

DUE WITH THE UPDATE:

- **Bonus density on land owned by religious organizations (RCW 36.70A.545)**

(1) Any city or county fully planning under this chapter must allow an increased density bonus consistent with local needs for any affordable housing development of any single-family or multifamily residence located on real property owned or controlled by a religious organization provided that:

(a) The affordable housing development is set aside for or occupied exclusively by low-income households;

(b) The affordable housing development is part of a lease or other binding obligation that requires the development to be used exclusively for affordable housing purposes for at least fifty years, even if the religious organization no longer owns the property; and

(c) The affordable housing development does not discriminate against any person who qualifies as a member of a low-income household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, or mental or physical disability; or otherwise act in violation of the federal fair housing amendments act of 1988 (42 U.S.C. Sec. 3601 et seq.).

(2) "A city or county may develop policies to implement this section if it receives a request from a religious organization for an increased density bonus for an affordable housing development."

- **Parking changes (RCW 36.70A.622)**

"(1) Cities and counties planning under this chapter shall enforce land use regulations for residential development as provided in this section:

(a) Garages and carports may not be required as a way to meet minimum parking requirements for residential development;

(b) Parking spaces that count towards minimum parking requirements may be enclosed or unenclosed;

(c) Parking spaces in tandem must count towards meeting minimum parking requirements at a rate of one space for every 20 linear feet with any necessary provisions for turning radius. For purposes of this subsection, "tandem" is defined as having two or more vehicles, one in front of or behind the others with a single means of ingress and egress;

(d) Existence of legally nonconforming gravel surfacing in existing designated parking areas may not be a reason for prohibiting utilization of existing space in the parking area to meet local parking standards, up to a maximum of six parking spaces;

(e) Parking spaces may not be required to exceed eight feet by 20 feet, except for required parking for people with disabilities;

(f) Any county planning under this chapter, and any cities within those counties with a population greater than 6,000, may not require off-street parking as a condition of permitting a residential project if compliance with tree retention would otherwise make a proposed residential development or redevelopment infeasible; and

(g) Parking spaces that consist of grass block pavers may count toward minimum parking requirements.

(2) Existing parking spaces that do not conform to the requirements of this section by June 6, 2024, are not required to be modified or resized, except for compliance with the Americans with disabilities act. Existing paved parking lots are not required to change the size of existing parking spaces during resurfacing if doing so will be more costly or require significant reconfiguration of the parking space locations.

(3) The provisions in subsection (1) of this section do not apply to portions of cities within a one-mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

- **Allow 2 ADUs within urban growth areas (RCW 36.70A.680-682, HB 1337 – laws of 2023) 7/21/2025**

DUE ON SPECIFIC DATE:

- **Permit timelines – Due by Jan 1, 2025 (RCW 36.70B, SB 5290 – laws of 2023) 8/21/2025**

- **Allow co-living where 6 units per lot are allowed - Due Dec 31, 2025 (RCW 36.70A.535, HB 1998 – laws of 2024)**

(a) "Co-living housing" means a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building. Local governments may use other names to refer to co-living housing including, but not limited to, congregate living facilities, single room occupancy, rooming house, boarding house, lodging house, and residential suites."

Need Parking requirements for Co-living and co-living use added to permitted uses in multi-family zones, MU zone and SF-3 zone

DUE 6 MONTHS AFTER UPDATE:

- **Unit lot subdivisions (RCW 58.17.060, SB 5258 – laws of 2023) Actually 2 years – Due 5/20/2027**
- **Conversion of existing buildings – cities only (RCW 35.21.990, RCW 35A.21.440, HB 1042 – laws of 2023)**

Impose a restriction on housing unit density that prevents the addition of housing units at a density up to 50 percent more than what is allowed in the underlying zone if constructed entirely within an existing building envelope in a building located within a zone that permits multifamily housing, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building;

(b) Impose parking requirements on the addition of dwelling units or living units added within an existing building, however, cities may require the retention of existing parking that is required to satisfy existing residential parking requirements under local laws and for nonresidential uses that remain after the new units are added;

ADU Update

18.08.045 Accessory dwelling unit (ADU) design standards.

A. Purpose.

1. To provide infill housing opportunities throughout residential zones in Eatonville;
2. To provide affordable housing options; and
3. To provide an opportunity for rental income for property owners.

B. Standards for All ADUs. An ADU is designed and established to be a separate dwelling unit that is accessory to a primary single-family dwelling (principal use). ADUs can be attached to the primary dwelling (principal use) or detached. ADUs differ from duplexes in the zoning districts where they are allowed and ADUs are subject to specific size and design criteria.

ADUs are prohibited on any lot of record that is currently developed with a single-family dwelling unit that has been converted to a duplex or multifamily use.

