

2-11-25 Draft Zoning Code Amendments

This draft contains excerpts from Title 17 Zoning. If you would like to see the whole code for context, you can find the entire Winthrop Municipal Code online at townofwinthrop.com or www.codepublishing.com/WA/Winthrop/

Plain text = existing code language

Italics = new code language; changes that are interspersed with existing text are in red for visibility.

Overstrike = existing code language to be struck

Instructions

17.08.010 Definitions

Modify existing definitions as follows:

~~“Boardinghouse” means an establishment providing both lodging and meals for not more than eight persons residing in the facility on a permanent or semipermanent basis.~~

~~“Dwelling or dwelling unit” means a building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation for not more than one family; hotel, motel, rooms and boarding units which are used primarily for transient tenancy shall not be considered as dwelling units for zoning purposes.~~

“Dwelling or dwelling unit” means a building or portion thereof providing complete, independent living facilities for one or more persons, including permanent provisions for sleeping, eating, cooking and sanitation. Dwelling units may consist of site-built, modular, manufactured or prefabricated structures. For Single-room Occupancy, Co-living, and Micro-apartments, four separate living units is considered equal to one dwelling unit.

Dwelling, Multifamily. “Multifamily dwelling” means a building containing three or more independent dwelling units.

Dwelling, multi-unit. “Multi-unit dwelling” (also “apartment”; formerly “multifamily) means a building or group of buildings on one lot containing three or more independent dwelling units.

~~Dwelling, Single-Family. “Single family dwelling” means a structure or portion thereof, designed to contain a single dwelling unit. Single family dwellings are further classified by their nature of construction as follows:~~

~~1. “Site-built” means a dwelling primarily constructed on the site to be occupied by the structure and which is permanently affixed to the ground by footings and foundation;~~

~~2. Modular Home. See “Modular home”;~~

~~3. Manufactured Home. See “Manufactured home”.~~

Dwelling, Single-Unit. “Single-unit dwelling” (formerly “single-family”) means a structure or portion thereof, designed to contain a dwelling unit for a single household. A single-unit dwelling may have an attached accessory dwelling unit, meeting the criteria for such units, without a change in designation.

~~Dwelling, Three or Four Family. "Three or four family dwelling" (also "triplex", "fourplex, or "quadplex") means a multifamily use containing three or four independent dwelling units connected by a common vertical wall or, in the case of multi-story building, by common ceiling and floor, all in a single structure.~~

~~Dwelling, Three- or Four-Unit. "Three- or four-unit dwelling" (also "triplex", "fourplex, or "quadplex") means a multi-unit structure containing three or four independent dwelling units connected by a common vertical wall or, in the case of multi-story building, by common ceiling and floor, all in a single structure.~~

~~Dwelling, Two-Family. "Two-family dwelling" (also "duplex") means two independent dwelling units connected by a common vertical wall or, in the case of multi-story building, by common ceiling and floor, all in a single structure.~~

~~Dwelling, Two-Unit. "Two-unit dwelling" (also "duplex") means two independent dwelling units connected by a common vertical wall or, in the case of multi-story building, by common ceiling and floor, all in a single structure.~~

~~"Family" means an individual, or two or more persons related by blood or marriage, or two or more persons with functional disabilities as defined herein, living together in a dwelling unit, which may or may not also provide meals or lodging for not more than four additional persons (excluding servants); or a group of not more than five persons (excluding servants) who need not be related by blood or marriage living together in a dwelling unit.~~

~~"Manufactured home" means a dwelling on one or more chassis for towing to the point of use which bears an insignia issued by the state or federal regulatory agency indicating that the structure complies with all applicable construction standards of the U.S. Department of Housing and Urban Development definition of a manufactured home. Manufactured homes are further classified as follows:~~

- ~~1. Multiwide. Have a minimum width of not less than seventeen (17) feet as measured at all points perpendicular to the length of the manufactured home;~~
- ~~2. Single Wide. Have a minimum width less than seventeen (17) feet as measured at any point perpendicular to the length of the manufactured home.~~

Add to definitions:

"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.

"Dwelling, Townhouse. "Townhouse" means a single unit dwelling on an individually owned lot where the building abuts one or more lot lines and shares a common wall with an adjoining dwelling unit(s).

"Manufactured Housing Community" means an area of land to be occupied by two or more residential manufactured or prefabricated homes under lease or tenancy agreements, operated as a single development.

"Micro-apartment" means a multi-unit housing type where individual units are designed to maximize efficiency, providing basic requirements of dwelling units for permanent dwellings not to exceed 500 square

feet including lavatory, sleeping, bathing, and cooking. Larger communal spaces for community dining, cooking, and living are often provided as well.

“Permanently Affordable Housing” means housing that is subject to a Community Land Trust ground lease or covenant recorded with the Okanogan County Auditor ensuring that the covered housing unit will remain affordable for a minimum of 40 years.

“Tiny Home” means a dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation built in accord with the state building code.

“Single-room Occupancy Housing (SRO)” means a structure that provides small living units with sleeping areas. The structure may have separate or shared bath, toilet, and cooking facilities for the residents. SRO structures may also be referred to as co-living units, residential suites, boarding houses, or similar terms.

17.12.010 Manufactured homes/ mobile homes.

Strike Existing Language:

~~Manufactured homes shall be allowed as a use within any zone district in which single-family residences are allowed, subject to the following standards:~~

~~A. Manufactured homes not located in an approved mobile home park shall meet the following requirements:~~

- ~~1. Manufactured homes shall be a minimum of three hundred twenty (320) square feet;~~
- ~~2. Manufactured homes shall be new manufactured homes. As used in this subsection, “new-manufactured homes” means any manufactured home required to be titled under RCW Title 46, which has not been previously titled to a retail purchaser, and not a “used mobile home” as defined in RCW 82.45.032(2);~~
- ~~3. Manufactured homes shall have a roof composed of wood shake, asphalt shingle, coated metal, or similar roof of not less than three to twelve (3:12) pitch;~~
- ~~4. Manufactured homes shall have exterior siding similar in appearance to siding materials commonly used on conventional site-built single-family residences;~~
- ~~5. Manufactured homes shall be set upon a permanent foundation;~~
- ~~6. Manufactured homes shall be thermally equivalent to the state energy code;~~
- ~~7. Tongues and wheels of manufactured homes shall be removed.~~

