- B. Applicability. This section applies to all surface, off-street parking lots in the city of Port Townsend, excluding those that are accessory to single-family dwellings or multi-family dwellings of four or fewer units. For multi-family dwellings of four or fewer units adjoining public rights of way, provisions of PTMC 17.72.170(D)(1) and 17.72.170(D)2(a)(ii) shall apply.

## Exhibit DD

### 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 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 townhouse 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.

#### 18.22.015 Scope

A. The provisions of this section apply exclusively to the unit lot subdivision of land for townhouse, cottage housing or tiny house community developments in zones where such uses are allowed.

B. As allowed by this chapter, development on individual unit lots within the unit lot subdivision need not conform to the minimum lot area or dimensional standards of Title 17 – Zoning Code, provided that overall development of the parent parcel meets the development and design standards of the underlying and the requirements of this section. There shall be no minimum required lot area for individual lots within a unit lot subdivision, provided that the area of the unit lot shall be large enough to contain the dwelling unit and any accessory structures, decks, fences, garages, driveways, private yard areas, parking, landscaping or other improvements that are accessory to the dwelling unit; provided further, so long as conforming to the approved site development plan, such accessory improvements may encroach upon or be located in an adjoining unit lot or common area pursuant to an appropriate easement.

C. Overall development of the parent lot shall meet the development and design standards of the underlying land use district.

D. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions (CC&Rs) identifying the rights and responsibilities of property owners and/or the homeowners' association must be executed for use and maintenance of common garage, parking and vehicle access areas; underground utilities; stormwater treatment and/or detention facilities; common open space; exterior building façades and roofs; and other similar features, must be recorded with the Jefferson County Auditor.

E. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use the parking is formalized by an easement recorded with the Jefferson County Auditor.

#### **18.22.020 Application.**

To be considered complete, the application for a unit lot subdivision shall include the following:

- A. The application for approval of a unit lot subdivision shall be submitted on forms to be provided by the department along with the appropriate fees;
- B. A completed land use permit application form, including all materials required pursuant to PTMC 20.01.100, and including any application submittal requirements under Chapter 19.05 PTMC, Critical Areas;
- C. The area and dimensions of each proposed lot or parcel;
- D. Five paper copies of a preliminary unit lot plat meeting the standards and requirements of PTMC 18.16.040 and 18.16.050;
- E. The applicant shall submit a stormwater drainage plan in conformance with the requirements of Chapter 13.32 PTMC, including any soil test information as may be deemed necessary by the public works director; and
- F. The applicant shall state the estimated quantities of any fill to be exported from the site and imported to the site.

#### **18.22.030 Preliminary unit lot plat – Preparation.**

The preliminary unit lot plat shall be prepared in accordance with the following requirements:

- A. The preliminary unit lot plat shall be prepared by a Washington State licensed engineer or land surveyor registered or licensed by the state of Washington. The preparer shall certify on the plat that it is a true and correct representation of the lands actually surveyed. The preparation of the plat shall comply with the Survey Recording Act, Chapter 58.09 58.09 RCW and Chapter 332-130 WAC as now adopted or hereafter amended. Upon surveying



the property, the surveyor shall place temporary stakes on the property to enable the city to locate and appraise features of the unit lot plat in the field. The datum to be used for all surveying and mapping shall be as follows: The projection name is the state plane; the projection spheroid is GRS 1980; the coordinate system is the Washington State Plane North Zone; and the horizontal datum is NAD 83.

- B. All geographic information portrayed by the preliminary unit lot plat shall be accurate, legible and drawn to a horizontal scale of 50 feet or fewer to the inch, except that the location sketch and typical street cross-sections may be drawn to any other appropriate scale.
- C. A preliminary unit lot plat shall be 18 inches by 24 inches in size, allowing one-half-inch borders, and if more than one sheet is needed, each sheet shall be numbered consecutively and an index sheet showing the entire property and orienting the other sheets, at any appropriate scale, shall be provided. In addition to other map submittals, the applicant shall submit one copy of each sheet reduced to 8-1/2 inches by 11-1/2 inches in size. If more than one sheet is required, an index sheet showing the entire subdivision with street and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall be of the above specified size.
- D. The area of each proposed lot or parcel depicted on the preliminary unit lot plat map shall accurately show the location and dimension of each proposed lot or parcel.

