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**ORDINANCE NO. 3353**

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF THE EDMONDS COMMUNITY DEVELOPMENT CODE RELATING TO COMMUNITY FACILITIES AND PUBLIC USES TO WIT: SECTION 16.20.010 USES IN THE SINGLE-FAMILY RESIDENTIAL ZONE; SECTION 16.30.010 USES IN THE RM ZONE, SECTION 16.45.010 USES IN THE NEIGHBORHOOD BUSINESS ZONE, SECTION 16.50.010 USES IN THE COMMUNITY BUSINESS ZONE; SECTION 16.53.010 USES IN THE PLANNED BUSINESS ZONE, SECTION 16.55.010 USES IN THE COMMERCIAL WATERFRONT; SECTION 16.62.010 USES IN THE MEDICAL USE ZONE; REPEALING AND REENACTING CHAPTER 16.80 RELATING TO P-PUBLIC USE; SECTION 17.40.010 NON CONFORMING USES (B) RELATING TO CONTINUATION; AMENDING SECTION 17.40.040 NON CONFORMING SIGNS (A), AMENDING CHAPTER 17.40 BY THE ADDITION OF A NEW SECTION 17.40.050 NON CONFORMING COMMUNITY FACILITIES; ENACTING A NEW CHAPTER 17.100 COMMUNITY FACILITIES; AMENDING CHAPTER 21.15 BY THE ADDITION OF A NEW SECTION 21.15.015 CHURCH; AMENDING SECTION 21.15.071 COMMUNITY FACILITIES; SECTION 21.15.073 COMMUNITY PARK; CHAPTER 21.55 TO ADD A NEW SECTION, 21.55.007 DEFINING LOCAL PUBLIC FACILITIES, CHAPTER 21.65 TO ADD A NEW SECTION 21.65.010 DEFINING NATURAL OPEN SPACE AREAS AND A NEW SECTION 21.65.020 DEFINING NEIGHBORHOOD PARK, CHAPTER 21.80 TO ADD A NEW SECTION 21.80.005 DEFINING PARKS AND RECREATION SPECIAL USE AREAS; CHAPTER 21.85 TO ADD A NEW SECTION 21.85.031 DEFINING REGIONAL PARK, AND A NEW SECTION 21.85 DEFINING REGIONAL PUBLIC FACILITIES, CHAPTER 21.90 DEFINING SCHOOL, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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WHEREAS, the City Council has received the recommendation of its Planning Board regarding the amendment of the Edmonds Community Development Code in order to better regulate community facilities, and

WHEREAS, following numerous public hearings, both for the Planning Board and the City Council, the City Council determined it to be in the public interest to enact new provisions relating to such community facilities, and

WHEREAS, in so enacting said provisions, the City Council is cognizant of its duties pursuant to federal and state law to permit, foster and accommodate the free practice of religion, and as imposed these regulations only to the limit and extent necessary to mitigation negative impacts upon the community created by such facilities, and

WHEREAS, the City Council is further cognizant that its regulation of schools must be limited to that same mitigation of negative impacts which schools impose upon the community as enacting these provisions in a way which acknowledges that the school district is the sole determinant of the programmatic responsibilities of its schools pursuant to the authority vested in the school district pursuant to state law, NOW, THEREFORE,

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

**Section 1. The Edmonds Community Development Code, Section 16.20.010 Uses relating to single-family zones is hereby amended to read as follows:**

**16.20.010                    Uses.**

A.     Permitted Primary Uses.

1.     Single-family dwelling units.
2.     Churches, subject to the requirements of ECDC 17.100.020;
3.     Primary schools subject to the requirements of ECDC 17.100.050(G)-(R);
4.     Local public facilities that are planned, designated, and sited in the capital improvement plan, subject to the requirements of ECDC 17.100.050.
5.     Neighborhood parks, natural open spaces, and community parks with an adopted master plan subject to the requirements of ECDC 17.100.070.

B.     Permitted Secondary Uses.

1.     Foster homes;

2. Home occupation, subject to the requirements of Chapter 20.20 ECDC;
3. The renting of rooms without separate kitchens to one or more persons;
4. The keeping of three or fewer domestic animals;
5. The keeping of horses, subject to the requirements of Chapter 5.05 ECC;
6. The following accessory buildings:
  - a. Fallout shelters,
  - b. Private greenhouses covering no more than five percent of the site,
  - c. Private stables,
  - d. Private parking for no more than five cars,
  - e. Private swimming pools and other private recreational facilities;
7. Private residential docks or piers;
8. Family day-care in a residential home;
9. Commuter parking lots that contain less than 10 designated parking spaces in conjunction with a church, school, or local public facility allowed or conditionally permitted in this zone. Any additionally designated parking spaces that increase the total number of spaces in a commuter parking lot to 10 or more shall subject the entire commuter parking lot to a conditional use permit as specified in ECDC 16.20.010(D)(5), including commuter parking lots that are located upon more than one lot as specified in ECDC 21.15.075.

C. Primary Uses Requiring a Conditional Use Permit.

1. High schools, subject to the requirements of ECDC 17.100.050(G)-(R).
2. Local public facilities that are not planned, designated, and sited in the capital improvement plan, subject to ECDC 17.100.050.
3. Regional parks and community parks without a master plan subject to the requirements of ECDC 17.100.070.

D. Secondary Uses Requiring a Conditional Use Permit.

1. Mini day-care facilities and preschools;
2. Guest house;
3. Amateur radio transmitting antenna;
4. Accessory dwelling units;
5. Commuter parking lots with 10 or more designated parking spaces in conjunction with a church, school, or local public facility allowed or conditionally permitted in this zone.

Section 2. ECDC 16.30.010 Uses relating to RM zones is hereby amended to read as follows:

**16.30.010**                   **Uses.**

A.     Permitted Primary Uses.

1. Multiple dwellings;
2. Single-family dwellings;
3. Retirement homes;
4. Group homes for the disabled, foster family homes and state licensed group homes for foster care of minors; provided, however, that halfway houses and group homes licensed for juvenile offenders are not permitted uses in a residential zone of the city;
5. Boarding houses and rooming houses;
6. Housing for low income elderly in accordance with the requirements of Chapter 20.25 ECDC;
7. Churches, subject to the requirements of ECDC 17.100.020;
8. Primary schools subject to the requirements of ECDC 17.100.050(G)-(R);
9. Local public facilities that are planned, designated, and sited in the capital improvement plan, subject to the requirements of ECDC 17.100.050.
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 Secondary Uses.