~~B. Manufactured homes, including mobile homes, RVs, park models, or tiny homes not meeting the standards of subsection A of this section, shall be allowed for single-family residential use only when located in an approved mobile home park.~~

~~C. Shipping container homes are not considered manufactured homes and are not allowed. (Ord. 699 § 1- (Exh. A)(part), 2018; Ord. 372 § 4(1), 1990)~~

Add revised language:

17.12.010 Manufactured, Prefabricated, and Modular Housing. *Manufactured, prefabricated, and modular housing types shall be permitted as permanent primary or permanent accessory dwellings within any zoning district in which residences are allowed, subject to the following standards:*

- A. *Manufactured homes not located in an approved manufactured housing community shall be HUD certified. Tongues and wheels of manufactured homes shall be removed, and homes shall be anchored on a permanent foundation.*
- B. *Modular and prefabricated housing, including tiny homes and container homes, shall comply with applicable building codes, and homes shall be anchored on a permanent foundation.*
- C. *Tiny homes and container homes. Tiny homes, container homes, or similar prefabricated housing structures shall comply with IRC Appendix Q, or applicable Washington State building code and meet the following standards:*
 - 1. *Tongues and wheels used to transport tiny homes shall be removed, and homes shall be anchored upon a permanent foundation, unless authorized as temporary housing through a CUP.*
 - 2. *Location of more than two tiny homes on a site shall only be permitted within an approved Manufactured Housing Community or as provided in Section D herein.*
- D. *Tiny homes for onsite workforce housing. Where specified in Table 17.16.010, tiny homes may be authorized as onsite workforce housing for a permitted commercial use through the terms of a conditional use permit, pursuant to the following provisions:*
 - 1. *The number of units allowed shall be based on what the site can reasonably accommodate while meeting setbacks, parking, drainage, and any other applicable standards in aggregate with the primary use.*
 - 2. *Tiny homes shall be located on the same or a contiguous property under the same ownership as the primary commercial use.*
 - 3. *The CUP shall establish how long the use is authorized, and whether the permit may be renewed.*
 - 4. *Tiny homes may be permitted to remain on wheels, with skirting and weatherization.*
 - 5. *The method of connection to water and sewer shall be established in the permit.*
 - 6. *CUP is subject to revocation if the units are no longer utilized to house employees of the primary allowed use.*
- E. *Manufactured homes, mobile homes, RVs, park models, or tiny homes not meeting the standards of subsections A, B, C, or D of this section, shall be allowed for single-unit residential use only when located in an approved manufactured housing community, campground, or recreational vehicle park.*

Add New Section

17.12.015 Single Room Occupancy, Co-living and Micro-apartments.

Where permitted, Single Room Occupancy, co-living, and micro-apartments shall be subject to the following standards:

1. *Intent.* The intent of this section is to provide a type of multi-unit housing that can meet needs for affordability, seasonal workforce, and single-person households.
2. *Density.* Each individual living unit within a SRO, co-living, or micro-apartment building shall be calculated as one quarter of a single housing unit or dwelling unit (DU). ERUs for water and sewer utilities should be allocated using the same formula of four individual living units is equal to a single housing unit.
3. *Parking.* There shall be a minimum of one off-street parking space provided for every two individual living units within a SRO, co-living, or micro-apartment building. Building owners/managers shall assign parking by unit and will not be permitted to utilize off-site parking, street parking, or payment into the parking mitigation fund to meet the parking needs of building tenants.
4. *Unit Size.* Individual SRO or co-living units shall have a maximum size of 400 square feet. Individual micro-apartment units shall have a maximum of 500 square feet.
5. *Shared Spaces.* A minimum of 15% of the building's gross floor area must be dedicated to shared spaces, including kitchens and communal living areas. For example, a 10,000 square foot building must allocate a minimum of 1,500 square feet of shared space.
6. *Kitchens.* SRO and co-living buildings shall have a minimum of one shared kitchen per eight separate living units. Micro-apartments shall have cooking facilities in each apartment unit and may offer larger communal cooking and dining facilities.
7. *Bathrooms.* SRO and co-living buildings shall have a minimum of one bathroom per four individual living units. Bathrooms must include a toilet, sink, and shower.

Amend as indicated:

17.12.020 Accessory uses and structures.

The following regulations and requirements shall apply to accessory uses and structures that do not fit the definition of an accessory dwelling unit (for example, garages, storage sheds or home shop buildings; *solar, EV charging or HVAC installations*) allowed as an accessory to a permitted use in all zones:

- A. **Lot Coverage.** An accessory structure shall not cover more than ten (10) percent of the lot area.
- B. **Height.** *Free standing accessory* Accessory structures shall not exceed a height of twenty (20) feet. *Solar panels, HVAC systems or similar installments mounted to an existing structure shall not extend above the allowed structure height.*
- C. **Dish Antennas.** ~~Dish antennas shall not be located in front yards, and shall be located and painted in a manner which makes them as unobtrusive as possible.~~

C.D. Accessory uses shall not create a nuisance in the area such as noise, dust, appearance or threat to air or water quality or the well-being of the town and the area in which located, and shall be consistent with the zone district in which they are located and the allowed uses therein. Accessory uses of a business or commercial nature in residential districts shall comply with the restrictions and requirements for home occupations as set forth in Section 17.12.030. (Ord. 699 § 1 (Exh. A)(part), 2018: Ord. 372 § 4(2), 1990)

17.12.025 Accessory dwelling units.

A. General Standards. On lots that meet or exceed the minimum lot size requirement in all residential districts and the B-1 district, ~~one~~ *up to two* accessory dwelling unit *units* (ADU) ~~is~~ *are* allowed. An ADU may be attached or detached from a primary dwelling unit. An ADU may be created through new construction, conversion of an existing structure, addition to an existing structure, or conversion of a qualifying existing house to an ADU in conjunction with construction of a new primary dwelling on the site. ADUs are subject to the following standards:

