

ORDINANCE NO. 024/2011

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON UPDATING CHAPTERS 18.02 & 18.10 PLANNING AND ZONING OF THE MONROE MUNICIPAL CODE, TO ENSURE CONSISTENCY WITH THE COMPREHENSIVE PLAN AND ESTABLISHING MIXED USE ZONING DISTRICTS, PROVIDING FOR SEVERABILITY AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the Monroe City Council would like to update Monroe Municipal Code Chapter 18.02 and 18.10, to ensure consistency with the Mixed Use land use designation in the West Main Street Corridor;

WHEREAS, the City provided notice of the proposed Zoning Code Amendment on the City's webpage, through direct mailing, and publication of hearing notices in the Monroe Monitor;

WHEREAS, numerous workshops and hearings were held on the proposed amendment;

WHEREAS, the Monroe Planning Commission held a duly advertised public hearing to consider the proposed Zoning Code Amendments on March 14, 2011;

WHEREAS, the Monroe Planning Commission forwarded recommendations for action to the Monroe City Council on the proposed amendment;

WHEREAS, the above referenced recommendation was based on Findings and Conclusions recommended by City Staff and reviewed by the Monroe Planning Commission dated March 14, 2011, in support of the amendments, the Monroe City Council adopts the findings and conclusions in support of the proposed Comprehensive Plan Amendments;

WHEREAS, the Monroe City Council reviewed the Monroe Planning Commission recommendation at the August 23, September 13, and September 20, 2011 City Council meetings;

WHEREAS, the Monroe City Council, after considering all information received, has determined to adopt the amendments as provided in this ordinance;

WHEREAS, the Monroe City Council finds that the proposed Zoning Code Amendments are in the public interest and are further consistent with the Comprehensive Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings and Conclusions. The Monroe City Council adopts the findings and conclusions recommended by City Staff and reviewed by the Monroe Planning Commission dated March 14, 2011, in support of the proposed Zoning Code Amendments to Chapters 18.02 and 18.10 of the Monroe Municipal Code.

Section 2. Chapter as Amended. The amendments to Chapter 18.02 and 18.10 of the Monroe Municipal Code affected by this ordinance are set forth in legislative format in Exhibit 1 attached hereto and incorporated herein by this reference as if set forth in full.

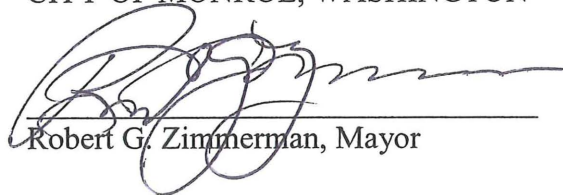
Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. 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.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 18th day of October 2011.

1st Reading: 09/20/2011
2nd Reading: 10/18/2011
Published: 10/25/2011
Effective: 10/30/2011

CITY OF MONROE, WASHINGTON



Robert G. Zimmerman, Mayor

ATTEST/AUTHENTICATED:



Eadye Martinson, Deputy City Clerk

APPROVED AS TO FORM:



J. Zachary Lell, City Attorney

EXHIBIT 1

Ordinance 024-2011 Zoning Code Amendment for Mixed Use Zoning Districts

Chapter 18.02 MMC.

“Drugstore/pharmacy” means an establishment engaged in the retail sale of prescription drugs, nonprescription medicines, and health, beauty, household and similar articles.

“Parks and recreation facility” means a facility or area for recreation purposes including but not limited to swimming pools, parks, tennis courts, playgrounds, picnic areas, athletic fields, trails and/or other similar uses”.

18.10.035 Purpose of the mixed use zoning districts.

The purposes of the mixed use zoning districts are to integrate a mix of office, retail, light industrial, institutional, public facilities, and attached residential units throughout the district, within the same property, or inside a single building.

A. Mixed Use Commercial (MUC) should be located on corridors with available public services and adequate traffic capacities. The Mixed Use Commercial district allows high-intensity development and requires that new developments provide safe and convenient access, minimize curb cuts, and facilitate better parking and traffic flow. This district permits residential, commercial, office, and light industrial land uses.

1. Residential Density. New residential development is limited to attached-structures with a density between 12 and 20 dwelling units per acre. The density calculation for multifamily units will follow the requirements found in 18.10.020(B).
2. Commercial uses. Commercial uses should serve primarily the employment, housing, shopping, service, and recreational needs of those residing within the district and surrounding area. Individual commercial uses should be limited to 30,000 square feet or less. The city may allow buildings up to 60,000 square feet with a Conditional Use Permit, per Chapter 18.96 MMC.
3. Design Standards. All development within the Mixed Use Commercial zone shall comply with the city’s infill design standards subject to the requirements of MMC 18.10.130.

B. Mixed Use Neighborhood Center (MUNC) should be located on corridors with available public services and adequate capacities. Access points should prevent conflict with traffic movement and back-ups at intersections. This district permits residential, commercial, and office land uses.