1. All permitted secondary uses in the RS zone, if in conjunction with a single-family dwelling;
2. Home occupations, subject to the requirements of Chapter 20.20 ECDC;
3. The keeping of one domestic animal;
4. The following accessory uses:
  - a. Private parking,
  - b. Private swimming pools and other private recreational facilities,
  - c. Private greenhouses covering no more than five percent of the site in total;
5. Commuter parking lots containing less than 10 designated parking spaces in conjunction with a church, school, or local public facility allowed or conditionally permitted in this zone. Any additionally designated parking spaces that increase the total number of spaces in a commuter parking lot to 10 or more shall subject the entire commuter parking lot to a conditional use permit as specified in ECDC 16.30.010(D)(3), including commuter parking lots that are located upon more than one lot as specified in ECDC 21.15.075.

C. Primary Uses Requiring a Conditional Use Permit.

1. Offices, other than local public facilities;
2. Local public facilities not planned, designated, or sited in the capital improvement plan, subject to the requirements of ECDC 17.100.050;
3. Day-care centers;
4. Hospitals, convalescent homes, rest homes, sanitariums;
5. Museums, art galleries, zoos, and aquariums of primarily local concern that do not meet the criteria for regional public facilities as defined in ECDC 21.85.033.
6. Counseling centers and residential treatment facilities for current alcoholics and drug abusers.
7. High schools, subject to the requirements of ECDC 17.100.050(G)-(R).
8. Regional parks and community parks without a master plan subject to the requirements of ECDC 17.100.070.

- D. Secondary Uses Requiring a Conditional Use Permit.
1. Family day-care homes;
  2. Mini day-care facilities; provided that:
    - a. Mini day-care facilities shall not be operated from or within a multiple family dwelling unit or combination of units, but
    - b. A permit may be issued for a mini day-care facility to be operated in a separate, nonresidential portion of a multi-family residential dwelling structure operated primarily for the benefit of the residents thereof;
  3. Commuter parking lots with 10 or more designated parking spaces in conjunction with a church, school, or local public facility allowed or conditionally permitted in this zone.

Section 3. ECDC 16.45.010 Uses relating to the neighborhood business zones is hereby amended to read as follows:

**16.45.010 Uses.**

A. Permitted Primary Uses.

1. Single-family dwellings, as regulated in RS-6 zone;
2. Neighborhood-oriented retail stores, retail service uses, excluding uses such as commercial garages, used car lots, taverns, theaters, auditoriums, undertaking establishments and those uses requiring a conditional use permit as listed below;
3. Offices and outpatient clinics, excluding commercial kennels;
4. Dry cleaning stores and laundromats;
5. Small animal hospitals.
6. Churches, subject to the requirements of ECDC 17.100.020;
7. Primary and high schools subject to the requirements of ECDC 17.100.050(G)-(R);

8. Local public facilities designated, and sited in the capital improvement plan subject to the requirements of ECDC 17.100.050.
9. Neighborhood parks, natural open spaces, and community parks with an adopted master plan subject to the requirements of ECDC 17.100.070.

B. Permitted Secondary Uses.

1. Limited assembly, repair or fabrication of goods incidental to a permitted or conditional use;
2. Off-street parking and loading areas to serve a permitted or conditional use;
3. One dwelling unit per lot, in the story above the street floor, with a minimum lot area of 6,000 square feet;
4. Commuter parking lots that contain less than 10 designated parking spaces in conjunction with any local public facility allowed by this section. Any additionally designated parking spaces that increase the total number of spaces in a commuter parking lot to 10 or more shall subject the entire commuter parking lot to a conditional use permit as specified in ECDC 16.45.010(D)(2), including commuter parking lots that are located upon more than one lot as specified in ECDC 21.15.07

C. Primary Uses Requiring a Conditional Use Permit.

1. Commercial parking lots;
2. Drive-in businesses;
3. Businesses open to the public between the hours of 11:00 p.m. and 6:00 a.m.;
4. Convenience stores.
5. Local public facilities not planned, designated, or sited in the capital improvement plan, subject to the requirements of ECDC 17.100.050.
5. Day-care centers,
6. Hospitals, convalescent homes, rest homes, sanitariums,
7. Museums, art galleries, zoos, and aquariums of primarily local concern that do not meet the criteria for regional public facilities as defined in ECDC 21.85.033.

8. Counseling centers and residential treatment facilities for current alcoholics and drug abusers.
9. Regional parks and community parks without a master plan subject to the requirements of ECDC 17.100.070.

D. Secondary Uses Requiring a Conditional Use Permit.

1. Outdoor storage, incidental to a permitted or conditional use.
2. Commuter parking lots with 10 or more designated parking spaces in conjunction with a facility meeting the criteria listed under subsection (C)(6)-(10) of this section.

Section 4. ECDC Section 16.50.010 Uses relating to community business zones, is hereby amended to read as follows:

**16.50.010**                      **Uses.**

A. Permitted Primary Uses.

1. Single-family dwelling, as regulated in RS-6 zone;
2. Retail stores, offices and service uses, excluding intense uses, such as trailer sales, used car lots (except as part of a new car sales and service dealer), and heavy equipment sales and services;
3. New automobile sales and service;
4. Dry cleaning and laundry plants which use only nonflammable and nonexplosive cleaning agents;
5. Printing, publishing and binding establishments;
6. Bus stop shelters;
7. Community-oriented open air markets conducted as an outdoor operation and licensed pursuant to provisions in the Edmonds City Code;

8. Multiple Dwelling Unit(s). This use may not be located on the ground floor of a structure.
9. Churches, subject to the requirements of ECDC 17.100.020;
10. Primary and high schools subject to the requirements of ECDC 17.100.050(G)-(R);
11. Local public facilities subject to the requirements of ECDC 17.100.050.
12. Neighborhood parks, natural open spaces, and community parks with an adopted master plan subject to the requirements of ECDC 17.100.070.

B. Permitted Secondary Uses.

1. Limited assembly, repair or fabrication of goods incidental to a permitted or conditional use;
2. Off-street parking and loading areas to serve a permitted or conditional use;
3. Commuter parking lots in conjunction with a facility meeting the criteria listed under subsection (C)(11)- (15) of this section, except that the facility may also be located along a designated transit route in addition to an arterial or collector street.

C. Primary Uses Requiring a Conditional Use Permit.

1. Commercial parking lots;
2. Wholesale uses;
3. Hotels and motels;
4. Amusement establishments;
5. Auction businesses, excluding vehicle or livestock auctions;
6. Drive-in businesses;
7. Laboratories;
8. Fabrication of light industrial products;
9. Convenience stores.

10. Day-care centers,
11. Hospitals, convalescent homes, rest homes, sanitariums,
12. Museums, art galleries, zoos, and aquariums of primarily local concern that do not meet the criteria for regional public facilities as defined in ECDC 21.85.033.
13. Counseling centers and residential treatment facilities for current alcoholics and drug abusers.
14. Regional parks and community parks without a master plan subject to the requirements of ECDC 17.100.070.