**18.22.040 Preliminary unit lot plat – Contents.**

- A. A preliminary unit lot plat shall be submitted on one or more sheets and shall provide the following information. All specifications for public improvements shall conform with the engineering design standards:
  - 1. The name of the proposed unit lot subdivision together with the words “Preliminary Unit Lot Plat”;
  - 2. The name and address of the applicant;
  - 3. The name, address, stamp and signature of the professional engineer or professional land surveyor who prepared the preliminary unit lot plat;
  - 4. Numeric scale (50 feet or fewer to the inch), graphic scale, true north point, and date of preparation;
  - 5. Identification of all land, trees, and tree canopy intended to be cleared; the trees or tree canopy intended to be preserved per PTMC 19.06.120, Tree conservation standards; and the location of the proposed access to the site for clearing and grading during site development and construction; and
  - 6. A form for the endorsement of the director of PCDD, as follows:

APPROVED BY CITY OF PORT TOWNSEND

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Planning and Community Development  
Department Director

Date

- B. The preliminary unit lot plat shall contain a vicinity sketch sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property, streets, and other major manmade and natural features.
- C. Except as otherwise specified in this chapter, the preliminary unit lot plat shall contain the following existing geographic features, drawn lightly in relation to proposed geographic features:
1. The boundaries of the property to be subdivided, and the boundaries of any adjacent property under the same ownership as the land to be subdivided, to be indicated by bold lines;
  2. The names of all adjoining property owners, or names of adjoining developers;
  3. All existing property lines lying within the proposed unit lot subdivision, including lot lines for lots of record which are to be vacated, and all existing property lines for any property lying within 200 feet of the subject property which is under the same ownership as the property to be subdivided (as described in PTMC 18.12.030(C)) shall be shown in broken lines;
  4. The location, right-of-way widths, pavement widths and names of all existing or platted streets, whether public or private, and other public ways within 200 feet of the property to be subdivided;
  5. The location, widths and purposes of any existing easements lying within or adjacent to the proposed unit lot subdivision;
  6. The location, size and invert elevations of sanitary sewer lines and stormwater management facilities lying within or adjacent to the proposed unit lot subdivision or those which will be connected to as part of the proposed unit lot subdivision;
  7. The location and size of existing water system facilities including all fire hydrants lying within or adjacent to the proposed subdivision or those which will be connected to as part of the proposed unit lot subdivision;
  8. The location, size and description of any other underground and overhead facilities lying within or adjacent to the proposed unit lot subdivision;
  9. The location of any environmentally sensitive areas as described in Chapter 19.05 PTMC, including all floodplains, lying within or adjacent to the proposed unit lot subdivision;
  10. The location, size and description of all significant trees as defined in PTMC 18.04.060 lying within existing public rights-of-way to be improved within or adjacent to the proposed unit lot subdivision;
  11. The location of existing sections and municipal corporation boundary lines lying within or adjacent to the proposed unit lot subdivision;
  12. The location of any well existing within the proposed unit lot subdivision;
  13. Existing contour lines at intervals of five feet for average slopes exceeding five percent, or at intervals of two feet for average slopes not exceeding five percent. Existing contour lines shall be labeled at intervals not to exceed 20 feet. If applicable, indicate slopes equal to or greater than 15 to 25 percent, equal to or greater than 26 to 39 percent, and equal to or greater than 40 percent, by shading or color;
  14. The location of any existing structures lying within the proposed unit lot subdivision. Existing structures to be removed shall be indicated by broken lines, and existing structures not to be removed shall be indicated by solid lines.

- D. The preliminary unit lot plat shall show the following proposed geographic features:
1. The boundaries in bold solid lines of all proposed lots, the area and dimensions of each proposed lot, and the proposed identifying number or letter to be assigned to each lot and/or block;
  2. The right-of-way location and width, the proposed name of each street, alley, or other public way to be created and the estimated tentative grades of such streets. Where roadways may exceed the maximum allowable grade or alignment, the public works director may require sufficient data, including centerline profiles and cross-sections if necessary, to determine the feasibility of said roadway;
  3. The location, width and purpose of each easement to be created;
  4. The boundaries, dimensions and area of public and common park and open space areas;
  5. Identification of all areas proposed to be dedicated for public use, together with the purpose and any condition of dedication;
  6. Proposed final contour lines at intervals of five feet for average slopes exceeding five percent, or at intervals of two feet for average slopes not exceeding five percent. Final contours shall be indicated by solid lines. Contour lines shall be labeled in intervals not to exceed 20 feet;
  7. The building envelopes, as defined in PTMC 18.04.060, shall be indicated for each lot;
  8. Proposed monumentation;
  9. Proposed location and description of all water system improvements, including all proposed fire hydrants;
  10. Proposed location and description of all sewer system improvements, including profiles, and, if needed, all pump stations and their connections to the existing system;
  11. Proposed location and description of all stormwater management system improvements;
  12. Proposed street cross-sections, showing proposed bicycle and pedestrian pathways and sidewalks (if applicable);
  13. Proposed type and location of street lighting (if applicable);
  14. Proposed type and location of landscaping (if applicable);
  15. Proposed location and typical cross-section of trails (if applicable);
  16. Proposed location and description of transit stops and shelters (if applicable);
  17. Proposed restrictions or conditions on development (if applicable).
- E. Upon review of an application, the director and/or public works director may require additional pertinent information as needed to satisfy any regulatory requirements.