1. ADUs are allowed only in those districts specified in ~~the~~ Table 17.16.010.
2. Size. An accessory dwelling unit must be ~~subordinate~~ *smaller than the primary dwelling unit*. ~~to a single family dwelling.~~
 - a. The footprint of an ADU ~~may cover no more than ten (10) percent of the lot area~~ *shall be aggregated with the primary structure such that all structures together do not exceed lot coverage allowed in Table 17.20.050 or 17.24.050, whichever applies.*
 - b. The accessory dwelling unit shall contain ~~a minimum of three hundred (300) square feet and not more than eight~~ *nine* hundred (~~800~~*900*) square feet, excluding any related garage area.
3. Utilities. Accessory dwelling units shall connect to public water and sewer. The accessory dwelling unit, either attached or detached, shall be served by the existing primary residence sewer and water connections and water meter. ADUs are subject to all applicable standards and fees established in Title 13, Public Services.
4. Parking. There shall be one off-street parking space provided for *each* ~~the~~ accessory dwelling unit, which is in addition to the off-street parking spaces required for the primary residence.
5. Density. For the purpose of calculating density, an ADU is considered part of a single-family *unit* dwelling, and not as a separate dwelling unit, provided all other standards are met.
6. Height. The maximum height for a detached accessory dwelling unit is twenty-five (25) feet.
7. Setbacks. An accessory dwelling unit must conform to front, rear and side yard setbacks requirements.
8. Lot Coverage. An ADU shall be included in the total lot coverage calculation, and is subject to lot coverage requirements.
9. Rental of ADU. The minimum rental period for an ADU or the primary residence associated with an ADU shall be a minimum of ninety (90) days. If ~~both~~ *at least two* units are rented, then one must be leased for a minimum of one year. The owner shall supply lease documentation to the town upon request. This restriction does not apply within the overnight rental overlay district, where either ~~the~~ *one*

ADU or the primary dwelling may be permitted for overnight rental, *and no more than one unit per lot may be rented overnight*. See Section 17.12.035 for applicable standards.

B. An accessory dwelling unit may not be subdivided from the original parcel unless all applicable requirements for subdivision are fully met, including minimum lot size, setbacks, lot coverage, access, utility, and all other applicable requirements.

C. No more than ~~one~~ *two* ADUs *is are* allowed on a single lot. An ADU will not be allowed as an accessory to a duplex, triplex, fourplex, or multifamily dwelling.

17.12.035 Overnight rentals.

A. Intent. The intent of this section is to ensure all types of overnight rentals, including owner-occupied overnight rentals, observe the legal requirements of other tourist accommodations so that they compete fairly for commerce, *support the need for long-term rental housing*, and preserve *the* neighborhood character of the areas in which they are located.

B. Overnight Rental Permit Required.

1. In order to obtain a business license for an overnight rental, including an owner-occupied overnight rental, the property owner must apply for an overnight rental permit on forms provided by the administrator and pay the application fee. Within thirty (30) days of receiving a complete application, the administrator shall determine if the proposed overnight rental meets all of the requirements and standards set forth in this section, and shall issue a decision to approve or deny the overnight rental permit. Applications which do not meet applicable standards may be denied by the administrator with written findings of fact detailing the reasons the permit is denied. An overnight rental permit may be conditioned by reasonable conditions designed to assure compliance with the requirements and standards of this section.
2. The vested title property owner shall be the permit and license holder. The permit and business license are not transferable. To continue an overnight rental use, a new owner must obtain a new permit and license within thirty (30) days of the transfer of ownership.
3. [Note this highlighted section includes the revised language from Ordinance 789 removing the reference to Okanogan County.] Overnight rental permits shall be valid for one year, and may be renewed yearly by submitting a permit renewal fee and checklist with supporting documentation, including, but not limited to, the following items: number of nights occupied, total number of guests, verification of site plan and maximum occupancy, copy of information supplied to guests, and other reasonable documentation necessary to establish the use remains in compliance with the standards of this chapter. *Permits that are not renewed within 30 days of notification from the Town are deemed to be abandoned, and a new application shall be required to reinstate the permit.*
4. *Penalties for Operating Without a License. Operating a short-term rental without a valid permit is subject to a fine of up to \$1,000 per violation, pursuant to Section 17.36.100. Each day of continued use in violation of this title shall constitute a separate violation. Properties utilized for overnight rental without a valid permit shall be ineligible for a permit for one year from the issuance of the violation notice.*

C. *Cap on Overnight Rental Permits.* The total number of active overnight rentals permits issued shall not exceed 10% of the total number of housing units within the Town Limits, as determined by an assessment of the number of residential ERUs in January of each year. The town council may periodically review the license cap and adjust the limit based on housing availability, economic trends, and community feedback.

1. *Permits shall be allocated on a first-come, first-served basis, subject to all permit requirements being met.*
2. *Exemptions: the following are exempt from the cap on overnight rentals:*
 - a. *Owner-occupied overnight rentals are exempt from the cap but must obtain a permit.*
 - b. *Overnight rentals within the B2 zone that are located along Riverside Avenue are exempt from the cap but must obtain a permit.*
 - c. *Rentals used exclusively for long-term stays of 30 days or more are exempt from the cap.*
3. *Permit waitlist. Once the allotted number of permits have been issued, the Town shall maintain a waitlist for prospective applicants. When an overnight rental permit is relinquished or abandoned, the next applicant on the waitlist will be notified and shall have 30 days to submit a complete permit application. If within 30 days, the applicant has not submitted a completed permit application, the opportunity to apply shall pass to the next applicant on the waitlist.*

Modify sections as follows:

17.12.040 Off-street parking requirements.

~~I. Landscaping. All parking areas for more than four vehicles shall be landscaped along the boundaries thereof including planting of trees to provide visual and noise screening from adjacent lots, roadways or uses. At least one tree shall be planted for every five stalls or double row stalls. Landscaping shall combine trees, shrubs and groundcover and shall consider eventual size and spread, susceptibility to disease and pests, durability and adaptability to soil and area climatic conditions. Parking areas that abut property in any residential district shall be separated from such property by a solid wall, site-obscuring fence, or compact evergreen hedge or trees at least six feet in height.~~

17.12.040.I. Screening. Parking areas for commercial or industrial uses that abut property in any residential district shall be separated from such property by site-obscuring Firewise-compliant fence, wall, or vegetation at least six feet in height.

Strike Existing Language:

17.12.080—Landscaping.