D. Secondary Uses Requiring a Conditional Use Permit.

1. Outdoor storage, incidental to a permitted or conditional use;
2. Aircraft landings as regulated by Chapter 4.80 ECC.

Section 5. ECDC 16.53.010 Uses relating to the Planned Business zone is hereby amended to read as follows:

**16.53.010**           **Uses.**

A. Permitted Primary Uses.

1. Single-family dwellings in accordance with the regulations applicable to the RS-6 zone, Chapter 16.20 ECDC.
2. Business or professional offices or studios.
3. Small-scale retail sales or services not exceeding 5,000 square feet of cumulative space on a site, such as convenience stores, video stores, barber shops, beauty shops, gift shops, bookstores, florists/nurseries, dry cleaning stores and laundromats.
4. Art galleries.
5. Churches, subject to the requirements of ECDC 17.100.020;

6. Primary and high schools subject to the requirements of ECDC 17.100.050(G)-(R);
7. Local public facilities planned, designated, and sited in the capital improvement plan, subject to the requirements of ECDC 17.100.050.
8. Neighborhood parks, natural open spaces, and community parks with an adopted master plan subject to the requirements of ECDC 17.100.070.

B. Permitted Secondary Uses.

1. Limited assembly or repair of goods incidental to a permitted or conditional use.
2. Off-street parking and loading areas to serve a permitted or conditional use.
3. Multiple residential, in the story above the street floor.

C. Primary Uses Requiring a Conditional Use Permit.

1. Medical, dental and veterinary clinics, including supporting uses such as pharmacies and laboratories. Veterinary clinics may include the boarding of animals under veterinary care but not commercial kennels.
2. Businesses open to the public between the hours of 11:00 p.m. and 6:00 a.m.
3. Financial institutions.
4. Restaurants providing on-premises service to seated or walk-in patrons.
5. Small-scale retail sales or services greater than 5,000 square feet in an area of cumulative space on a site, but not exceeding 10,000 square feet of cumulative space on a site, such as convenience stores, video stores, barber shops, beauty shops, gift shops, bookstores, florists/nurseries, dry cleaning stores and laundromats.
6. Local public facilities not planned, designated, or sited in the capital improvement plan, subject to the requirements of ECDC 17.100.050.
7. Day-care centers,
8. Hospitals, convalescent homes, rest homes, sanitariums,

9. Museums, art galleries, zoos, and aquariums of primarily local concern that do not meet the criteria for regional public facilities as defined in ECDC 21.85.033.
10. Counseling centers and residential treatment facilities for current alcoholics and drug abusers.
11. Regional parks and community parks without a master plan subject to the requirements of ECDC 17.100.070.

D. Secondary Uses Requiring a Conditional Use Permit.

1. Outdoor storage, incidental to a permitted or conditional use.

E. Prohibited Uses. Any use not specifically set forth herein, including but not limited to:

1. Automobile service stations.
2. Drive-in/drive-thru businesses.

Section 6. ECDC 16.55.010 Uses relating to the Commercial Waterfront zone is hereby amended to read as follows:

**16.55.010**                   **Uses.**

A. Permitted Primary Uses.

1. Marine-oriented services;
2. Retail uses which are either marine-oriented or pedestrian-oriented, excluding drive-in businesses;
3. Petroleum products storage and distribution;
4. Offices, above the ground floor, excluding medical, dental and veterinary clinics.

5. Local public facilities with marine oriented services or recreation.

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6. Neighborhood parks, natural open spaces, and community parks with an adopted master plan subject to the requirements of ECDC 17.100.070.

B. Permitted Secondary Uses.

1. Off-street parking and loading in connection with a permitted use.

C. Secondary Uses Requiring a Conditional Use Permit.

1. Aircraft landings as regulated by Chapter 4.80 ECC.

2. Regional parks and community parks without a master plan subject to the requirements of ECDC 17.100.070.

Section 7. ECDC Section 16.62.010 Uses relating to the Medical Use Zone is hereby amended to read as follows:

**16.62.010**           **Uses.**

A. Permitted Primary Uses.

1. Medical and health care uses including but not limited to hospitals, outpatient clinics, continuing/long-term care services, hospice services, laboratories, medical research facilities, emergency medical services and offices of doctors, dentists, physical therapists, and all others related to medical and health care uses.

2. Medical staff facilities and similar uses, including but not limited to educational and meeting facilities and staff sleeping quarters.

3. Retail sales and services related to medical uses, including but not limited to pharmacies and convenience stores, gift shops, bookstores, florists, medical and health care equipment sales and restaurants. Only uses directly related to supplying medical services may be permitted to operate

drive through facilities.

4. Residential uses dependent upon or related to medical care, including but not limited to convalescent care facilities, nursing homes, retirement homes, group homes for the disabled and overnight accommodations.
5. Child and adult day care facilities.
6. Counseling centers and alcohol and drug treatment facilities.
7. Transit centers and other transportation related facilities.
8. Local public facilities, whether or not planned, designated, and sited in the capital improvement plan, subject to the requirements of ECDC 17.100.050.
9. Primary and high schools subject to the requirements of ECDC 17.100.050(G)-(R).
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 Secondary Uses.

1. Helicopter pads related to medical use, if approved as part of a master plan and adopted as part of the comprehensive plan.
2. Facilities for the permanent storage and/or disposal of biomedical, radioactive and other hazardous waste shall not be permitted; provided, however, that facilities for the treatment or temporary storage of biomedical, radioactive and other hazardous waste generated within the medical use zone, or by local publicly operated medical facilities related to the hospital, shall be permitted.

C. Secondary Uses Requiring a Conditional Use Permit.

1. Helicopter pads related to medical use. If the location of a helipad is not included as part of an approved master plan, then a conditional use permit shall be required. In addition to the conditional use permit review criteria, the development and use of a helipad shall be subject to the following conditions:

- a. The helipad shall be limited to emergency medical uses only.
  - b. Noise from the helipad must be minimized using buffering combined with other operational and site design techniques to minimize the noise impact on surrounding uses.
  - c. The helipad shall be sited no closer than 75 feet to any right-of-way or property boundary.
  - d. The hospital district shall take reasonable measures to ensure safety around the helipad, when in use, and shall comply with all applicable FAA standards and regulations.
  - e. The helipad should be located in the southern portion of the site in order to mitigate potential noise impacts of the residential areas to the north.
2. Regional parks and community parks without a master plan subject to the requirements of ECDC 17.100.070.