1. Residential Density. New residential development is limited to attached-structures with a density between eight and 11 dwelling units per acre. The density calculation for multifamily units will follow the requirements found in 18.10.020(B).
2. Commercial uses. Small-scale office, retail, and service businesses should meet primarily the convenience shopping and services needs of the immediate mixed-use area. Individual commercial uses should be limited to 10,000 square feet or less. The city may allow buildings up to 30,000 square feet with a Conditional Use Permit per Chapter 18.96 MMC.
3. Design Standards. All development within the Mixed Use Neighborhood Center zone shall comply with the city’s infill design standards subject to the requirements of MMC 18.10.130.

EXHIBIT 2 Adopted Amendment to Monroe Land Use Matrix MMC 18.10.050
City of Monroe
Land Use Matrix

Conforming Use	Mixed-use Commercial ^{P8}	Mixed-use Neighborhood Center ^{P9}	General Commercial	Service Commercial	Professional Office	Light Industrial
Aviation (individual uses not shown as they are not permitted in any zones shown)						
Government and Education						
Fire stations	P	P	P	P	C	P
Government facilities	P	P	C	C	C	C
Jails						
Libraries	P	P	P	P	C	P
Preschools	C	C	C	C	C	C
Schools	C	C	C	C	C	C
State and local correctional facilities						
State educational facilities including colleges, community colleges, and universities, ten acres in size or larger	EPF		EPF			EPF
Work release facilities	EPF					
Health Services						
Clinics, health services	P	P	P	P	P	P
Hospitals	EPF	EPF	EPF	EPF	EPF	
In-patient facilities, including substance abuse and mental health facilities	C	C	C	C	P	P
Industrial Uses						
Animal shelters	C		C			C
Animal slaughtering, processing, and/or incidental rendering			S			S
Asphalt batch plants (mix asphalt)						C
Auto wrecking yards						C
Cement manufacturing						S
Fabrication shops	C		C			P
Mineral extraction						S

Conforming Use	Mixed-use Commercial ^{P8}	Mixed-use Neighborhood Center ^{P9}	General Commercial	Service Commercial	Professional Office	Light Industrial
Outdoor storage	A					P ⁴
Printing plants	P					P
Processing of sand, gravel, rock, black soil, and other natural deposits						S
Recycling centers	C					C
Shake and shingle mills						P
Tow truck operations	C		C	C		C
Warehouses	A		P			P
Infrastructure/Utilities						
Electrical transmission lines of higher voltage than 115 kV, in existing corridors	P	P	P	P	P	P
Electrical transmission lines of higher voltage than 115 kV, in new corridors	C	C	C	C	C	C
Regional transit stations, including bus, train, and other high-capacity vehicle bases	EPF	EPF	EPF	EPF	EPF	EPF
Sewer treatment Plants/facilities	EPF	EPF				EPF
State and regional transportation facilities including highways of statewide significance	EPF	EPF	EPF	EPF	EPF	EPF
Utility power-generating facilities, public or private, including hydroelectric	S	S				S
Utility services	P	P	P	P	P	P

Conforming Use	Mixed-use Commercial ^{P8}	Mixed-use Neighborhood Center ^{P9}	General Commercial	Service Commercial	Professional Office	Light Industrial
Parks/Recreation						
Parks and recreation facility	P	P				
Parks, RV			C			
Public stables						
Residential and Associated Uses						
Accessory dwelling units	P	P				
Dwellings, caretaker/security	C	C				
Dwellings, duplex		P			P ⁶	
Dwellings, farm worker			A	A		
Dwellings, mobile home/manufactured home						
Dwellings, multifamily	P	P			P	
Dwellings, single-family	1,2	1,3			P	
Dwellings, townhouse	P	P			P	
Family day care	A	A				
Group homes, Type 1		P			P	
Group homes, Type 2		C			C ²	
Halfway houses		EPF			EPF	
Home occupations	P	P			P	
Mobile/manufactured home parks						
Model home(s) and sales offices	P	P			P	
Nursing and/or convalescent homes	P	P	C	C	P	
Retirement housing/assisted living facilities	P	P		C ³	P ³	
Temporary dwelling unit	A	A			C	
Retail and Commercial						
Art galleries	P	P	P	P	P	P
Bakeries	P	P	P	P		P
Breweries	P					P