#### **18.22.050 Approval criteria.**

In addition to the review criteria provided in Chapter 20.01 PTMC, the following criteria are the minimum measures by which each proposed unit lot subdivision will be considered:

- A. Unit lot subdivisions shall be given preliminary approval, including preliminary approval subject to conditions, upon finding by the city that all the following have been satisfied:
1. The proposed unit lot subdivision conforms to all applicable city, state and federal zoning, land use, environmental and health regulations and plans, including, but not limited to, the following:

- a. Port Townsend comprehensive plan;
  - b. Port Townsend zoning code;
  - c. Engineering design standards;
  - d. Critical Areas Ordinance (Chapter 19.05 PTMC);
2. Utilities and other public services necessary to serve the needs of the proposed unit lot subdivision shall be made available, including open spaces, drainage ways, streets, alleys, other public ways, potable water, transit facilities, sanitary sewers, parks, playgrounds, schools, sidewalks and other improvements that assure safe walking conditions for students who walk to and from school;
  3. Conservation of existing trees, and/or the planting of new trees, shall be provided consistent with Chapter 19.06 PTMC, Article III, Standards for Tree Conservation;
  4. The probable significant adverse environmental impacts of the proposed unit lot subdivision, together with any practical means of mitigating adverse impacts, have been considered such that the proposal will not have an unacceptable adverse effect upon the quality of the environment, in accordance with Chapter 19.04 PTMC and Chapter 43.21C RCW;
  5. Approving the proposed unit lot subdivision will serve the public use and interest and adequate provision has been made for the public health, safety, and general welfare.
- B. Notwithstanding approval criteria set forth in subsection A, in accordance with RCW 58.17.120, as now adopted and hereafter amended, a proposed unit lot subdivision may be denied because of flood, inundation or swamp conditions. Where any portion of the proposed unit lot subdivision lies within both a flood control zone, as specified by Chapter 19.05 PTMC and Chapter 86.16 RCW, and either the one percent flood hazard area or the regulatory floodway, the city shall not approve the preliminary unit lot plat unless it imposes a condition requiring the applicant to comply with Chapter 19.05 PTMC and any written recommendations of the Washington Department of Ecology. In such cases, no development permit associated with the proposed unit lot subdivision shall be issued by the city until flood control problems have been resolved.

#### **18.22.060 Unit lot plat review process.**

- A. An application for a unit lot subdivision smaller than five acres in area shall be processed according to the procedures for Type II land use decisions established in Chapter 20.01 PTMC, Land Development Administrative Procedures. An application for a unit lot subdivision of five acres or greater shall be processed according to the Type III procedures.
- B. The director shall solicit comments from the public works director, fire chief or designee, local utility providers, police chief, building official, school district, adjacent jurisdictions, if the proposal is within one mile of another city or jurisdiction, Washington State Department of Transportation, if the proposal is adjacent to a state highway, and any other state, local or federal officials as may be necessary.
- C. Based on comments from city departments and applicable agencies and other information, the city shall review the application subject to the criteria of PTMC 18.16.060. A proposed full subdivision shall only be approved when consistent with all the provisions of PTMC 18.16.060.
- D. An applicant for a full subdivision may request that certain requirements established or referenced by this chapter be modified. Such requests shall be processed according to the

procedures for variances in Chapter [20.01](#) PTMC, and shall satisfy the criteria of Chapter [17.86](#) PTMC, Variances.