Subject to the prohibition above, two ADU's are permitted on any lot of record that is currently developed with a single-family dwelling unit provided all of the following conditions are met:

2. ADUs shall contain a minimum of 300 square feet in floor area (all floors), exclusive of stairways or garage area;
3. ADUs shall comply with all applicable development, environmental, zoning and EMC Title 19, design standards for detached single-family uses;
4. ADUs shall not exceed 1,250 square feet.
5. The presence of an ADU must be clearly identified on each entrance facing the street (front) by proper numbering;

C. Parking Standards for all ADUs

1. On lots 6000 square feet or greater, before any zero lot line subdivisions or lot splits, an ADU shall require two off-street parking spaces;
2. On lots 6000 square feet or less, before any zero lot line subdivisions or lot splits, an ADU shall require one-off-street parking space;
3. Otherwise, all ADUs shall require two off street parking spaces.

D. Additional Standards for a Detached ADU (DADU). In addition to the ADU standards above, DADUs must meet the following additional requirements:

1. DADUs may be separate freestanding structures located to the side or rear of a primary dwelling unit or may be placed next to and/or above a garage;
2. DADUs are subject to the development standards set for principally permitted uses within the applicable zoning district regulations;
3. A DADU may be allowed a second driveway access to an improved alley and;

detached accessory dwelling units may be sited at a lot line if the lot line abuts a public alley, unless the town plows snow on the public alley.
5. The maximum width of the DADU (including adjacent buildings when applicable) shall be 75 percent of the width of the lot, including all projecting building elements such as bay windows and balconies.

E. Permit Required. A zoning permit is required as provided in EMC [18.09.020](#), and shall not be issued if there are private covenants requiring the lot to have a single-family residence.

F. Administration.

1. Accessory dwelling unit permits shall be administered by the planning director.

2. After receipt of a complete application form and prior to approval of any accessory dwelling unit, the director shall inspect the property to confirm that minimum and maximum size limits are met, required parking is provided, design limitations regarding front entrances are met, and technical code standards are met.
3. The registration form or other form as required by the director shall be filed as a deed restriction with the Pierce County auditor's office to indicate the presence of the accessory dwelling unit, and other standards for maintaining the unit as described above.
4. The director shall report annually to the council on accessory dwelling unit registration, number of units and distribution throughout the town, average size of units, and number and type of complaint and enforcement related actions.
5. After approval, the director shall provide notice of the registration of the accessory unit to owners of property within 200 feet of the registered site. The notice shall state that the unit complies with the standards of this section, shall describe the requirements for maintaining the unit, and shall explain how to obtain general information and how to request inspections.
6. Cancellation of the accessory unit's registration may be accomplished by the owner filing a certificate with the director for recording at the Pierce County auditor's office, or may occur as a result of enforcement action, based on a valuation of the requirements herein. The cancellation certificate will confirm that the residence has reverted to use as a single dwelling. (Ord. 2022-01 § 2, 2022; Ord. 99-23 § 4, 1999).

Permitting Timeline Update

18.09.010 D. Land Use Application Timelines and Procedures

(a) Within fourteen (14) days of issuing a letter of completeness under EMC 18.08.010 C , the Town shall issue a notice of development application.

The notice shall include but not be limited to the following information:

- (1) Name of the applicant;
- (2) Date of application;
- (3) Date of the notice of development application;

- (4) Date of the letter of completeness;
- (5) Location of the project;
- (6) Project description, including a list of required studies and project permits;
- (7) Requested approval or action;
- (8) A public comment period not fewer than fourteen (14) nor more than thirty (30) days, including the date and time that the public comment period will end;
- (9) Identification of existing environmental documents;
- (10) Date, time and place of a public hearing if one has been scheduled;
- (11) Staff contact and phone number;
- (12) A statement on the decision of the application shall be made within the following time periods;
 - i. For applications not subject to public notice, 65 days.
 - ii. For applications subject to public notice but not a public hearing, 100 days.
 - iii. For applications subject to public notice and a public hearing, 170 days

18.04.143 Conversion of Existing Buildings in Zones That Allow Multi-Family (Addition)

A. Conversion of an existing building in a zone that allows Multi-Family (MF-1, MF-2, C-1, C-2) may be allowed up to a 50% density bonus if constructed entirely within the existing building envelope, provided that generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building;

B. The addition of dwelling units shall not require additional parking beyond that what is required in the underlying zone for existing units and commercial uses.

18.04.144 Co-living on lots that allow 6 or more Multi-family Units (Addition)

A. On lots in the MF-1, MF-2, C-1 and C-2 Zones that would allow for at least six multi-family units, co-living as defined in EMC 18.02.072 is allowed provided the rooms meet all generally applicable health and safety standards, including but not limited to building code standards and fire and life safety standards, can be met within the building.

Definitions (Additions)

18.02.072 Co-living.

“Co-living”

means a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building.

17.46 Unit Lot Subdivisions.

(a) A lot may be divided into separately owned unit lots, provided the following standards are met:

(1) Approval Process. Unit lot subdivisions follow the application, review, and approval procedures for a short subdivision or subdivision, depending on the number of lots.

(2) Applicability. Sites to be developed with middle housing, or multiple detached single-family residences on a lot in which no dwelling units are stacked on another dwelling unit or other use, may be subdivided into individual unit lots as provided herein.

