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6/27/02

ORDINANCE NO. 3402

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF THE EDMONDS COMMUNITY DEVELOPMENT CODE TO ADOPT A NEW CHAPTER 16.75 MP-MASTER PLAN HILLSIDE MIXED USE ZONE, REFINING KING COUNTY'S DESIGNATION REQUEST TO THE 2003 COMPREHENSIVE PLAN REVIEW PROCESS, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the City has received the recommendation of its Planning Board, recommending adoption of zoning provisions establishing a Master Plan process for hillside mixed use development; and

WHEREAS, after public hearing, the City Council deems the amendment to be in the public interest; and

WHEREAS, the request of King County to incorporate amendments to the provisions in order to permit use of the Master Plan hillside mixed use zone for a secondary sewage treatment plant are currently not envisioned by, and therefore in conflict with the Comprehensive Plan of the City of Edmonds; and

WHEREAS, King County has failed to properly docket Comprehensive Plan changes in accordance with the Growth Management Act and the ordinances of the City of Edmonds for fiscal year 2002, and

WHEREAS, the City Council declines to proceed with amendment of its provisions given the conflict with the City's Comprehensive Plan the lack of adequate public

comment and review, and the review and recommendation of its Planning Board, NOW,
THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. The Edmonds Community Development Code is hereby amended by
the adoption of a new Chapter 16.75 MP – Master Plan Hillside Mixed Used to read as follows:

16.75.000 MP-Master Plan Hillside Mixed Use Zone

This chapter establishes the hillside mixed use zoning district comprised of two distinct zoning categories which are identical in all respects except as specifically provided for in 16.75.000 and 16.75.020 ECDC.

16.75.005 Purpose

The MP1 and MP2 zones have the following specific purposes in addition to the general purposed for business and commercial zones listed in Chapter 16.40 ECDC:

- A. To reserve an area where potential exists for planned development that can benefit the public by providing new tax revenue;
- B. To reserve an area where a mix of land uses can take advantage of site conditions and water views;
- C. To permit construction in accordance with a Master Plan concept and site design that is visually pleasing; and
- D. To promote a mix of residential, commercial, and other uses in a manner that is consistent with the city's comprehensive plan, and with the Downtown Waterfront Plan that has been adopted as a part of the comprehensive plan. The mix of uses is contemplated to occur throughout the MP1 and MP2 zones; mixed-use development is not required on any specific parcel of land.
- E. To encourage visual access to the water for the public from public spaces within the development.
- F. The height limit and calculations procedures established for the MP1 and MP2 zones have been adopted after full consideration

of the topographical constraints of sites within the zones. Variances are not available under current City code provisions in order to make more profitable use of a property. In adopting these provisions, the City Council has specifically provided for, and made allowances for, the site constraints and topographical features inherent in development of the designated MP1 and MP2 sites. Therefore, no other height variance would typically be available absent a special showing of constraints unanticipated on the date of adoption of this ordinance.

16.75.010 Uses.

A. Permitted primary uses in MP1:

1. Multi-family Residential
2. Office
3. Hotels/Motels
4. Restaurants, excluding drive-in businesses
5. Local Public Facilities as defined in ECDC 21.55.007
6. Mixed Use Development for any use permitted in this zone
7. Secondary Service and Retail Uses to the primary use, but excluding trailer sales and service, car lots, heavy equipment sales and service, and any other retail activity that relies primarily on outdoor display of merchandise.
8. Conference/Performing Arts Center
9. Day Care
10. Neighborhood parks, natural open spaces, and community parks with an adopted Master Plan subject to the requirements of ECDC 17.100.070.

B. Permitted Primary uses in MP2:

1. All uses permitted in 16.75.010(A), except that residential use is prohibited on the ground floor of any building.
2. Neighborhood oriented retail uses intended to support other uses in the immediate are, but excluding trailer sales,

car lots, heavy equipment sales and service, and any other retail activity that relies primarily on outdoor display of merchandise

3. Service uses as a primary use intended to support other uses in the immediate area, but excluding trailer, car, boat and equipment services

4. Multimodal transportation center

5. Educational facilities.

C. Permitted secondary uses in MP1 and MP2:

1. Off-street surface parking and structured parking to serve a permitted use

2. Shared parking facilities to serve more than one permitted use

3. Off-street loading facilities to serve a permitted use.

D. Uses requiring a Conditional Use Permit

1. Buildings or structures that exceed the maximum height limit. This permit shall be limited to the approval of a “landmark” building or structure. Not more than one such landmark structure shall be permitted for each zone.