Section 8. Chapter 16.80. P-Public Use is hereby repealed and reenacted to read

as follows:

Sections:

16.80.000 Purposes.

16.80.010 Uses.

16.80.020 Conditional use permit criteria.

16.80.030 Site development standards.

**16.80.000 Purposes.**

The P district has the following purposes:

- A. To provide for siting and development of Regional Public Facilities to be located in or near residential areas and to establish standards which will minimize the impact of these facilities on nearby properties;
- B. To regulate the use of these lands to assure their continuing availability for public use.

**16.80.010**

**Uses.**

A. Permitted Uses.

1. Regional Public Facilities.
2. All Local Public Facilities subject to the additional requirements of ECDC 17.100.050.
3. Neighborhood parks, natural open spaces, and community parks with an adopted master plan subject to the requirements of ECDC 17.100.070.
4. Primary and high schools subject to the additional requirements of ECDC 17.100.050(G)-(R).

B. Permitted Secondary Uses.

1. Facilities compatible with and designed to serve permitted uses (e.g., rest rooms, safety lighting, fencing, benches, tables, minor shelters, athletic structures, minor service support structures, associated storage and maintenance yards, and incidental parking for five or less cars);
2. Commercial uses incidental to and related to a sited regional public facility, such as restaurants, snack bars, gift shops, tourist shops, etc.

C. Uses Requiring a Conditional Use Permit.

1. Service and support facilities for permitted uses (e.g., transportation storage and maintenance; service and repair shops; outdoor storage);
2. Municipal and franchised service facilities including storage and maintenance buildings and yards, sewage treatment facilities, water storage and pumping facilities, substations;
3. Stadiums, bleachers, playfield lighting, clubhouses, and swimming pools;

4. Structures over 25 feet in height;
5. Regional parks and community parks without a master plan subject to the requirements of ECDC 17.100.070.

**16.80.020 Conditional use permit criteria.**

In considering a conditional use permit application under Chapter 20.05 ECDC for the public use (P) zone, the hearing examiner and/or city council shall consider the following:

1. Impact of the proposal on the visual and aesthetic character of the neighborhood;
2. Orientation of facilities to developed or undeveloped residential areas;
3. Preservation of natural vegetation and/or other natural features;
4. Hours of operation; performance standards; conformance of the proposal with the city's noise ordinance;
5. Ability of the proposal to provide for adequate on-site parking; and traffic impacts of the proposal on the neighborhood.

**16.80.030 Site development standards.**

Although each public use will undergo extensive review by the ADB in light of its relationship to its surrounding neighbors, there will be certain minimum development standards to be used in the design of these facilities. These standards may be subject to the grant of variance under the provisions of ECDC 20.85.000.

1. Minimum setbacks - a minimum landscaped setback of 20 feet shall be maintained from a public street or other property lines except that a setback of 25 feet maintained from adjacent residentially zoned properties, for all structures, structured play areas and structured athletic fields. This setback shall be fully landscaped.
2. Height - the maximum height of a building in this zone shall be 25 feet, unless a conditional use permit has been obtained, except that the height of schools shall be governed by ECDC 17.100.050.I. A conditional use permit for additional height may permit structures up to a maximum height of 60 feet.
3. Lot coverage - the maximum lot coverage by buildings and other structures shall not exceed 35 percent unless a conditional use permit has been obtained.

4. Signs - all signs shall be subject to ADB approval. Signs shall be kept to a minimum size, which is compatible with the surrounding neighborhood and uses, while providing adequate visibility.
5. Landscaping - site landscaping requirements shall be reviewed pursuant to Chapter 20.12 ECDC.
6. Parking - all regional public facilities shall comply with the minimum off-street parking requirements contained in ECDC 17.50.030.
  - a) all on-site parking lots shall be screened from adjacent residential properties with a solid wall or sight-obscuring fence not less than six (6) feet in height. Such walls or fences may be built progressively as the parking facilities are installed. Landscaping shall be installed in accordance with ECDC 20.12.025.
  - b) regional public facilities shall submit a transportation management plan for approval by the City. The plan shall address the following: traffic control, parking management, mitigation measures for overflow parking into adjoining residential areas, and traffic movement to the nearest arterial street.
7. Orientation to Transportation Facilities. All regional public facilities must be located adjacent to or within five hundred (500) feet of a principal or major arterial street.
8. Transit. – All regional public facilities shall be located within 1500 feet of an existing transit center. At least one on-site transit stop or station shall be required. The transit stop or station shall include a turnout of suitable size and location to accommodate public buses.
9. Lighting. All exterior lighting shall be arranged and directed so as to direct the light away from adjacent residential uses.
10. Screening - electrical substations, water/sewer pump stations, sewage treatment facilities, solid waste facilities, commuter parking lots, and maintenance and storage yards shall be adequately screened from adjacent residential properties with a solid wall or sight obscuring fence not less than six (6) feet in height. Landscaping shall be provided in accordance with ECDC Chapter 20.12.

Section 9. ECDC Section 17.40.010 Nonconforming Uses paragraph B is hereby amended to read as follows:

**17.40.010 Nonconforming uses.**

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B. Continuation. A nonconforming use may continue, unless required to be abated by Subsection C of this section, but it may not be expanded in any way, including additional lot area, floor area, height, number of employees, equipment, or hours of operation except as otherwise provided in ECDC 17.40.050.

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Section 10. ECDC Section 17.40.040 Nonconforming Signs (A) is hereby amended to read as follows:

**17.40.040 Nonconforming signs.**

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A. No nonconforming sign shall be expanded, extended, rebuilt, reconstructed or altered in any way, except as otherwise provided in ECDC 17.40.050, provided however, that the following acts are specifically permitted and shall not in and of themselves require conformance with the provisions of Chapter 20.60 ECDC:

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Section 11. Chapter 17.40 Nonconforming Uses of the Edmonds Community Development Code is hereby amended by the addition of a new Section 17.40.050 Nonconforming Community Facilities to read as follows:

**17.40.050 Non-conforming community facilities.**

A. Churches. Existing legal nonconforming church uses, buildings, lots, and/or signs may be expanded, enlarged, altered, or modified, subject to conditional use permit approval, provided that:

- 1) The proposed expansion, enlargement, alteration, or modification does not increase the degree of nonconformity in any significant manner. For example, a proposed expansion of a nonconforming church use shall conform to the parking requirements of ECDC 17.100.020C for any additional seating capacity created in excess of that which existed immediately prior to the expansion.
  
- 2) If a nonconforming use, the use has not lapsed in accordance with ECDC 17.40.010G.

- 3) The nonconforming use, building, or sign does not allow or constitute a public nuisance or significant threat to public health and safety.

