

**CITY OF MONROE**  
**ORDINANCE NO. 024/2022**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON,  
AMENDING CHAPTER 22.22 MMC DOWNTOWN COMMERCIAL  
ZONING DISTRICT AND 22.12 MMC DEFINITIONS; UPDATING  
THE DOWNTOWN COMMERCIAL ZONING DISTRICT WITH  
ASSOCIATED AMENDMENTS TO DEFINITIONS; PROVIDING  
FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, the City of Monroe is a code city, as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Title 36.70A RCW; and

WHEREAS, the Washington State Growth Management Act (GMA) mandates in RCW 36.70A.130(4)(a) that a periodic comprehensive plan review and update be conducted every eight to 10 years,

WHEREAS, the City of Monroe has adopted and updated its GMA compliant Comprehensive Plan since 1998; and

WHEREAS, pursuant to RCW 36.70A.040(3), a jurisdiction that is required to plan, such as the City of Monroe, “shall adopt...development regulations that are consistent with and implement the comprehensive plan”; and

WHEREAS, the City adopted the 2008 Downtown Master Plan and associated amendments to Chapter 18.12 Monroe Municipal Code (MMC), Downtown Commercial Zone, on March 17, 2009, by Ordinance 006/2009; and

WHEREAS, the City amended Chapter 18.12 MMC, Downtown Commercial Zone, on May 23, 2017, establishing the Promenade Planning Area including a purpose statement, permitted, and conditionally permitted uses, and bulk standards by Ordinance 012/2017; and

WHEREAS, on December 12, 2017, the City again amended Chapter 18.12 MMC, Downtown Commercial Zone, further refining the bulk standards within the Downtown Commercial Zone, by Ordinance 031/2017; and

WHEREAS, in 2019 the City repealed MMC Titles 17, 18, 19, 20 and 21 and replaced them with Unified Development Regulations, Title 22 MMC, effectively amending the Downtown Commercial Planning Areas and Land Use Table that removed all the Entertainment uses from the Historic Main and Promenade areas of the Downtown Commercial Zoning District, by Ordinance 005/2019; and

WHEREAS, internal inconsistencies within Chapter 22.22 MMC, Downtown Commercial Zoning District, were brought to the Planning Commission’s attention during the Public Comment portion of their regular meeting on March 28, 2022; and

WHEREAS, pursuant to Chapter 22.72 MMC, Amendments to Unified Development Regulations, the Planning Commission was identified as an initiating party to propose amendments to the development regulations within Title 22 MMC, Unified Development Regulations; and

WHEREAS, the Planning Commission held three (3) workshops discussing the issue and reviewing the proposed amendments to rectify the internal inconsistency within Chapter 22.22 MMC, Downtown Commercial Zoning District; and

WHEREAS, the proposed amendments were transmitted to the Washington State Department of Commerce for state agency review, in accordance with RCW 36.70A.106, on July 8, 2022. Expedited review (14 days rather than 60 days) was requested and approved; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, by issuing a Determination of Non-Significance (DNS) on July 8, 2022; the appeal period ended on July 22, 2022, and no appeals were filed; and

WHEREAS, the Planning Commission held a public hearing on July 25, 2022, to consider the proposed amendments to Chapter 22.22 MMC, Downtown Commercial Zoning District, with associated amendments to Chapter 22.12 MMC, Definitions, and recommended adoption of the proposed amendments contained therein to the City Council; and

WHEREAS, all persons desiring to comment on the proposal were given a full and complete opportunity to be heard; and

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Amendment of MMC Section 22.22.040 Downtown commercial neighborhoods. Subsection (A)(3) of Monroe Municipal Code Section 22.22.040 is hereby amended to provide in its entirety as follows:

**22.22.040 Downtown commercial neighborhoods.**

.....  
3. *Downtown Promenade (DTP).* The downtown promenade area encompasses the entire ground and/or street level portion of all buildings facing Main Street between Madison Street and Woods Street, specifically including without limitation all commercial tenant spaces and suites located on the ground and/or street level of such buildings, and shall be considered a “promenade” within the Historic Main sub-area of the downtown commercial district. The goal for this area is to have those land uses that promote pedestrian activity and interaction. ~~Only a commercial land use shall occupy the ground floor in the downtown promenade.~~

Section 2. Amendment of MMC Section 22.22.050 Land Use. Monroe Municipal Code Section 22.22.050 is hereby amended to provide in its entirety as follows:

**22.22.050 Land Use.**

A. *Land Use Matrix.* The following zoning matrix found in Table 22.22.050: Land Use in the Downtown Commercial Zoning District summarizes land uses permitted in the downtown commercial zoning district (DC). A land use not explicitly permitted by Table 22.22.050 is prohibited.