2. A landmark structure is defined as a building or structure intended to provide an architectural signature for a location within the MP1 and MP2 Master Plan areas. The landmark structure shall not be used for general commercial or residential purposes above the normal height limits established for the zone, but may be used for public purposes, or purposes which benefit the Edmonds community, including but not limited to:

a. Public viewing areas or platforms;

b. Restrooms;

c. To house, in interior space, wireless communication facilities permitted pursuant to ECDC Chapter 20.50; and to incorporate antennae and wireless communication facilities in the façade of the landmark structure, if such incorporation can be accomplished in accordance with the architectural design approved by the City’s Architectural Design Board in a way which is not intrusive and otherwise incorporated within the architectural design of the structure;

- D. Public safety purposes;
- E. As public art or architectural detail; or
- F. For other similar public purposes approved as a part of the Master Planning process.

In no event shall a landmark structure exceed 48 feet in height.

16.75.020 Site Development Standards

- A. Any development located in MP1 or MP2 zones shall be subject to design review in accordance with Chapter 20.10 ECDC.
- B. Table. Except as hereinafter provided, development requirements shall be as follows:

Insert Exhibit A incorporated by this reference as fully as if herein set forth.

- C. Signs, parking, and Design Review. See Chapters 17.50, 20.10 and 20.60 ECDC.

- D. Master Plan Required.

1. No development shall be permitted in an MP1 or MP2 zone unless a Master Plan has been prepared, identifying potential land uses and densities as set forth in 16.75.020(D)(2).

2. A Master Plan shall describe the land use parameters and relationships to guide future site development. The plan shall, in a general manner, define the site layout by showing development areas b type of use, circulation patterns, site access, residential densities (if applicable) maximum square footage of non-residential uses (if applicable), and any open space areas and buffers. The plan shall also illustrate the relationship between the site and adjoining properties. Any single Master Plan proposal submitted to the City for approval shall include a mix of uses for the overall area included in the Master Plan application. A mix of uses is not required for any single phase of development within an approved Master Plan.

3. All property identified in the Master Plan shall be developed in a manner consistent with the provisions of the Master Plan.

4. It is intended that site layouts, the range and intensity of uses, access, and circulation shall be depicted in both

graphic and narrative form in a general manner. Subsequent to the adoption of a Master Plan, more detailed site and design information shall be submitted for review in accordance with Chapter 20.10 ECDC. The applicant also has the option of submitting a Master Plan concurrently with a specific site design. Other necessary applications, such as subdivision, Binding Site Plan (BSP), or Planned Residential Development (PRD), may also be submitted concurrently. If submitted concurrently, the city shall review the applications concurrently. However, not site design or other approval shall be granted until such time as the Master Plan is approved.

5. A Master Plan may be approved as a comprehensive plan amendment, a Planned Residential Development (PRD), or as a contract rezone. The planning advisory board and City Council shall review and act upon a proposed Master Plan in accordance with the provisions of 20.100.020 and 20.100.030 ECDC, except in the case of a PRD, which shall be reviewed in accordance with the provisions of 20.35 ECDC.

Section 2. The request of King County for consideration of certain amendments to its zoning code are hereby referred to the staff for docketing in accordance with the provisions of ECDC Chapter 20 in planning year 2003, if, but only if, King County properly submits its request in accordance with the requirements of ECDC 20.00.00 et seq.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

MAYOR GARY HAAKENSON

ATTEST/AUTHENTICATED:

CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____
W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	06/28/2002
PASSED BY THE CITY COUNCIL:	07/02/2002
PUBLISHED:	07/10/2002
EFFECTIVE DATE:	07/15/2002
ORDINANCE NO. <u>3402</u>	

SUMMARY OF ORDINANCE NO. 3402

of the City of Edmonds, Washington

On the 2nd day of July, 2002, the City Council of the City of Edmonds, passed Ordinance No. 3402. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF THE EDMONDS COMMUNITY DEVELOPMENT CODE TO ADOPT A NEW CHAPTER 16.75 MP-MASTER PLAN HILLSIDE MIXED USE ZONE, REFINING KING COUNTY'S DESIGNATION REQUEST TO THE 2003 COMPREHENSIVE PLAN REVIEW PROCESS, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 3rd day of July, 2002.

CITY CLERK, SANDRA S. CHASE