B. Schools. Existing legal nonconforming schools may be expanded or enlarged, subject to conditional use permit approval, provided that:

- 1) The applicant demonstrates by substantial evidence that the proposed expansion or enlargement is necessary to maintain or accomplish the educational mission or objectives of the school in accordance with applicable state and federal policies, statutes, regulations and guidelines, and;
- 2) The proposed expansion or enlargement does not increase the degree of nonconformity in any significant manner.
- 3) The proposed expansion or enlargement does not allow or constitute a public nuisance or significant threat to public health and safety.
- 4) If a non-conforming use, the use has not lapsed in accordance with ECDC 17.40.010G.

C. Local Public Facilities. Existing legal nonconforming local public facility uses, buildings, and/or signs, owned and/or operated by local, state, or federal governmental entities, public service corporations, or common carriers (including agencies, districts, governmental corporations, public utilities, or similar entities) may be expanded, enlarged, altered, or modified, subject to conditional use permit approval, provided that:

- 1) The applicant demonstrates by substantial evidence that the proposed expansion, enlargement, alteration or modification is necessary to maintain or accomplish the missions or objectives of the governmental agency in accordance with applicable local, state, and federal policies, statutes, regulations and guidelines, and;
- 2) The proposed expansion, enlargement, alteration, or modification does not increase the degree of nonconformity in any significant manner. For example, a proposed expansion of a nonconforming governmental local public facility shall conform to the parking requirements

of ECDC 17.65.040B for any additional staff or visitors in excess of those that existed immediately prior to the expansion.

- 3) If a nonconforming use, the use has not lapsed in accordance with ECDC 17.40.010G.
- 4) The nonconforming use, building, or sign does not allow or constitute a public nuisance or significant threat to public health and safety.

D. Parks. Existing legal nonconforming parks may be expanded or enlarged, subject to conditional use permit approval, provided that:

- 1) The applicant demonstrates by substantial evidence that the proposed expansion or enlargement is necessary to maintain or accomplish the parks and recreation level of service as provided in accordance with the comprehensive plan, and
- 2) The proposed expansion or enlargement does not increase the degree of nonconformity in any significant manner.
- 3) The proposed expansion or enlargement does not allow or constitute a public nuisance or significant threat to public health and safety.
- 4) If a non-conforming use, the use has not lapsed in accordance with ECDC 17.40.010G.

Section 12. The Edmonds Community Development Code is hereby amended by the addition of a new chapter 17.100 Community Facilities to read as follows:

**17.100.010 Purpose and Intent.**

The purpose of this chapter is to establish reasonable regulations and standards for the various classes of “community facilities” as allowed or conditionally permitted within the City’s zoning districts. Because community facilities are allowed to some degree in each of the City’s residential and commercial zoning districts, the intent of this chapter is to provide for the development of such facilities in manner that balances the

public desire or need to site such facilities within the city, but minimize the potential adverse impacts of such facilities upon residential neighborhoods and capital facilities such as streets and sewers. These regulations are in addition to any other applicable development regulations or performance standards that are otherwise provided for in the Community Development Code. To the extent that these regulations vary or differ from other such development regulations or performance standards, the more restrictive regulations or standards shall apply.

#### **17.100.020 Churches.**

A. Permitted Use. Churches shall be allowed uses within all residential, business and commercial zones, subject to the requirements of this section. Neighborhood churches shall be outright permitted uses in all zones; community churches shall be conditional uses in all zones.

B. Site Size. All church sites shall meet the minimum lot size for the zone in which they are located.

C. Parking Requirements.

All churches shall meet the on-site parking requirements of ECDC Chapter 17.50 Joint use parking arrangements may be authorized under the provisions of ECDC Chapter 20.30.

All on-site parking lots shall be screened from adjacent residential properties with a solid wall or sight-obscuring fence not less than six (6) feet in height. Such walls or fences may be built progressively as the parking facilities are installed. Landscaping shall be required in accordance with ECDC 20.12.025. and any additional conditions or requirements imposed pursuant to ADB review as required by Chapter 20.10 ECDC.

The plan shall address the following: traffic control, parking management, mitigation measures for overflow parking into adjoining residential areas, and traffic movement to the nearest arterial street.

D. Orientation to Transportation Facilities.

1.) Neighborhood churches may be located upon a local (non- arterial) street.

2.) Community churches that measure 22,000 square feet shall be located adjacent to a collector or minor arterial street, or within 1,200 feet, as measured along the centerline of the right-of-way, of a principal arterial street.

E. Height. The maximum height shall not exceed the maximum height for the zone in which the church is located, provided, however, that:

1. In residential neighborhoods or in zones in which the height limit would not permit construction of a structure of 50 feet in height, a steeple, bell-tower, cross or other religious symbol or icon may be permitted to a maximum total height, inclusive of such symbols or icons of 50 feet, with a Conditional Use Permit, in which case, the minimum setback shall be increased by one (1) foot for each one (1) foot for which any portion of the structure that exceeds the maximum height for the applicable zoning district; and

2. In residential zones or any zone in which a structure 35 feet in height is not a permitted use, sanctuaries, auditoriums and other portions of a structure which are utilized for religious assembly may be permitted to a height of 35 feet with a Conditional Use Permit.

F. Separate On-site structures. The maximum height for separate structures within the setback areas, such as bell-towers, crosses, statuary, or other symbolic religious icons shall be 15 feet within residential zones and 20 feet in all other zones.

G. Lighting. All exterior lighting shall be arranged and directed so as to direct the light away from adjacent residential uses.

H. Noise. The noise levels generated by bell towers, chimes, live or recorded music, voices, or other sources, whether amplified or not, shall not violate the maximum environmental noise levels as established in WAC 173-60-040, as hereafter amended.

I. Secondary Uses.

- 1) Any use otherwise allowed or conditionally permitted within the particular zone in which the church is located, may be allowed as a secondary use, provided that the conditions of subsection (2)-(3) are met.
- 2) If the proposed secondary use is a conditional or non-conforming use in the zone in which the church is located, then a conditional use permit shall be required for such secondary use.
- 3) A use shall be considered secondary only where the use is subordinate the primary use of

free worship, with respect to at least two of the following criteria: a) the amount of space allocated to the use; b) the duration of use; or c) the number of people served or involved in the use.

#### **17.100.030 Conditional Use Permits (CUP) – Community Churches and Schools Requiring a CUP.**

A. All new churches and schools and any non-conforming church or school whose review has been triggered pursuant to ECDC 17.40.050 shall register with the staff on a form developed for its use. The staff shall determine which churches qualify as neighborhood churches; churches failing to register shall be presumed to be community churches.