~~In all business and industrial districts, front yard setback areas shall be landscaped including trees, shrubbery, groundcover and other plantings, considering growth rates, size, spread, susceptibility to disease and their adaptability to dry climates and cold winters. Landscaping shall be maintained and noxious weeds shall be eliminated. (Ord. 372 § 4(8), 1990)~~

Strike Existing Language:

17.12.100 Temporary uses.

~~The use of travel trailers or other recreational vehicles, mobile homes and manufactured homes which do not meet the definition of "designated manufactured home" as permanent residences shall be prohibited in all zoning districts, except for mobile homes and manufactured homes that existed on or before January 1, 1990. The use of such units as temporary housing during the construction of a single family dwelling or commercial structure shall be permitted for up to six months in any year for a period not exceeding two years. The installation and use of such units as temporary residences, including camping on an individual lot for periods exceeding two weeks, shall be subject to a conditional use permit and other town public health and safety regulations. (Ord. 512 § 3 (part), 2000; Ord. 489 § 3, 1998)~~

Add New Section

17.12.100 Travel Trailers and Recreational Vehicles.

A. The use of travel trailers or other recreational vehicles, as permanent residences shall be prohibited in all zoning districts, except within approved campgrounds, recreational vehicle parks, or manufactured housing communities.

B. Temporary use. The use of travel trailers or other recreational vehicles as temporary housing during the construction of a single-unit dwelling or commercial structure shall be permitted for up to six months in any year for a period not exceeding two years. The installation and use of such units as temporary residences, including camping on an individual lot, is allowed for up to two weeks per year.

C. Storage. No more than one travel trailer or recreational vehicle shall be visibly parked on a residential lot. Inoperable or abandoned vehicles shall be removed. Travel trailers and recreational vehicles shall not be stored on adjacent rights-of-way.

Modify residential uses within table as follows:

Table 17.16.010 ALLOWED USES

A = allowed

PD = planned development

CU = conditional use

Land Use	R-I	R-II	R-III	PR	B-I	B-II	B-III	IND	PU	T/R
Residential										
Single-family family <i>unit</i> dwelling	A	A	A	A	A	A ⁶	A ⁶	A ⁶		A
Two-family family <i>unit</i> dwelling (duplex)	A	A	A	A	A	A ⁶	A ⁶			A
Three- or four- family <i>unit</i> family dwelling		PD	A	A	A	A ⁶	A ⁶			A
Multifamily <i>Multi-unit</i> dwelling		PD	A	A	PD A	PD	PD			PD
<i>Townhome dwelling</i>		PD	PD	PD	PD					PD
Accessory dwelling unit ¹⁸	A	A	A	A	A					
<i>Tiny Home</i>	A	A	A	A	A					A
Boardinghouse <i>Single-room occupancy; co-living; or micro-apartment housing</i>			A	A	A	A ⁶	A ⁶			A
Manufactured home park- <i>housing community</i>		PD	PD	PD	PD					PD
<i>Tiny Home - Onsite Workforce Housing</i>			CUP	CUP	CUP		CUP			
Retirement home		PD	A	PD	PD					

⁶ Subject to requirements of Section 17.24.020(E) within the B-II district; Section 17.24.030(E) within the B-III district; and Section 17.28.010 within the industrial district.

¹⁸ Subject to the requirements of Section 17.12.025.

Chapter 17.20

RESIDENTIAL DISTRICTS

Modifications to wording within sections as follows:

17.20.010 Residential I district (R-I).

A. Policy. The residential I district is designed for established and developed residential neighborhoods in the town, which consist almost exclusively of ~~single-family homes~~ *single-unit dwellings*. The intent of this district is to establish and preserve these residential neighborhoods for ~~single-family~~ *single-unit* residential dwellings without undue restrictions which would eliminate or limit a full range of home prices, styles and sizes. ~~Only single-family~~ *Single unit* residential uses and accessory dwelling units should be allowed, ~~except~~ *along with* such accessory uses and home occupations as are consistent with ~~single-family~~ *single-unit* residential uses. The minimum lot size in the residential I district shall be five thousand (5,000) square feet except that smaller existing platted lots may be developed with ~~single-family~~ *single-unit* residences as nonconforming lots.

17.20.020 Residential II district (R-II).

A. Policy. This district is designed as a mixed ~~single-family~~ *single-unit* and ~~two-family~~ *two-unit* residence area with larger minimum lot sizes than in the residential I district. ~~Multifamily~~ *multi-unit* dwellings are allowed by planned development permit to retain oversight over higher density uses and to promote clustering and retention of open space areas consistent with the more spacious nature of this district. This district would allow for planned residential complexes in new neighborhoods which could include a mixture of ~~single-family~~ *single-unit* residences and multifamily *multi-unit* residences combined with larger yard and open space areas, by planned development permit. Minimum lot size for either a ~~single-family~~ *single-unit* or ~~two-family~~ *two-unit* dwelling is ten thousand (10,000) square feet, with a minimum of twenty thousand (20,000) square feet required for a planned development permit. A ~~single-family~~ *single-unit* home may be permitted to have ~~an~~ *up to two* attached or detached ADUs on a ten thousand (10,000) square foot lot.

B. Uses Permitted. In a residential II district those uses shall be permitted as set forth in the table of permitted land uses in Chapter 17.16.

C. Lot Size, Allowable Densities, Lot Coverage, Height and Setbacks. Lot sizes, allowable densities, lot coverage, height and setback requirements in a residential II district shall be as set forth in Section 17.20.050.

D. Signs. In a residential II district the following signs only shall be permitted:

1. One name plate or home occupation sign for each dwelling unit, which sign shall not be more than two square feet in area;
2. One temporary sign advertising the sale, lease or rental of the property on which it is located, which sign shall be not more than six square feet in area;
3. One temporary sign advertising the sale of a tract of land or subdivision or of lots within a subdivision or homes or condominiums within a development, which sign shall be not more than thirty-

six (36) square feet in area and shall be back at least ten (10) feet from the property line, and shall be located so as not to create a visual barrier from streets or roads;

4. One sign attached to a ~~multifamily~~ *multi-unit* dwelling or at the entrance to a residential subdivision stating the name of the apartment complex, subdivision or development, which shall not exceed ten (10) square feet in area and shall not be self-illuminated;

5. No signs in a residential II district shall be self-illuminated. Only indirect, shaded lighting on a sign shall be allowed.