(3) Development as a whole on the parent lot, rather than individual unit lots, must comply with applicable design and development standards.

(4) Subsequent platting actions, additions, or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Unit lots cannot be subdivided.

(5) 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; common open space; shared interior walls; exterior building facades and roofs; and other similar features and must be recorded with the county auditor.

(6) 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 county auditor.

(7) Portions of the parent lot not subdivided for individual unit lots must be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.

(8) Notes must be placed on the face of the plat or short plat as recorded with the county auditor to state the following:

a. The title of the plat must include the phrase “Unit Lot Subdivision.”

b. Approval of the development on each unit lot was granted by the review of the development, as a whole, on the parent lot.

(9) Effect of Preliminary Approval. Preliminary approval constitutes authorization for the applicant to develop the required facilities and improvements, upon review and approval of construction drawings by the public works department. All development is subject to any conditions imposed by the town on the preliminary approval.

(10) Revision and Expiration. Unit lot subdivisions follow the revision and expiration procedures for a short subdivision.

(11) The maximum number of unit lots in a unit lot subdivision shall not exceed the maximum residential density permitted in the underlying zoning district, except in the SF-1, SF-2, and SF-3 zones, where one additional unit lot may be permitted, provided the subdivision and all resulting unit lots comply with all applicable provisions of this title.

18.08.380 Bonus Housing Density for Religious Organizations

A. Purpose. The purpose of this section is to implement RCW 36.70A.545 and allow an increased density bonus for affordable housing located on real property owned or controlled by a religious organization.

B. Applicability. This section applies to any single-family or multifamily affordable housing development located on real property owned or controlled by a religious organization within the Town’s urban growth area.

C. Density Bonus. An affordable housing development qualifying under this section shall be allowed a density bonus of up to 50 percent above the maximum density otherwise permitted in the underlying zone, provided the development satisfies all requirements of this section and RCW 36.70A.545.

D. Affordability Requirements. To qualify for the density bonus, the development shall satisfy one of the following:

1. All dwelling units shall be set aside for or occupied exclusively by low-income households or people suffering from addiction related displacement.

E. Affordability Term. The units shall be subject to a recorded covenant, lease, deed restriction, or other binding obligation requiring the affordability requirements of this section to be maintained for a minimum of 50 years, even if the religious organization no longer owns or controls the property.

F. Nondiscrimination. The affordable housing development shall not discriminate against any person who qualifies as a member of a low-income, very low-income or addiction affected household based on race, creed, color, national origin, sex, veteran or military status, sexual orientation, mental or physical disability, or any other protected class under applicable fair housing laws.

G. Development Standards. Except for the density bonus expressly authorized by this section, the development shall comply with all applicable development regulations, including but not limited to setbacks, height, lot coverage, access, parking, stormwater, building and fire codes, critical areas regulations, and design standards.

H. Fees and Mitigation. The religious organization or entity leasing or developing the property shall be responsible for all applicable fees, mitigation costs, utility charges, connection charges, and other development-related charges.

J. Definitions. For purposes of this section, “affordable housing development,” “low-income household”, and “religious organization” shall have the same meanings as provided in RCW 36.70A.545.

18.05.080 Parking Design Standards *Repeal and Replace

(1) The following standards shall apply to all required off-street parking unless otherwise provided by this title:

(a) Garages and carports shall not be required to satisfy the minimum parking requirements for residential development.

(b) Parking spaces used to satisfy minimum parking requirements may be enclosed or unenclosed.

(c) Tandem parking spaces may be counted toward the minimum parking requirements at a rate of one parking space for every 20 linear feet of parking length, provided adequate maneuvering area is maintained. For purposes of this subsection, "tandem parking" means two or more vehicles parked in a single line, one in front of or behind another, utilizing a single means of ingress and egress.

(d) Existing legally nonconforming gravel-surfaced parking areas may continue to be used to satisfy minimum parking requirements. The existence of a legally nonconforming gravel parking surface shall not be grounds for prohibiting the use of existing parking spaces to satisfy the minimum parking requirement for up to six parking spaces.

(e) Required parking spaces shall not be required to exceed eight feet in width by 20 feet in length, except parking spaces required to comply with the Americans with Disabilities Act (ADA) or other applicable accessibility standards.

(f) Parking spaces constructed with permeable grass block pavers or similar pervious paving systems may be counted toward the minimum parking requirements, provided the parking surface is designed to support vehicular traffic under anticipated loading conditions.

(2) Existing parking spaces that were lawfully established prior to June 6, 2024, and do not conform to the dimensional or design standards of this section shall be deemed conforming for purposes of this title and shall not be required to be modified, resized, or reconstructed except as necessary to comply with applicable accessibility requirements under the Americans with Disabilities Act.

(3) Existing paved parking lots undergoing maintenance, repair, or resurfacing shall not be required to modify or resize existing parking spaces if doing so would substantially increase project costs or require significant reconfiguration of the parking lot layout.

(4) Nothing in this section shall be construed to exempt parking facilities from applicable fire access, accessibility, drainage, stormwater, or building code requirements.