**18.22.070 Preliminary approval.**

- A. The Director or Hearing Examiner, as appropriate, shall approve, approve with conditions, or deny the preliminary unit lot subdivision within the applicable time requirements. This preliminary decision shall be in writing and shall set forth findings of fact supporting the decision.
- B. Preliminary approval or approval with conditions shall authorize the applicant to proceed with preparation of the final unit lot subdivision.

**18.22.080 Modifications to an approved preliminary unit lot plat.**

Minor modifications to a previously approved preliminary plat, not involving the location or relocation of a lot, tract or parcel lot line and not involving the location or relocation of a street, may be requested by the applicant and approved by the director subject to the provisions for Type I decisions in Chapter [20.01](#) PTMC. Before approving such amendment, the director shall make written findings and conclusions that the following exist:

- 1. The modification will not be inconsistent or cause the subdivision to be inconsistent with the findings, conclusions, and decision of the city approving the subdivision;
  - 2. The modification will not cause the subdivision to violate any applicable city policy or regulation;
  - 3. A subdivision may be modified only if the intent of its original conditions is not altered.
- A. Modifications which exceed the criteria above shall be processed as a new preliminary plat application.

**18.22.090 Improvement method report.**

Following preliminary unit lot plat approval and approval of all plans and prior to submission of a final plat for the director's approval, the applicant shall submit to the director, three copies of a report describing the method by which the applicant proposes to carry out the minimum improvements required and the time within which such improvements will be completed. The applicant shall submit all design and construction drawings required in conformance with the engineering design standards. This improvement method report shall be signed by the applicant and be accompanied by any applicable proposed performance guarantees. The director shall transmit two copies of the improvement method report with all drawings and other submittals to the public works director. Improvements may be made or guaranteed by either of the following methods, subject to the discretion and approval of the director:

- A. By actual installation and approval of all improvements in accordance with the preliminary plat, city engineering design standards, and approved construction drawings;
- B. By the formation of a local improvement district consistent with the provisions of applicable requirements of the city and the state and by requiring the imposition of covenants as a condition of final plat approval requiring that purchasers of any lots waive any protest to the formation and implementation of a local improvement district;
- C. By actually installing the minimum improvements as provided by the local improvement district laws of the state and the city, and in accordance with city standards and specifications and under the supervision of the public works director;

- D. By furnishing to the city a plat or subdivision bond or cash deposit in escrow for the full cost of the improvements, or other security satisfactory to the director, in which assurance is given the city that the installation of the minimum improvements will be carried out as provided by plans submitted and approved and in accordance with city engineering design standards, and under the supervision of the public works director. The amount of the performance bond or other security shall be 120 percent of the estimated cost for the city to contract for construction of the improvements as determined by the public works director, and shall be of a duration in accordance with the engineering design standards. If the phased installation of improvements is proposed, the improvement method report shall describe the proposed phasing, the timing for construction, and proposed methods of guaranteeing and assuring the city that adequate installation of improvements will occur in conformance with the phasing schedule; or
- E. By a combination of these methods.

**18.16.100 Public works director's certificate of improvements.**

No permit for the construction of improvements within an approved subdivision shall be issued by the city until the improvement method report, all construction drawings, proposed performance guarantees, and other submittals in conformance with the engineering design standards have been received and approved by the public works director. All construction of improvements shall be inspected and approved in conformance with the engineering design standards. After completion of all required improvements or the guarantee of the construction of all required improvements, the public works director shall submit a certificate in triplicate to the director stating the required improvements or guarantees are in accordance with the provisions of this chapter, the preliminary plat, including the city's decision approving the plat, and in accordance with city's engineering design standards. The director shall transmit one copy of the certification to the subdivider, together with a notice advising the subdivider to prepare a final plat for the proposed subdivision. One copy of the certificate shall be retained by the director.

**18.16.110 Preparation of final unit lot plat.**

The final unit lot plat shall be prepared in accordance with the requirements of Section 18.16.120 PTMC.