**Table 22.22.050 Land Use in the Downtown Commercial Zone District**

Conforming use <sup>(1)</sup>	DC-Residential (DC-RN)	DC-Historic Main (DC-HM)	DC-East Downtown (DC-ED)	DC-Downtown Promenade (DC-DTP) <sup>(7)</sup>
<b>1. RESIDENTIAL LAND USES</b>				
Dwelling Units, Accessory	A <sup>(2)</sup>	A <sup>(2)</sup>		
Dwelling Units, Attached	P <sup>(3)</sup>	P <sup>(3)</sup>	P <sup>(3)</sup>	C <sup>(3)</sup>
Dwelling Units, Detached	P	C		
Dwelling Units, Temporary Security Guard	A	A	A	A
Group Homes	P	P		
Halfway Houses	EPF	EPF	EPF	
Home Occupations	P	P		
Retirement Housing and Assisted Living Facilities	P	P		
Retirement Housing	P	P		
<b>2. COMMERCIAL LAND USES</b>				
<b>Building Material and Garden Supply Establishments</b>				
• Hardware Stores		P <sup>(5)</sup>	P <sup>(5)</sup>	P <sup>(5)</sup>
• Plant Nurseries		P	P	P
<b>Food and Beverage Establishments</b>				
• Bakeries		P	P	P
• Coffee Shops	A	P	P	P
• Convenience Stores		P	P	P
• Grocery Stores		P <sup>(4)</sup>	P <sup>(4)</sup>	P <sup>(4)</sup>
• Liquor Stores		P	P	
• Restaurants		P	P	P
• Tasting Rooms		P	P	P
• Taverns		P	P	P
General Retail		P	P	P
Mobile Vendors		P <sup>(6)</sup>	P <sup>(6)</sup>	P <sup>(6)</sup>
<b>Motor Vehicle Sales Facilities</b>				
• Motorsports Vehicles and Boats			P	
Pharmacies and Drug Stores		P	P	P
<b>3. SERVICE LAND USES</b>				
<b>Business and Professional Services</b>				
• Professional Offices	P	P	P	
• Technical Consulting Services	P	P	P	
<b>Day Care Services</b>				
• Adult Day Services	A	P	P	
• Child Care Centers		P	P	
• Family Child Care Services	A	P	P	
• Preschools			P	
General Services	C	P	P	
<b>Health Care Services</b>				
• Diagnostic Imaging Centers	C	C	C	

• Health Care Provider Offices	C	C	C	
• Medical Laboratories	C	C	C	
• Nursing and Residential Care Facilities		P	P	
• Outpatient Health Care Clinics	C	C	C	
• Outpatient Mental Health Treatment Facilities	C	C	C	
• Outpatient Substance Abuse Treatment Facilities	C	C	C	
Membership Organizations		C	P	A
Parking Facilities		A	A	
Parking Facilities, Stand-Alone		C	C	
Personal Services		P	P	P
<b>Rental and Leasing Services</b>				
• Tools, Machinery, and Equipment			A	
<b>Social Services</b>				
• Community Food Services	P	P	P	
• Community Housing Services	P	P	P	
• Emergency and Relief Services	P	P	P	
<b>Temporary Lodging Services</b>				
• Bed and Breakfast Inns	C	C	P	
• Hotels <del>and Motels</del>		P	P	
• <del>Motels</del>		<u>P</u>	P	
Veterinary Clinics	C	C	P	
<b>4. INSTITUTIONAL LAND USES</b>				
<b>Community Facilities</b>				
• Community-Oriented Open-Air Market	P	P	P	P
• Religious Institutions	C	C	P	
<b>Educational Facilities</b>				
• Schools, Colleges, Universities, and Professional	EPF	EPF	EPF	EPF
• Schools, Elementary and Secondary (K-12)	EPF	EPF	EPF	EPF
<b>Government Facilities</b>				
• Courts	C	C	C	
• Fire Stations	C	C	C	
• Government Administration Buildings	C	C	C	
• Police Stations	C	C	C	
• Public Works Maintenance and Storage Facilities	C	C	C	
• U.S. Post Offices	C	C	C	
<b>5. PARKS, RECREATION, AND ENTERTAINMENT LAND USES</b>				
<b>Entertainment Facilities</b>				
• Arcades and Gaming Establishments ( <u>Amusement Arcade</u> )	P	<u>P</u>	P	<u>P</u>
• Art Galleries	P	<u>P</u>	P	<u>P</u>
• <u>Art Studio</u>	P	<u>P</u>	P	<u>P</u>
• Libraries	P	<u>P</u>	P	<u>P</u>
• <del>Movie Theaters</del>	<u>P</u>	<u>P(7)</u>	<u>P</u>	<u>P(7)</u>
• Museums	P	<u>P</u>	P	<u>P</u>
• Theaters	P	<u>P(7)</u>	P	<u>P(7)</u>
<b>Parks</b>				
• Concessions	A	A	A	A
• Parks and Open Spaces	P	P	P	P
<u>Boutique gym</u>		<u>C</u>	P	
Fitness and Health Clubs, Indoor		C	P	
<b>6. INDUSTRIAL LAND USES</b>				
Craft Manufacturing		P	P	P
<b>Storage Facilities</b>				
• Indoor (On-Site Only)	A	A	A	A
<b>7. UTILITY AND TRANSPORTATION LAND USES</b>				
Electric Vehicle Charging Stations (All Levels)		A		A
<b>Major and Regional Utility Facilities</b>				