17.20.030 Residential III district (R-III).

A. Policy. The residential III district is designed to allow for high density, ~~multifamily~~ *multi-unit* residential development and residential-tourist accommodations, including time-share condominiums, without restricting ~~single-family~~ *single-unit* dwelling units, and is intended for locations where a full range of utility services are available and where traffic generated by the development does not significantly impact lower density residential areas. Mandatory development standards for ~~multifamily~~ *single-unit* dwelling units (including condominiums) are provided to protect against adverse aesthetic and environmental consequences of such ~~high density~~ *high-density* developments.

B. Uses Permitted. In a residential III district those uses shall be permitted as set forth in the table of permitted land uses in Chapter 17.16.

C. Lot Size, Allowable Densities, Lot Coverage, Height and Setbacks. Lot sizes, allowable densities, lot coverage, height and setback requirements in a residential III district shall be as set forth in Section 17.20.050.

D. Signs. In a residential III district the following signs only shall be permitted:

1. One name plate or home occupation sign for each dwelling unit, which sign shall not be more than two square feet in area;

2. One temporary sign advertising the sale, lease or rental of the property on which it is located, which sign shall be not more than six square feet in area;

3. One temporary sign advertising the sale of a tract of land or subdivision or of lots within a subdivision or homes or condominiums within a development, which sign shall be not more than thirty-six (36) square feet in area and shall be back at least ten (10) feet from the property line, and shall be located so as not to create a visual barrier from streets or roads;

4. One sign attached to a ~~multifamily~~ *single-unit* dwelling or at the entrance to a residential subdivision stating the name of the apartment complex, subdivision or development, which shall not exceed ten (10) square feet in area and shall not be self-illuminated;

5. No signs in a residential III district shall be self-illuminated. Only indirect, shaded lighting on a sign shall be allowed.

17.20.035 Tourist/residential district.

A. Policy. This district, like the R-II, is designed as a mixed ~~single-family~~ *single-unit* and duplex residence area with larger minimum lot sizes than in the residential I district. ~~However, the difference is that overnight rental of single or multifamily dwelling units is allowed outright.~~ Multifamily *single-unit* uses are allowed by planned development permit to retain oversight over the higher density uses and to promote clustering and retention of open space areas consistent with the more spacious nature of this district. This district would allow for planned residential complexes in new neighborhoods which could include a mixture of ~~single-family~~ *single-unit* residences and ~~multifamily~~ *multi-unit* buildings combined with larger yard and open space areas, by planned development permit. Minimum lot size for either a ~~single-family~~ *single-unit* dwelling or duplex is ten thousand (10,000) square feet, with a minimum of twenty thousand (20,000) square feet required for a planned development permit.

B. Uses Permitted. In a tourist/residential district those uses shall be permitted as set forth in the table of permitted land uses in Chapter 17.16.

C. Lot Size, Allowable Densities, Lot Coverage, Height and Setbacks. Lot sizes, allowable densities, lot coverage, height and setback requirements in a tourist/residential district shall be as set forth in Section 17.20.050.

D. Signs. In a tourist/residential district the following signs only shall be permitted and are subject to Westernization review:

1. One name plat or home occupation sign for each dwelling unit, which sign shall not be more than two square feet in area;
2. One temporary sign advertising the sale, lease or rental of the property or of a lot or tract of the property on which it is located, which sign shall not be more than six square feet in area;
3. One temporary sign advertising the sale of a tract of land or subdivision or of lots within a subdivision or homes or condominiums within a development, which sign shall be not more than thirty-six (36) square feet in area and shall be back at least ten (10) feet from the property line, and shall be located so as not to create a visual barrier from streets or roads;
4. No signs in a tourist/residential district shall be self-illuminated. Only indirect, shaded lighting on a sign shall be allowed;
5. One sign attached to a *multi-unit* ~~multifamily~~ dwelling or at the entrance to a residential development stating the name of the apartment or condominium complex, subdivision or development, which shall not exceed ten (10) square feet in area and shall not be self-illuminated.

17.20.040 Planned residential district (PR).

A. Policy. The planned residential (PR) district is designed to encourage a cohesive approach to residential development of ~~single-family~~ *single-unit*, ~~two-family~~ *unit*, and ~~multifamily~~ *multi-unit* housing through use of the planned development process. This district is suitable for large parcels of land that are not adjacent to existing arterial or collector routes. Development within the PR district should foster a clustered pattern of development which retains natural open space, consolidates road access, and provides well-defined pedestrian access.

B. Allowed Uses. In the PR district those uses shall be allowed as set forth in the table of allowed uses in Chapter 17.16. All uses shall comply with the development standards set forth in this section.

C. Allowable Densities, Height and Setbacks. Minimum lot size, allowable densities, height and setback requirements in the PR district shall be as set forth in Table 17.20.050. Minimum lot size and setbacks shall be established through the planned development process. ~~Setbacks may be reduced to five feet on each side; provided, that parking requirements are met.~~ Density requirements shall still apply and may be averaged across the entire property. *Parking requirements may be met in shared/common parking areas.*

D. Signs. In the PR district the following signs shall be allowed:

1. One residential name plate or home occupation sign for each dwelling unit, which shall be not more than two square feet in area and shall not be illuminated;
2. One temporary sign advertising the sale, lease or rental of the property on which it is located, which sign shall be not more than six square feet in area;
3. One temporary sign advertising the sale of a tract of land or subdivision or of lots within a subdivision or homes or condominiums within a development, which sign shall be not more than thirty-six (36) square feet in area and shall be back at least ten (10) feet from the property line, and shall be located so as not to create a visual barrier from streets or roads;
4. One sign attached to a ~~multifamily~~ *multi-unit* dwelling or at the entrance to a residential subdivision stating the name of the apartment complex, subdivision or development, which shall not exceed ten (10) square feet in area and shall not be self-illuminated;
5. No signs in a planned residential district shall be self-illuminated. Only indirect, shaded lighting on a sign shall be allowed.

E. Stormwater. All stormwater shall be collected and disposed of on site. Subdivision or planned developments shall require implementation of a stormwater management plan that meets applicable standards.

