

**Mayor's column for  
The Edmonds Enterprise  
Published on 2/4/05**

Since the City Council is about to begin debate on the Comprehensive Plan amendments, and the issue of height limitations in the downtown business zone has been in the news so much recently, I decided to put some of my thoughts on paper.

I'd like to begin with the existing code on how tall buildings can be in the area commonly known as the BC zone—basically, downtown Edmonds—but not the Port, where the height limit is already 30 feet, or Harbor Square, which allows for 35 feet. The Point Edwards site and the lower yard, the future site of the Edmonds Crossing Project, allows for building heights between 40 and 45 feet.

The history of allowable building heights has been well documented over the years. It's been raised and lowered several times, but has settled in over the past eight years to 25 feet with an option to go to 30 feet. The code basically allows for a building to be built right up to 25 feet, although it would be a square box. In 1997, the City Council, of which I was a member, became concerned that these big boxy buildings were, frankly, ugly! The Council wished to find a way to create more interesting architecture that would keep us from becoming a downtown of square box after square box.

So a new amendment to the code was created that said, "A roof may extend five feet above the stated height limit if all portions of the roof above the stated height are modulated in design and are designed as a hip, gable, arch, shed or other similar roof form." That sentence is very clear, and I believe states the 1997 Council intent: you can build to 30 feet if you modulate the roof design.

The second sentence in the footnote is the one that has caused the most frustration. It reads as follows: "Vertical parapet walls or flat roofs with a pitch of less than 3-in-12 are not allowed to protrude above the 25 foot height limit unless they are part of an 'approved modulated design.'" I believe the word "roof" should have been inserted before "design" in that sentence. That was the intent of the 1997 Council, and had that word been in place, we wouldn't have had such aggravation over this code.

Without that word, the code has been interpreted to mean that roof or building modulation satisfies the intent of the code. The City Council has wrestled with the interpretation of this code for some time and I have asked them to clarify it several times. Last year they took up the issue and asked the Planning Board to study it and report back to the Council. The Planning Board is still in the process of researching the issue.

It's interesting to note that in 1997, the Council didn't discuss "floors," "stories," or "12-foot ceiling heights." They were only interested in more attractive buildings in our downtown and saw modulated roof designs as a means to an end. They did feel that retail should be on the ground floor of these building rather than residential. Beauty is always in the eye of the beholder, so you can be the judge if the buildings constructed since 1997 are more attractive or not.

While the Council waited for a recommendation from the Planning Board, a project that was proposed using this code was appealed by a neighborhood group to Superior Court where the judge ruled that the code was vague and sided with the neighbors. The Council, through a series of actions and moratoriums, is again waiting on Planning Board study before they move forward.

So let's take a moment and look at the various roles of those involved here. The Planning Board of the City is tasked with serving in an advisory capacity for the City in local planning and to specifically assist in the development of the comprehensive plan and zoning ordinance and other duties as the City Council may assign it. They do not advocate for a position; they merely study the pros and cons of a topic and make their recommendation to the council based on facts and not on emotion. They have no axe to grind and nothing to gain by their decisions.

City staff—which, by the way, includes me as mayor—often is caught in the middle of Planning Board/City Council discussion on code changes. While the Planning Board studies issues, it has questions. It goes to staff to get their questions answered. Again, staff has nothing to gain by code changes. The Council creates policy and the staff implements it. What staff does look for is clear and concise code that will make it straightforward to implement and enforce and, in turn, benefits all users of the code as well as those affected by it. When the Council deliberates on code changes, they too have questions. So of course they ask staff. Much like the Planning Board, staff has no vested interest in code changes. Their job is to enforce whatever the code may be. And also like the Planning Board, they have to look at each issue from a planning standpoint, not an emotional one. The staff are experts in their areas and answer all Board and Council inquiries from their experience and expertise without advocating a pro or con position.

In 1997, the City Council saw fit to change the code to allow for modulated roof designs. In 2004, the City Council took up the issue again. In 2005, they may see fit to allow modulated buildings and modulated roof designs. That is their prerogative. And, in fact, that is their job as policy makers, to look at codes and determine if they reflect the Council's current vision. As elected officials, their vision should align with the greater Edmonds community's vision as well. If you don't think it does, then it's your job to let them know what your vision is.

The debate over roof modulation and/or building modulation allowing for a five-foot height increase may be much ado over nothing. If the City Council approves the Planning Board recommendation to allow an extra 36 inches in height in the BC zone, a builder would choose that option rather than a 25- to 30-foot option for a variety of reasons.

This is part one of two articles on building height concerns in Edmonds as the Council deliberates on the Comprehensive Plan. Next week I'll take on the Planning Board recommendation to allow a 36-inch increase in building heights downtown.