• Regional Utility Corridors	C	C	C	C
• Wastewater Treatment Plants	EPF			
<b>Major and Regional Transportation Facilities</b>				
• Regional Transit Station	EPF	EPF	EPF	
• State and Regional Transportation Facilities	EPF	EPF	EPF	
Minor Utility Facilities	P	P	P	P
Wireless Communications Facilities	P	P	P	P
<b>8. UNCLASSIFIED LAND USES</b>				
Accessory Structures	A	A	A	A
Mixed Use Developments	P	P	P	P
<b>P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See Chapter 22.38 MMC for Requirements for Essential Public Facilities (EPF)</b>				
<b>Table Notes:</b>				
<ol style="list-style-type: none"> <li>1. A land use not explicitly permitted by Table 22.22.050 is prohibited within the downtown commercial zone.</li> <li>2. Accessory dwelling units are subject to the requirements of MMC 22.16.050.</li> <li>3. In the downtown promenade, attached dwellings are only allowed in conjunction with mixed use structures.</li> <li>4. Grocery stores shall not exceed <del>thirteen</del> <u>thirty thousand (30,000)</u> square feet in gross floor area.</li> <li>5. Hardware stores shall not exceed <del>twenty</del> <u>thirty thousand (30,000)</u> square feet in gross floor area.</li> <li>6. Mobile vendors must meet the criteria outlined in MMC 22.60.040(B), Mobile Vendors.</li> <li>7. <del>Downtown promenade ground floor uses shall be commercial.</del> <u>Theaters shall not exceed thirty thousand (30,000) square feet in gross floor area.</u></li> </ol>				

Section 3. Amendment of MMC Section 22.12.010 A definitions. Monroe Municipal Code Section 22.12.010 is hereby amended by the addition of new definitions of “arcades and gaming establishment” and “art studio”, respectively, as follows:

**22.12.010 A definitions.**

...	...
Amusement arcade <u>(Arcades and gaming establishment)</u>	<u>A building or part of a building containing four or more video, pinball, or similar player-operated amusement devices, in any combination, for commercial use. A building or portion thereof in which there are amusement devices, installed for purposes of play, use or operation. Amusement device means any machine or device requiring the deposit or payment of money or other thing of value for its play, use or operation and which is played or used for amusement and entertainment of the player. The term includes, but is not limited to, flipper games, foosball games, pinball machines, electro-dart games, video games, coinoperated shuffleboards, coin-operated bowling games, klondike tables, and billiard tables and pool tables.</u>
...	...
<u>Art studio</u>	<u>A shop for the production and/or display of art and/or related items such as photos, pottery, stained glass, and video production as well as associated retail. Does not include any adult entertainment facility.</u>
...	...

Section 4. Amendment of MMC Section 22.12.180 R definitions. Monroe Municipal Code Section 22.12.180 is hereby amended to include a revised definition of “regional transit authority facility” as follows:

**22.12.180 R definitions.**

...	...
Regional transit authority facility	<del>A light rail facility serving more than one jurisdiction.</del> <u>A transit facility served by one or more transit agencies with light rail, commuter rail, express bus, or bus rapid transit services. The facility may also have a park and ride.</u>
...	...

Section 5. Findings. The above recitals and the content of Agenda Bill Nos. 22-447, 22-472 and 22-495 are hereby adopted as legislative findings in support of the amendments set forth in this ordinance. The City Council further adopts by reference the findings contained in the Planning Commission’s August 8, 2022, recommendation, in Exhibit A, attached hereto and incorporated herein by reference.

Section 6. Copy to Commerce. Pursuant to RCW 36.70A.106, a true and correct copy of this ordinance shall be transmitted to the WA Department of Commerce, Growth Management Services Division, within ten days after adoption.

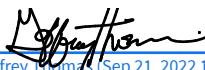
Section 7. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity or enforceability of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 8. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 20<sup>th</sup> day of September, 2022.

First Reading: August 23, 2022  
Adoption: September 20, 2022  
Published: September 23, 2022  
Effective: September 28, 2022


CITY OF MONROE, WASHINGTON:

  
Geoffrey Thomas (Sep 21, 2022 10:15 PDT)  
Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Jodi Wycoff (Sep 21, 2022 11:25 PDT)  
Jodi Wycoff, City Clerk

  
Zach Lell (Sep 21, 2022 10:10 PDT)  
J. Zachary Lell, City Attorney











# ORD 024-2022 Downtown Commercial Code Amendments - final

Final Audit Report

2022-09-21

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