B. Staff decisions to approve, condition, or deny a CUP; to review a CUP; or decline to renew a CUP shall be applicable pursuant to Chapter 20.15 ECDC

#### **17.100.040 Conditional Use Plan – Additional Criteria**

Conditional use permit requirements have been imposed upon community churches and schools solely for the purpose of mitigating negative impacts to the surrounding neighborhood. The provisions of this ordinance and the conditional use permit criteria of Chapter 20.05 shall be liberally construed and applied in order to permit, encourage and accommodate churches within the neighborhood and all zones of the City, so long as the negative impacts from the church are adequately mitigated. Schools shall be conditionally permitted pursuant to Chapter 20.05 and ECDC 17.40.050 (B). Nothing herein shall be interpreted to or condition the programmatic and educational authority delegated to the School District by state statute. The provisions of the ordinance shall not be applied in a way which exclude a church which has adequately mitigated its impacts from any zone of the City. The City will take all reasonable steps necessary to accommodate a church use in accordance with state and federal law. Schools are an essential part of the life of a community and all appropriate deference shall be given to the programmatic decisions of the School District.

#### **17.100.050 Local Public Facilities and Schools**

A. General -- Permitted Use.

- 1) Local Public Facilities that are planned, designated, and sited in the capital improvement plan shall be allowed uses in all residential, business and commercial zones.

- 2) Local Public Facilities that are not planned, designated, and sited in the capital improvement plan shall be conditional uses in all residential zones and allowed uses in all business and commercial zones.

B. General --Parking Requirements.

- 1) Local Public Facilities shall meet any applicable minimum parking requirements set forth in ECDC 17.50.030(C). In the event that no minimum parking requirement is applicable for the particular type of local public facility proposed, then the minimum parking requirement shall be determined by a parking study analyzing the parking demands and requirements created by the particular park facility.
- 2) All on-site parking lots shall be screened from adjacent residential properties in accordance with ECDC 20.12.025 and any additional conditions or requirements imposed pursuant to ADB review as required by Chapter 20.10 ECDC.

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C. General -- Lighting. All exterior lighting shall be arranged and directed so as to direct the light away from adjacent residential uses.

D. General -- Screening. Electrical substations, water/sewer pump stations, maintenance and storage yards shall be adequately screened from adjacent residential properties with a solid wall or sight obscuring fence not less than six (6) feet in height. Landscaping shall be provided in accordance with ECDC Chapter 20.12.

E. General -- Signage. All signage shall be erected and maintained in compliance with ECDC Chapter 20.60.

F. General -- Hazardous, Flammable, and Explosive Materials. The use, storage, or disposal of hazardous, dangerous, flammable, or explosive materials shall not be permitted, except where authorized or allowed by state or federal laws and regulations. The use, storage or disposal of such substances shall be conducted in strict compliance with all applicable state and federal regulations. The applicant for a local public facility that intends to use, store, or dispose of such substances shall provide a disclosure describing the type, nature and quantity of all such substances in all permit or approval applications.

G. Schools -- Permitted Use. Schools shall be an allowed or conditional use as provided below. For purposes of this subsection “design capacity” shall be determined by reference to the applicable Comprehensive Plan capital facilities element.

- 1) Primary schools with a design capacity of not greater than 600 students and not more than 60,000 square feet of floor area shall be permitted as a permitted use in all zones.
- 2) Primary schools with a design capacity of greater than 600 students or more than 60,000 square feet of floor area shall be permitted as a conditional use in all zones.
- 3) High schools shall be permitted as a conditional use in all zones.

H. Schools -- Setbacks. For purposes of this section, setback distance shall be measured from any building located upon the school site, except that accessory buildings and recreation structures (such as storage sheds, utility sheds, equipment storage sheds, ball field nets or backstops, bleachers, and similar structures) shall comply with the setback requirements of the underlying zone.

AS MEASURED FROM	RESIDENTIAL	NON-RESIDENTIAL
Minimum Side:	25 feet	25 feet.
Minimum Rear:	25 feet.	25 feet
Minimum Front:	25 feet.	25 feet

I. Schools – Height. The maximum building height for schools shall not exceed the maximum height for the zone in which the school is located, except:

1. That in residential zones or any zone in which a structure 35 feet in height is not a permitted use, that portion of the structure or a separate structure that serves as an auditorium, gymnasium, or swimming pool, may be permitted to a maximum building height of thirty-five (35) feet with a Conditional Use Permit; and

2. Provided that the maximum building height for any other portion of the entire structure may be increased above the maximum(s) provided in this section, also subject to Conditional Use Permit approval, to a maximum of thirty-five (35) feet.

J. Schools -- Sidewalks. Sidewalks shall be provided along all street frontages to ensure safe walking paths for children walking to and from the school buildings and site. The requirement for off-site walking paths shall be reviewed on a site-specific basis as part of the applicable SEPA or site plan review.

K. Schools -- Playgrounds and Playfields. The following standards shall apply to playgrounds and playfields, where provided:

- 1) Primary school playgrounds and playfields shall be located on-site..
- 2) High school playfields and sports fields may be located off-site, provided that they are located reasonably near the school site and are accessible by sidewalks or other safe walking paths.
- 3) Where playgrounds or playfields are immediately adjacent to residential properties, they shall be adequately screened with a fixed wall or fencing at least six (6) feet in height.
- 4) All playgrounds and playfields shall be landscaped in a manner consistent with the primary use of such areas and further in accordance with the landscaping standards contained in ECDC Chapter 20.12

L. Schools -- Portables. Portable classrooms are allowed where the applicant demonstrates by substantial evidence that additional space is necessary to accomplish the educational mission or objectives of the school in accordance with applicable state and federal statutes, regulations and guidelines. Portable units may encroach upon minimum setback requirements where the applicant demonstrates that suitable mitigation measures will provide adequate buffering to adjacent residential areas. Portable units that encroach upon minimum setback requirements shall require a conditional use permit, except that such portable classrooms may be allowed on an interim basis if required by exigent circumstances.

M. Schools --Parking. The following parking standards shall apply to schools:

- 1) Primary schools shall provide a minimum of eleven (11) spaces for each one hundred (100) students as determined from the design capacity as determined in accordance with subsection H. Primary schools shall designate non-dedicated parking areas on-site to accommodate “special event” parking on-site.
- 2) All on-site parking lots shall be screened from adjacent residential properties with a solid wall or sight-obscuring fence not less than six (6) feet in height. Such walls or fences may be built progressively as the parking facilities are installed. Landscaping shall be installed in accordance with ECDC 20.12.025.
- 3) High schools shall submit a transportation management plan for approval by the City. The plan shall address the following: traffic control, parking requirements and management, mitigation measures for overflow parking into adjoining residential areas, and traffic movement to the nearest arterial street.

N. Orientation to Transportation Facilities. Primary schools may be located on non-arterial streets. High schools shall be located adjacent to or within five hundred (500) feet of a principal or minor arterial street.