F. Development Standards. Applicants for uses within the PR district shall ensure compliance with the following development standards:

1. Open Space. Applicant shall provide for at least ~~thirty~~ *twenty (20)* percent of the property being developed to remain in an open space designation, *or at least five (5) percent of the property if a minimum of 50% of the housing units within the PD are permanently affordable housing.* To the extent possible, open space should remain undisturbed and be designated in a manner that provides continuity across the landscape. Open space shall be preserved and/or restored, landscaped, and maintained with suitable native vegetation in a manner that helps preserve habitat functions and values. Open space areas may be used to achieve stormwater collection, treatment and dispersal requirements; provided, that stormwater shall be dispersed throughout the site and shall infiltrate into the ground as close to the natural conditions as possible.
2. Clustered Development. To the extent possible, buildings shall be clustered to facilitate ease of access, retention of interconnected open spaces. Consideration should be given to maintaining design continuity with adjoining properties.

**Table 17.20.050
RESIDENTIAL DISTRICTS**

	R-I	R-II and TR	R-III	PR
Minimum lot size	5,000 sq. ft.	10,000 sq. ft., 20,000 sq. ft. for PD	5,000 sq. ft. for single-family <i>single-unit</i> du, 20,000 sq. ft. multifamily <i>single-unit</i> du	Determined by PD Without a PD 10,000 sq. ft.
Maximum density, without PD permit	1 du/5,000 sq. ft. ⁴	1 du/5,000 sq. ft. ^{1,4}	1 du/3,000 sq. ft. ⁴	1 du/10,000 sq. ft. ^{1,4}
Maximum density, with PD permit	N/A	1 du/5,000 sq. ft. ^{1,4}	3,000 sq. ft. for first du, 1 du/1,600 sq. ft. thereafter	1 du/5,000 sq. ft. ^{1,4}
Maximum lot coverage ²	60%	60%	70%	70%
Front yard setback ²	25 ft.	25 ft.	25 ft.	25 ft. ⁵
Side yard setback ²	5 ft. ³	10 ft.	5 ft. ³	5 ft. ³
Rear yard setback, main building	10 ft.	10 ft.	10 ft.	10 ft. ⁵
Rear yard setback, detached building	10 ft.	10 ft.	10 ft.	10 ft. ⁵
Height	30 ft.	30 ft.	30 ft.	30 ft.

du = dwelling unit

¹ ~~Single-family-unit~~ residences require ten thousand (10,000) square feet; one dwelling unit per five thousand (5,000) square feet for duplexes and ~~multifamily~~ *multi-unit* units ~~housing~~. For the purpose of calculating density, an ADU is considered to be part of a ~~single-family~~ *single-unit* residence.

Chapter 17.24

BUSINESS DISTRICTS

Sections:

17.24.010 Business I district (B-I).

17.24.020 Business II district (B-II).

17.24.030 Business III district (B-III).

17.24.040 Development standards for tourist accommodations and ~~multifamily~~ *multi-unit* residential uses.

17.24.050 Lot size, coverage, densities, setback and height.

17.24.010 Business I district (B-I).

A. Policy. The business I district is a professional office district, designed for low intensity nonretail commercial uses in a mixed neighborhood with residential use, to provide a quiet area for small professional office buildings and uses and to serve as a buffer between the primary commercial areas and the residential districts. Commercial uses allowed in this district are limited to those which do not offer goods for sale to the general public and do not attract great traffic volume or create noise, odor, light or glare or require large or outdoor storage areas; professional office buildings and ~~small rooming houses co-~~living or bed and breakfast establishments are the usual examples of appropriate uses in this district. ~~Single family~~ *single-unit* residences and duplexes, *and multi-unit dwellings* are allowed, ~~and multifamily residences are permitted by planned development permit.~~

17.24.020 Business II district (B-II).

E. ~~Single family, noncommercial~~ Residential uses in a B-II district are subject to the following conditions:

1. The residential use must be located in the same structure or structure addition as the allowed commercial use.
2. The residential use must be ~~strictly incidental and subordinate~~ (*above or behind*) to the primary use of the structure for an allowed commercial use.
3. The exterior of any allowed commercial use structure used for residential purpose shall comply fully with Chapter 15.08, or any amendments thereto or any replacements thereof.
4. In addition to off-street parking requirements for the allowed commercial use, a *each* residential use *unit* in an allowed commercial use structure shall require one additional off-street parking stall.
5. All pets associated with a residential use in an allowed commercial use shall be kept in such a manner that will not disturb, bother, be menacing, or become a nuisance to the public or other adjacent property owners, their guests, customers or invitees. Dogs associated with a residential use in an allowed commercial use shall be subject to Chapter 6.08.
6. All residents of residential uses in an allowed commercial use shall acknowledge that such residential use is within an area zoned for business purposes which create normal noise, traffic and other activities associated with commercial areas. Such residents shall not object, in any manner, to the normal noise, traffic and other activities associated with commercial areas.
7. The above conditions shall apply to all residential uses in an allowed commercial use as long as the residential use continues, regardless of change in ownership, lessor or lessee, assignor or assignee, or business type.
8. A primary commercial use shall not be required for properties that are solely accessed from Castle Avenue.

17.24.030 Business III district (B-III).

E. Residential uses in a B-III district are subject to the following conditions:

1. The residential use must be subordinate to the primary use of the property for an allowed commercial use, except for multifamily *multi-unit* residential through an approved planned development.

17.24.050 Lot size, coverage, densities, setback and height.

**Table 17.24.050
BUSINESS AND INDUSTRIAL DISTRICTS**

Delete B-4 Column

	B-I	B-II	B-III	B-IV	Industrial
Minimum lot size	5,000 sq. ft.	2,500 sq. ft. ¹	5,000 sq. ft.	10,000 sq. ft.	5,000 sq. ft.
Maximum density without PD permit ²	1 du/5,000 sq. ft. ⁴	1 du/5,000 sq. ft. ⁴	1 du/5,000 sq. ft. ⁴	1 du/5,000 sq. ft.⁴	N/A
Maximum density with PD permit ²	1 du/3,000 sq. ft. ⁴	1 du/5,000 sq. ft. ⁴	1 du/3,000 sq. ft. ⁴	1 du/3,000 sq. ft.⁴	N/A
Maximum lot coverage ³	70%	95%	70%	70%	80%
Front yard setback	5 ft.	0	10 ft.	10 ft.	10 ft.
Side yard setback	5 ft. ⁵	0	10 ft.	10 ft.	5 ft. ⁶
Rear yard setback ³	10 ft. ⁷	5 ft. ⁸	10 ft. ⁸	10 ft.	5 ft. ⁶
Height	30 ft.	30 ft.	30 ft.	40 ft.⁹	30 ft.

du = dwelling unit

¹ Commercial uses only (if allowed, minimum lot size for residential uses shall be five thousand (5,000) square feet).