**18.16.120 Accompanying documents – Final unit lot plat.**

- A. In cases where any deed covenants or restrictions, including any CC&Rs, will apply to lots or parcels within a subdivision, a typewritten copy of such covenants bearing all necessary signatures shall be submitted along with the final plat.
- B. The final plat shall be accompanied by a complete survey of the section or sections in which the plat or replat is located, or as much thereof as may be necessary to properly orient the plat within such section or sections. The plat and section survey shall be submitted with complete field and computation notes, showing the original or re-established corners, with the descriptions of the same, and the actual traverse showing error or closure and method of balancing. A sketch showing all distances, angles and calculations required to determine corners and distances of the plat shall accompany this data. The allowable error of closure shall not exceed one foot in 10,000 feet.
- C. The final plat shall be accompanied by a current (within 30 days) title company certification of:
  - 1. The legal description of the total parcel sought to be subdivided;

2. Those individuals or corporations holding an ownership interest or any other encumbrances affecting the title of said parcel. Such individuals or corporations shall sign and approve the final plat prior to final approval;
  3. Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate;
  4. Any easements or restrictions affecting the property to be subdivided with a description of purpose and referenced by the auditor's file number and/or recording number; and
  5. If lands are to be dedicated or conveyed to the city as part of the subdivision, an A.L.T.A. title policy may be required by the public works director.
- D. The applicant shall provide the public works director with a computer disk containing a complete set of the final plat maps and as-built drawings on CADD© or other GIS-compatible software as acceptable to the public works director.
  - E. All documents submitted under this section shall contain the name of the subdivision and the name and address of the subdivider.
  - F. All maintenance, performance and guarantee bonds or other guarantees as may be required by the public works director in accordance with PTMC Titles 12 and 13 and the improvement method report to guarantee the acceptability and/or performance of all public improvements. For all improvements constructed after final plat approval, reproducible as-built drawings and CADD© files shall be submitted within 15 days of completion of construction.

#### **18.22.130 Final plat application.**

Application for a final unit lot plat shall be prepared and processed in accordance with Section 18.16.140 PTMC.

#### **18.22.140 Time limitation on final unit lot plat submittal.**

Time limitations on final unit lot plats shall be in accordance with Section 18.16.150 PTMC

#### **18.22.150 Effect of an approved final unit lot plat – Valid land use.**

Any lots in a final unit lot plat filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of seven years from the date of filing. A unit lot subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances and regulations in effect on the date of preliminary unit lot plat approval for a period of seven years after final unit lot plat approval unless the city council finds that a change in conditions creates a serious threat to the public health or safety of residents within or outside the unit lot subdivision.

#### **18.22.160 Distribution of copies and filing of final unit lot plat.**

The director shall distribute the original and copies of the approved plat in accordance with Section 18.16.170 PTMC.

#### **18.22.170 Transfer of ownership following final unit lot plat approval.**

Whenever any parcel of land lying within the city is divided under the provisions of this chapter, no person, firm, or corporation shall sell or transfer, or offer or advertise for sale or transfer, any such lot, tract or parcel without having first had an approved final plat for such subdivision filed for record. It is the responsibility of the applicant to ensure that a final plat is fully certified and filed for record with the Jefferson County auditor prior to transferring ownership of any land.

**18.22.180 Building and occupancy permits – Issuance after final unit lot plat approval.**

- A. No building permit for a structure other than a temporary contractor’s office or temporary storage building shall be issued for a lot or parcel within an approved subdivision prior to a determination by the fire chief or designee that adequate fire protection and access for construction needs exists.
- B. No building permit for a structure other than a temporary contractor’s office or temporary storage building shall be issued for a lot or parcel within an approved subdivision until the applicant complies with the improvement method report, all requirements of the public works department’s certificate of improvements, and all requirements of the final plat approval.
- C. No occupancy permit for a structure other than a temporary contractor’s office or other approved temporary building shall be issued for a structure on a lot or parcel within an approved subdivision prior to final inspection and approval of all required improvements which will serve such lot or parcel, to the satisfaction of the public works director and city building official.



**Exhibit EE**

**20.01.040 Project permit application framework (excerpt).**

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.

<b>Table 1 – Permits/Decisions</b>					
<b>Type I<sup>1</sup></b>	<b>Type I-A</b>	<b>Type II</b>	<b>Type III</b>	<b>Type IV</b>	<b>Type V</b>
Permitted uses not requiring notice of application (e.g., building permits, etc.) <u>Tiny house as ADU</u>	<u>Binding site plans, cottage housing developments</u>	Short subdivisions, <u>unit lot subdivisions less than one acres</u>	<u>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</u>	Final plats <sup>3</sup>	Site-specific rezones <sup>2</sup> consistent with the Port Townsend Comprehensive Plan, including rezones/alternative parcel-specific zones considered in conjunction with the annual comprehensive plan amendment process
	<del>R-II and III</del> <u>cottage housing developments</u>	<del>R-I/major CUP</del> <u>cottage housing developments employer provided housing CUP</u>			