O. Transit. High schools shall provide for at least one public transit stop or station. The transit stop or station shall include a turnout of suitable size and location to accommodate public buses.

P. Signage. All signage shall be erected and maintained in compliance with ECDC Chapter 20.60.

Q. Secondary Uses. Any use otherwise allowed or conditionally permitted within the particular zone in which the school is located, may be allowed or permitted as a secondary use, provided that:

- 1) if the proposed secondary use is a conditional use in the zone in which the school is located, then a conditional use permit shall be required for such secondary use; and
- 2) if the proposed secondary use is allowed in the zone in which the school is located, but would cause significant adverse impacts that are in addition to or independent from the primary school use, then a conditional use permit shall be required.
- 3) A use shall be considered secondary only where the use is subordinate the primary school use, with respect to at least two of the following criteria: a) the amount of space allocated to the use; b) the duration of use; or c) the number of people served or involved in the use.

R. Governing Law. In the event that any provision of this subsection directly conflicts with any state or federal law or regulation, the provisions of such law or regulation shall control.

**17.100.060 Regional Public Facilities.**

A. Permitted Use. Regional Public Facilities shall be allowed only within the Public “P” zoning district.

B. Siting. Regional Public Facilities shall be sited pursuant to the comprehensive planning process.

C. Development Standards. Development and performance standards for Regional Public Facilities are contained in ECDC Chapter 16.80.

**17.100.070 Parks Facilities.**

A. General -- Permitted Use.

- 1) Neighborhood parks, natural open space areas, and community parks with an adopted master plan are allowed in all zones.
- 2) Regional parks and community parks without an adopted master plan require approval of a conditional use permit.
- 3) Parks and recreation special use area facilities remain classified as local public facilities and are regulated pursuant to ECDC 17.100.030.

B. General --Parking Requirements.

- 1) All park facilities shall meet any applicable minimum parking requirements set forth in ECDC 17.50.030(C). In the event that no minimum parking requirement is applicable for the particular type of park facility proposed, then the minimum parking requirement shall be determined by a parking study analyzing the parking demands and requirements created by the particular park facility.
- 2) All on-site parking lots shall be screened from adjacent residential properties in accordance with ECDC 20.12.025 and any additional conditions or requirements imposed pursuant to ADB review as required by Chapter 20.10 ECDC.

C. General -- Lighting. All exterior lighting shall be arranged and directed so as to direct the light away from adjacent residential uses.

D. General -- Signage. All signage shall be erected and maintained in compliance with ECDC Chapter 20.60.

E. Secondary Uses. Any use otherwise allowed or conditionally permitted within the particular zone in which the park facility is located, may be allowed or permitted as a secondary use, subject to any applicable performance standards or requirements for such use, provided that:

- 1) If the proposed secondary use is a conditional use in the zone in which the park facility is located, then a conditional use permit shall be required for such secondary use; and
- 2) A temporary secondary use allowed or conditionally permitted in the zone in which the park is located shall be allowed or conditionally permitted without being subject to the performance standards and requirements imposed by this chapter. For purposes of this section, temporary secondary use shall mean a use lasting less than six (6) months in any two (2) year period.
- 3) The following secondary uses are allowed outright upon all park facilities:
  - (a) churches
  - (b) daycare facilities

- 4) A use shall be considered secondary only where the use is subordinate the primary use of parks and recreation, with respect to at least two of the following criteria: a) the amount of space allocated to the use; b) the duration of use; or c) the number of people served or involved in the use.

Section 13. Chapter 21.15 “C” Term Definitions is hereby amended by the addition of a new Section 21.15.015 Church; Neighborhood Church and Community Church. to read as follows

**21.15.015 Church**

Any community facility used or dedicated for the legitimate exercise of recognized federal and state constitutional rights for religious free worship. A neighborhood church is a church of 22,000 square feet or less of gross floor area. A community church is a church of greater than 22,000 square feet of gross floor area. Determination of gross floor area shall be consistent with state building code calculations.

Section 14. Chapter 21.15 ECDC “C” Term Definitions” is hereby amended by the addition of a new Section 21.15.071 Community Facilities to read as follows:

**21.15.71 Community Facilities**

- A. Any use, structure, building, or development that:
  - 1) is primarily used or dedicated for use by members of the general public for educational, religious, informational, recreational, artistic, or social purposes; or
  - 2) serves members of the general public by providing for utility, transportation, police, fire, and parking services; or
  - 3) is primarily used or dedicated for use by local, state, regional, or federal governments for the purpose of providing governmental services.
- B. Community facilities consist of churches, local public facilities, parks, and regional public facilities.

- C. Community facilities do not include animal hospitals, boarding houses, congregate care facilities, day care facilities, fraternities, foster homes, halfway houses, home occupations, hospitals, rooming houses, retirement homes, sororities, or similar medical, hospice, or care uses.

Section 15. Chapter 21.15 ECDC “C” Term Definitions is hereby amended by the addition of a new Section 21.15.073 Community Park to read as follows:

**21.15.073 Community Park**

A public recreation facility primarily designed and located to provide active and structured recreation opportunities for young people and adults in the immediate community. The service area is at least one to two mile radius. In general, community park facilities are designed for organized activities and sports, although individual and family activities are also encouraged. Community parks may provide indoor facilities to meet a wider range of recreation interests. Community parks serve a larger area than neighborhood parks and offer more facilities such as parking, restrooms, covered play areas, etc. Community parks usually exceed 20 acres in size and often have sport fields, water bodies, gardens, nature trails or similar facilities as the central focus of the park.

Section 16. Chapter 21.55 ECDC “L” Term Definitions is hereby amended by the addition of a new Section 21.55.007 Local Public Facilities to read as follows:

**21.55.007 Local Public Facilities.**

Any community facilities primarily sited, designed, constructed, and operated for the purpose of providing public health, safety and welfare services to the immediate area or neighborhood in which they are sited. Local Public Facilities include, but are not limited to: police stations, fire stations, branch libraries, bus stop shelters, electrical substations, water pump stations, community club houses, parks and recreation special use areas, branch governmental and administrative offices, service clubs, storage and associated maintenance buildings and yards.

Section 17. The Edmonds Community Development Code is hereby amended by the addition of a new Chapter 21.65 “N” Term Definitions to read as follows:

Sections:

21.65.010 Natural open space areas.

21.65.020 Neighborhood park.

**21.65.010 Natural open space areas.**

Public recreation areas consisting of open space land left in its natural state and used primarily as a buffer or separation from other urban uses. Depending upon the conditions of the site, the site may or may not be available for public access. In the Puget Sound area, natural open space generally contains heavily forested areas with dense underbrush. In many cases, environmentally sensitive areas are considered as natural open space areas and may include wetlands, wildlife habitat, stream and creek corridors, steep hillsides, forested areas or unique or endangered plant species.