² Applies to residential use or single-family *single-unit* tourist accommodations only.

**Chapter 17.32
PLANNED DEVELOPMENT PERMITS**

17.32.010 Intent.

The intent of the planned development permit process is to allow a variety of uses and developments within the town while retaining the ability of the town to review and condition those developments which might without restriction infringe on other uses in the district or threaten the environmental or aesthetic attributes of the town. *The planned development process may be applied to development in any zoning district of the town, provided all applicable standards can be met.* The planned development permit process allows review and the implementation of restrictions or conditions on a development by the town pursuant to identified issues and standards in order to achieve the following objectives:

- A. Provide for flexibility in the design of land uses and activities to encourage more creative approaches to development, to result in more efficient, aesthetic and environmentally responsive use of lands within the town;

B. Allow for public input and response by town citizens and interested persons, agencies and groups, to better assure that land uses and development within the town reflect the needs and desires of town citizens and are consistent with the public welfare of the town;

C. Permit creativity in design and placement of buildings, use of required open spaces, provision for on-site circulation plans, off-street parking and other site design elements that better utilize the potentials of special features of the property, including location, geography, topography, vegetation, size or shape, and scenic views;

D. Facilitate the provision of economical and adequate public improvements, including streets and utilities;

E. Minimize and/or mitigate the impacts of development on valuable natural resources and unique natural or existing features including but not limited to key wildlife habitats, riparian habitats, floodplains and other wetlands, mature tree stands, steep slopes, unique or aesthetically important views and vistas, and similar resources and features;

F. Encourage the incorporation of public access to recreational opportunities, including trail systems, as a part of development activities;

G. Allow areas to be combined together for development that would otherwise be developed on a lot by lot basis, and to develop the area jointly with clustered or common features and structures and shared roads and utilities for more economic use of the land and better utilization of limited land and natural resources and maintenance of open space areas;

H. Assure that aesthetics are considered in the architectural design of structures and in the overall development plans, and are a part of the review process of significant developments within the town;

I. Provide regulations for the planned development permit process which will give notice to developers of pertinent issues, concerns and limitations in planning of projects. (Ord. 372 § 8(1), 1990)

17.32.020 Common open space requirements.

Residential use planned development only:

A. Required Open Space Dedication. Residential use planned developments shall include lands dedicated to open space as defined and limited in this section which open space areas shall meet the following minimum sizes expressed as a percentage of the size of the total planned development parcel:

- 1. Residential I district: twenty (20) percent; five (5) percent if 50% of PD is permanently affordable housing.*
- 2. Residential II district: ~~forty (40)~~ twenty-five (25) percent; five (5) percent if at least 50% of PD is permanently affordable housing.*
- 3. Residential III district: ~~thirty (30)~~ twenty (20) percent; five (5) percent if at least 50% of PD is permanently affordable housing.*
- 4. Planned Residential district: twenty (20) percent; five (5) percent if 50% of PD is permanently affordable housing.*

5. *Tourist Residential district: twenty-five (25) percent; five (5) percent if at least 50% of PD is permanently affordable housing.*
6. Business I district: ~~thirty (30)~~ *ten (10) percent; five (5) percent if 50% of PD is permanently affordable housing.*
7. Business III district: ~~thirty (30)~~ *ten (10) percent; five (5) percent if 50% of PD is permanently affordable housing.*
8. *Business II shall not require designated open space for residential development except as needed to protect critical areas or shorelines.*

17.32.080 Modification of final development plan.

A. Minor Modifications. Minor changes in the location, *lot configuration*, siting, and height of buildings and structures may be authorized by the administrator without additional public hearings or town council review if required by engineering or other circumstances not foreseen at the time the final plan was approved. No change authorized by the administrator may cause any of the following:

1. A change in the use or character of the development;
2. An increase *of more than 10%* in overall coverage by structures;
3. ~~An increase in the intensity of use;~~
4. An increase in the problems of traffic circulation and public utilities;
5. A reduction in approved open space;
6. A reduction in off-street parking and/or loading space;
7. A reduction in required ~~pavement widths~~ *access*.

B. Major Modifications. All other changes in use, ~~or rearrangement of lots, blocks and/or building tracts,~~ or any changes in the provision for common open spaces, or any other changes from the final development plan as approved or conditioned, except those listed in subsection A of this section, must be approved by the town council after public hearing thereon by the planning commission and recommendation therefrom, and upon formal application by the developer (or his/her assigns) including payment of required fees and submission of SEPA environmental checklist for the proposed modification, which shall be considered as a supplement to all environmental information provided with the original planned development permit application. Any changes which are approved in the final development plan must be recorded and filed as amendments in accordance with the procedure established for the recording and filing of the initial final development plan documents. (Ord. 372 § 8(8), 1990)

Proposed Changes to Water and Sewer System Codes:

13.04.350 Schedule.

USE CLASS ¹	ERU	UNIT
Accessory dwelling unit	0.5	Per unit
Barber and beauty shops	0.3	Per station
Bed and breakfast	1.0 0.5	Owner residence Per transient room (limit 2)
Bowling alley	0.5	Per lane
Cafes, cafeterias, taverns, bars, restaurants, lounges, snack bars, delicatessens ²	1.0 0.003	500 sq. ft. or less Each sq. ft. in excess of 500 sq. ft.
Car washes	20.0 2.0 1.0	Per automatic bay Per manual bay Per manual bay with 60% recirculated water
Churches, conference/meeting/banquet rooms, and similar facilities	0.03 0.04	Per 1,000 sq. ft. without in-house food-serving capabilities Per 1,000 sq. ft. with in-house food-serving capabilities
<i>Co-living, single-room occupancy, and micro-apartment buildings</i>	<i>.25</i>	<i>Per living unit. Four living units = 1 ERU</i>
Gas stations ^{3,4}	1.5 0.2	Per dispenser island Per fuel nozzle in excess four per island
Hotels, motels, cabins, lodges, inns	0.4 0.2 0.1	Per unit with 1 to 2 beds Per bed over 2 per unit Per unit with kitchen or kitchen access
Institutions with permanent or temporary residents, rest homes, etc.	0.4	Per resident (design capacity)
Laundries	0.5 0.75	Per machine, coin-operated Per machine, commercial
Light industrial, service commercial, warehousing	0.3	Per 1,000 sq. ft.
Multifamily residence, apartments ⁵	0.78	Per unit
Offices and office buildings	0.75	Per 1,000 sq. ft.
Overnight/transient rentals and single-family tourist accommodations	1.0 1.5 2.0	Per unit—3 or less bedrooms Per unit—4 to 5 bedrooms Per unit—6 to 7 bedrooms Over 7 bedrooms classified with hotels, motels, cabins, lodges, inns
Retail stores	0.5	Per 1,000 sq. ft.