Conforming Use	Mixed-use Commercial ^{P8}	Mixed-use Neighborhood Center ^{P9}	General Commercial	Service Commercial	Professional Office	Light Industrial
Breweries, micro	P	P	P	P		P
Coffee shops	P	P ¹⁰	P	P	A	P
Convenience stores	P	P ¹⁰	P	P		
Department stores			P			
Drugstore/Pharmacy	P	P ¹⁰	P	P	A	
Garden produce	P	P	P	P		P
Greenhouses, retail	P		P	P		P
Grocery stores	P	P	P		P	P
Hardware store 1	P	P	P	P		P
Hardware store 2	C		P	P		P
Home improvement centers			P			P
Lumber yards	A		P			P
Motor vehicle sales facility	P		P	P		P
Restaurants	P	P	P	P	C	P
Retail stores	P	P	P	P		P
Secondhand stores	P	P	P	P		
Taverns	P	C	P	P		
Tool sales and rental	P		P	A		P
Wholesale establishments	P					P
Service						
Amusement facilities	P		P	C		P
Auto repair, minor	P		P	P		P
Auto repair, major	C		P	P		P
Banks	P	P ¹⁰	P	P		
Bed and breakfasts		P			P	
Car washes	P		P	P		P
Cleaning establishments	P	P	P	P		P
Clubs	P	C	P	P	C	
Clubs, fitness	P	P	P	P	A	P
Day care centers	P	C	C ¹	C ¹	C ¹	A
Fix-it shops	A	A	P	P		P
Hotels	C					

Conforming Use	Mixed-use Commercial ^{P8}	Mixed-use Neighborhood Center ^{P9}	General Commercial	Service Commercial	Professional Office	Light Industrial
Kennels	C		C	C		C
Locksmiths	P	P	P	P		
Mini self storage						P
Motels	C		P	P		
Print shops	P	P	P	P	C	P
Professional offices	P	P	P	P	P	P
Religious institution	P	P	P	P	P	P
Research facilities	P				P	P
Service establishments	P	P	P	P	C	P
Service stations	P		P	P		P
Veterinary clinics/animal hospitals	p ¹¹	p ¹¹	C	C	P	P
Other						
Adult entertainment (business use)			p ¹	p ¹		p ¹
Agricultural uses						
Cemeteries						
Hazardous/dangerous waste facilities	EPF		EPF			EPF
Mortuaries	P	P	P	P	P	
Parking lots	P	P	A	A	A	A
Shooting ranges (indoor)	P		P	P		P
Solid waste handling and/or transfer facilities			EPF			EPF
Solid waste landfills						

P = Permitted use; A = Accessory use; C = Requires a conditional use permit; S = Requires a special use permit; EPF = Essential public facility (see Chapter 18.15 MMC)

Notations to Zoning Matrix

1. Existing single family dwellings are considered allowed, legally conforming uses. Existing single family dwellings that are destroyed may be rebuilt within the building footprint as it existed immediately prior to the destruction. No other new single-family residences are permitted.

2. Existing single-family dwellings that are converted to a non-residential use for no longer than 12 months may be converted back to residential use.

3. Existing single-family dwellings that are converted to a non-residential use may be converted back to residential use.

P¹ Must be located within the city's defined adult entertainment boundary.

P² Requires one and one-half the minimum lot area of a single-family dwelling.

P³ Based upon bedrooms as opposed to dwelling units in any combination of one-, two- and/or three-bedroom units, not to exceed the maximum density allowed in the underlying zoning district. The standard formula would be to use the maximum allowed density per acre (forty-three thousand five hundred sixty square feet divided by minimum zone lot size) multiplied by three (standard bedroom equivalent unit) to achieve bedroom density. For example, in the MR 6,000 zone, a one-acre site could achieve thirty-three bedrooms per acre ($43,560/4,000 = 10.89$ or 11 dwelling units per acre $\times 3 = 33$).

P⁴ All outdoor storage shall be enclosed by a six-foot-tall site-obscuring fence or wall, and shall include a Type III landscaping buffer along the exterior perimeter of the property or site (see MMC 18.78.030).

P⁵ Must meet criteria outlined in Chapter 18.40 MMC, Accessory Dwelling Units.

P⁶ The minimum lot size for duplex and multifamily structures shall be four thousand square feet per unit.

P⁷ Subject to Chapter 18.60 MMC (Airport Compatibility).

P⁸ Individual commercial uses should be limited to 30,000 square feet or less. The city may allow buildings up to 60,000 square feet with a Conditional Use Permit, per Chapter 18.96 MMC.

P⁹ Individual commercial uses should be limited to 10,000 square feet or less. The city may allow buildings up to 30,000 square feet with a Conditional Use Permit per Chapter 18.96 MMC

P¹⁰ Drive up facilities not permitted.

P¹¹ If any outdoor caging of animals is proposed a conditional use permit is required per Chapter 18.96

C¹ Limitation on number of children permitted per establishment.

C² Group homes that qualify as essential public facilities shall follow the regulations in Chapter 18.15 MMC, Essential Public Facilities.

C³ Based upon bedrooms as opposed to dwelling units; see P⁵.

C⁴ If a parks and recreation facility is the primary use a conditional use permit will be required; if the facility is secondary to a larger project, the use is considered accessory.

A1 Subject to Chapter 18.60 MMC (Airport Compatibility).

6.