**21.65.020 Neighborhood park.**

Public recreation facilities consisting of a combination playground and park designed primarily for non-supervised, non-organized recreation activities. In addition to their recreation value, they also provide a source of open space and aesthetic quality in the neighborhood. Neighborhood parks are generally small in size (3-10 acres) and serve an area of approximately one-half mile radius. Neighborhood parks are located within walking and bicycling distance of most users and frequently located adjacent to or upon school property. Neighborhood parks sometimes provide space for organized community events. The facilities generally located in a neighborhood park include: children's playground, picnic facilities, trails, open space and nature areas, tennis courts, outdoor basketball court, and multi-use open field for soccer, youth league baseball, etc.

Section 18. ECDC Chapter 21.80 "P" Term Definitions is hereby amended by the addition of a new Section 21.80.005 Parks and Recreation Special Use Areas to read as follows:

**21.80.005 Parks and Recreation Special Use Areas.**

Public facilities used for specialized recreational, educational, or community purposes. Special use areas include miscellaneous publicly owned facilities that do not generally meet the classification criteria for neighborhood, community, regional, or waterfront park areas. Special use areas often include various types of indoor facilities. Examples of special use areas in Edmonds include the Meadowdale Clubhouse, Historical Museum, and Frances Anderson Center. Parks and Recreation special use areas are a type of local public facilities.

Section 19. ECDC Section 21.85 “R” Term Definitions is hereby amended by the addition of a new section 21.85.031 Regional Park. to read as follows:

**21.85.031 Regional Park.**

A public recreation facility designed and located to serve an entire region. Regional parks are usually large in size and often include areas of natural quality suitable for outdoor recreation activities such as golfing, picnicking, boating, fishing, swimming, camping and hiking.

Section 20. Chapter 21.85. ECDC “R” Term Definitions is hereby amended by the addition of a new section 21.85.033 Regional Public Facilities.

**21.85.033 Regional Public Facilities.**

Any community facilities primarily sited, designed, constructed, and operated for the purpose of providing services or recreation to the general public on a regional or national basis. Regional Public Facilities include, but are not limited to: airports, concert halls, museums, zoos, aquariums, universities, colleges, trade schools, cemeteries, central or primary government offices, sewage treatment facilities, solid waste facilities, commuter parking lots, regional transit centers, and stadiums. Facilities associated with and sited with schools are not intended to be regulated as separate regional public facilities.

Section 21. Chapter 21.90 ECDC “S” Term Definitions is hereby amended by the addition of a new Section 21.90.008 School to read as follows:

**21.90.008.1 School**

Public facilities consisting of grounds and facilities primarily used or dedicated for the academic education of students from preschool through the twelfth grade and licensed or accredited pursuant to RCW Title 28A. “Primary Schools” are schools used or dedicated for the education of students from preschool through the eighth grade. “High Schools” are schools used or dedicated for the academic education of students from ninth grade through the twelfth grade. Schools are considered to include all school buildings, structures, ballfields, stadiums, and other grounds or facilities that are primarily dedicated for educational uses, or to the support of educational uses.

**[NOTE TO CODE REVISER: Re-number current Section 21.90.008 Satellite Television Antenna to**

**21.90.006.]**

Section 22. Chapter 21.100 ECDC “T” Term Definitions is hereby amended by the addition of a new Section 21.100.090 Transit Center to read as follows:

**21.100.090 Transit center**

A transit center is a dedicated transit facility located outside of the public right-of-way where several transit routes converge. A transit center is designed to accommodate several buses at once to permit users easy transfer between transit routes. A transit center may provide transit passenger shelters and waiting areas, but does not include spaces for transit passenger’s automobile parking.

Section 23. 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:

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MAYOR, GARY HAAKENSEN

ATTEST/AUTHENTICATED:

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CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_

W. SCOTT SNYDER

FILED WITH THE CITY CLERK: 03/16/2001

PASSED BY THE CITY COUNCIL: 03/20/2001

PUBLISHED: 03/31/2001

EFFECTIVE DATE: 04/05/2001

ORDINANCE NO. 3353

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## SUMMARY OF ORDINANCE NO. 3353

of the City of Edmonds, Washington

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On the 20th day of March, 2001, the City Council of the City of Edmonds, passed Ordinance No. 3353. 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 RELATING TO COMMUNITY FACILITIES AND PUBLIC USES TO WIT: SECTION 16.20.010 USES IN THE SINGLE-FAMILY RESIDENTIAL ZONE; SECTION 16.30.010 USES IN THE RM ZONE, SECTION 16.45.010 USES IN THE NEIGHBORHOOD BUSINESS ZONE, SECTION 16.50.010 USES IN THE COMMUNITY BUSINESS ZONE; SECTION 16.53.010 USES IN THE PLANNED BUSINESS ZONE, SECTION 16.55.010 USES IN THE COMMERCIAL WATERFRONT; SECTION 16.62.010 USES IN THE MEDICAL USE ZONE; REPEALING AND REENACTING CHAPTER 16.80 RELATING TO P-PUBLIC USE; SECTION 17.40.010 NON CONFORMING USES (B) RELATING TO CONTINUATION; AMENDING SECTION 17.40.040 NON CONFORMING SIGNS (A), AMENDING CHAPTER 17.40 BY THE ADDITION OF A NEW SECTION 17.40.050 NON CONFORMING COMMUNITY FACILITIES; ENACTING A NEW CHAPTER 17.100 COMMUNITY FACILITIES; AMENDING CHAPTER 21.15 BY THE ADDITION OF A NEW SECTION 21.15.015 CHURCH; AMENDING SECTION 21.15.071 COMMUNITY FACILITIES; SECTION 21.15.073 COMMUNITY PARK; CHAPTER 21.55 TO ADD A NEW SECTION, 21.55.007 DEFINING LOCAL PUBLIC FACILITIES, CHAPTER 21.65 TO ADD A NEW SECTION 21.65.010 DEFINING NATURAL OPEN SPACE AREAS AND A NEW SECTION 21.65.020 DEFINING NEIGHBORHOOD PARK, CHAPTER 21.80 TO ADD A NEW SECTION 21.80.005 DEFINING PARKS AND RECREATION SPECIAL USE AREAS; CHAPTER 21.85 TO ADD A NEW SECTION 21.85.031 DEFINING REGIONAL PARK, AND A NEW SECTION 21.85 DEFINING REGIONAL PUBLIC FACILITIES, CHAPTER 21.90 DEFINING SCHOOL, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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

DATED this 21st day of March, 2001.

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CITY CLERK, SANDRA S. CHASE