USE CLASS ¹	ERU	UNIT
R.V. parks	0.5	Per space
Schools, elementary, day care, preschool	0.05	Per capita (maximum student capacity)
Schools, junior high	0.06	Per capita (maximum student capacity)
Schools, high	0.07	Per capita (maximum student capacity)
Single-family residence (including duplexes and mobilehomes occupied as single-family residences)	1.0	Per unit
Theaters	0.02	Per seat

¹ If more than one use category is applicable to a particular building, the building will be divided into areas of similar use categories and the ERU units for the building will be computed by adding the ERU unit determinations for each use category area. For uses not specifically described in this schedule, the number of ERU units to be assigned shall be determined on a case-by-case basis by the water distribution manager and approved by the town council. No less than 1.0 ERU unit will be assigned any building or portion thereof that has a separate town water service.

² In computing area, the “total usable area” shall be used. “Total usable area” includes but is not limited to: kitchen areas, serving areas, washing areas, occupant areas, waiting rooms, storerooms, restrooms, lunch rooms, halls, entryways, showrooms and retail areas.

³ In computing the number of fuel nozzles, the town will only count the number of nozzles that can dispense fuel at the same time. For the purposes of this schedule, fuel includes all types of gasoline and diesel fuel.

⁴ For the purpose of gas station/retail store combinations, the retail space assessed at the retail store square footage rate shall be equal to the total retail space less four hundred (400) square feet or zero, whichever is greater. This adjustment is to account for the estimated retail space of a gas station without any general retail space.

⁵ A residential building or portion thereof shall be considered multifamily if it has more than one kitchen area, *except for those multifamily units meeting the definitions and standards for co-living, single-room occupancy, or micro-apartment buildings in WMC Title 17, Zoning.*

(Ord. 715 § 1 (Exh. A)(part), 2019: Ord. 412 Art. 5, 1993)

Article VI. Obtaining Town Water Service Permit

13.12.320 Schedule.

USE CLASS ¹	ERU	UNIT
Accessory dwelling unit	0.5	Per unit
Barber and beauty shops	0.3	Per station

USE CLASS ¹	ERU	UNIT
Bed and breakfast	1.0 0.5	Owner residence Per transient room (limit 2)
Bowling alley	0.5	Per lane
Cafes, cafeterias, taverns, bars, restaurants, lounges, snack bars, delicatessens ²	1.0 0.003	500 sq. ft. or less Each sq. ft. in excess of 500 sq. ft.
Car washes	20.0 2.0 1.0	Per automatic bay Per manual bay Per manual bay with 60% recirculated water
Churches, conference/meeting/banquet rooms, and similar facilities	0.03 0.04	Per 1,000 sq. ft. without in-house food-serving capabilities Per 1,000 sq. ft. with in-house food-serving capabilities
<i>Co-living, single-room occupancy, and micro-apartment buildings</i>	<i>.25</i>	<i>Per living unit. Four living units = 1 ERU</i>
Gas stations ^{3,4}	1.5 0.2	Per dispenser island Per fuel nozzle in excess of four per island
Hotels, motels, cabins, lodges, inns	0.4 0.2 0.1	Per unit with 1 to 2 beds Per bed over 2 per unit Per unit with kitchen or kitchen access
Institutions with permanent or temporary residents, rest homes, etc.	0.4	Per resident (design capacity)
Laundries	0.5 0.75	Per machine, coin-operated Per machine, commercial
Light industrial, service commercial, warehousing	0.3	Per 1,000 sq. ft.
Multifamily residence, apartments ⁵	0.78	Per unit
Offices and office buildings	0.75	Per 1,000 sq. ft.
Overnight/transient rentals and single-family tourist accommodations	1.0 1.5 2.0	Per unit—3 or less bedrooms Per unit—4 to 5 bedrooms Per unit—6 or 7 bedrooms Over 7 bedrooms classified with hotels, motels, cabins, lodges, inns
Retail stores	0.5	Per 1,000 sq. ft.
R.V. parks	0.5	Per space
Schools, elementary, day care, preschool	0.05	Per capita (maximum student capacity)
Schools, junior high	0.06	Per capita (maximum student capacity)
Schools, high	0.07	Per capita (maximum student capacity)

USE CLASS ¹	ERU	UNIT
Single-family residence (including duplexes and mobilehomes occupied as single-family residences)	1.0	Per unit
Theaters	0.02	Per seat

1 If more than one use category is applicable to a particular building, the building will be divided into areas of similar use categories and the ERU units for the building will be computed by adding the ERU units determinations for each use category area. For uses not specifically described in this schedule, the number of ERU units to be assigned shall be determined on a case-by-case basis by the wastewater treatment plant operator and approved by the town council. No less than 1.0 ERU unit will be assigned any building or portion thereof that has a separate side sewer.

2 In computing area, the “total usable area” shall be used. “Total usable area” includes but is not limited to: kitchen areas, serving areas, washing areas, occupant areas, waiting rooms, storerooms, restrooms, lunch rooms, halls, entryways, showrooms and retail areas.

3 In computing the number of fuel nozzles, the town will only count the number of nozzles that can dispense fuel at the same time. For the purposes of this schedule, fuel includes all types of gasoline and diesel fuel.

4 For the purpose of gas station/retail store combinations, the retail space assessed at the retail store square footage rate shall be equal to the total retail space less four hundred (400) square feet or zero, whichever is greater. This adjustment is to account for the estimated retail space of a gas station without any general retail space.

5 A residential building or portion thereof shall be considered multifamily if it has more than one kitchen area, *except for those multifamily units meeting the definitions and standards for co-living, single-room occupancy, or micro-apartment buildings in WMC Title 17, Zoning.*