



City of Monroe
806 West Main Street, Monroe, WA 98272
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www.monroewa.gov

Planning Commission Agenda

Monday, April 11, 2016 7:00 p.m. Council Chambers

CALL TO ORDER

ROLL CALL

Chairman Kristiansen
Commissioner Bull
Commissioner Coonan
Commissioner Duerksen
Commissioner Jensen
Commissioner Stanger
Commissioner Tuttle

COMMENTS FROM CITIZENS

Members of the audience may comment on any city matter that is not listed on the agenda. Comments by individuals are limited to five (5) minutes. The Commission usually does not respond to matters brought up during audience participation and may, if appropriate, address the matter at a subsequent meeting.

APPROVAL OF MINUTES

Documents: [PC03282016.pdf](#)

PUBLIC HEARINGS

OLD BUSINESS

1. Zoning Code - Amendments

Documents: [A Old Business Agenda Bill - Zoning Code.pdf](#), [ATTACH 1 Chapter 18.12 Downtown.pdf](#)

NEW BUSINESS

WORKSHOP

DISCUSSION BY COMMISSIONERS AND STAFF

ADJOURNMENT

THE PLANNING COMMISSION MAY ADD AND/OR TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA

Accommodations for people with disabilities will be provided upon request.
Please contact City Hall at 360-794-7400 and allow one-week advanced notice.

**CITY OF MONROE
PLANNING COMMISSION MINUTES
Monday, March 28, 2016**

The regular meeting of the Monroe Planning Commission was held on **Monday, March 28, 2016** at **7:00 p.m.**, in the City Hall Council Chambers at 806 West Main Street, Monroe, WA 98272.

CALL TO ORDER

Acting Chair Tuttle called the meeting to order at **7:00 p.m.**

ROLL CALL

Secretary Christina LaVelle called the roll. The following were:

Commissioners Present: Vice Chair Tuttle, Commissioner Bull, Commissioner Jensen, Commissioner Stanger and Commissioner Duerksen

Commissioners Absent: Commissioner Kristiansen and Commissioner Coonan (both excused)

Staff Present: Director of Community Development David Osaki and Planning Commission Secretary Christina LaVelle

COMMENTS FROM CITIZENS

Russell Hermes

**Attorney for Matson and Associates
1812 Hewitt Avenue, Everett, WA**

Mr. Hermes, Attorney for Richard Matson, presented background on the impacts that the current zoning has had on his client's property which is located in the Borlin Park Neighborhood. The property is currently vacant and his client has had interest from GSR Rentals to obtain the space as a party supply and tool rental facility. However, the MMC zoning code prohibits tool sales and rentals within the Borlin Park Neighborhood. **Mr. Hermes** stated that there are similar (non-conforming) uses already existing within the neighborhood. **Mr. Hermes** requested that measures be taken to relax the restriction in uses within the Borlin Park Neighborhood to allow for GSR Rentals to utilize the space for party supplies and tool rentals.

Richard Matson

4203 81st Place, Marysville, WA 98270

Mr. Matson stated his name and address for the record. **Mr. Matson** had no additional comments.

Gunner Malloy
President of GSR Rentals
1769 Duvall, Washington

Mr. Malloy stated his desire to relocate GSR Rentals from Duvall to Monroe. He noted that he had been looking for an available property in Monroe that could be used as a warehouse as well as a showroom for sales and rental of party supplies and tools. **Mr. Malloy** stated that **Mr. Matson's** property was the ideal site to meet his needs. However, the current zoning code prohibits the use of tool sales and rentals within the Borlin Park Neighborhood. **Mr. Malloy** requests the removal of the text in the zoning code that prohibits tool sales and rental within the Borlin Park Neighborhood.

APPROVAL OF MINUTES

- March 14, 2016
Commissioner Stanger moved to accept the March 14, 2016, Planning Commission Meeting minutes as written. **Commissioner Bull** seconded. Motion carried **5/0**.

OLD BUSINESS

1. Zoning Code Amendments

Director Osaki provided information to the Planning Commission responding to the public comments made from Mr. Hermes and Mr. Malloy. **The Commission** inquired about the timeline of amending the zoning code and potential ways to expedite the process to assist GSR Rentals in obtaining the property. **Director Osaki** outlined the process of amending the zoning code.

Director Osaki presented Monroe Municipal Code (MMC) 18.72.040 (E). Subsection (E) states,

“If no structural alterations are made, any nonconforming use of a structure, or structure and premises, may be changed to another nonconforming use; provided, that the hearing body findings in the specific case shall find that the proposed use is more appropriate to the zone than the existing nonconforming use. In permitting such change, the hearing body may require appropriate conditions and safeguards in accord with the provisions of this title.”

Director Osaki clarified that while MMC 18.72.040 E allows for a hearing body to make a decision on the allowance of a new non-conforming use, the code does not specify who will act as the hearing body.

Director Osaki suggested an amendment to the code that would allow for the decision to be made administratively. **The Commission** reviewed and discussed Director Osaki's recommendation weighing the advantages and disadvantages.

Director Osaki discussed the use table found in MMC 18.12 (Downtown Commercial Zone (DC)).

The Commission discussed the timeline and process of amending MMC 18.12. **The Commission** discussed and suggested preliminary changes to the use table.

The Commission discussion is summarized below:

The Commission determined to continue conversation until next Planning Commission meeting due to time constraints. In the meantime, staff would provide the Planning Commission with the municipal code section that included definitions.

NEW BUSINESS

1. Traffic Impact Fee Code Amendment- Briefing

Director Osaki presented the Traffic Impact Fee Code Amendment to the Planning Commission. He gave a brief background of the traffic impact fees and the proposed code amendment.

Currently, transportation impact fees are imposed when the use of an existing building is changed. The amendment under consideration would no longer impose additional transportation impact fees when the use of an existing building is changed. It would also change the definition of "Development Activity". In addition, the ordinance would address situations where a development project pays its traffic impact fee at the time of building permit for a general land use (when tenants have not yet been identified/leased) and then the space is initially leased to a land use with higher traffic fees.

The City Council will consider an emergency ordinance at it April 5, 2016 meeting that will, if passed, amend on an interim basis Monroe Municipal Code (MMC) Chapter 20.12 related to Transportation Impact Fees.

Director Osaki noted that should the emergency ordinance be passed, the Planning Commission will then need to consider a code amendment addressing the issue in the emergency ordinance and make a recommendation to the City Council.

Commissioner Duerksen motioned to extend the March 28, 2016, Planning Commission Meeting past 9:00 p.m. **Commissioner Jensen** seconded. Motion carried **5/0**.

2. Nomination of Commissioner to serve on artist proposal Selection/ Committee

Commissioner Duerksen nominated **Commissioner Jensen** to serve on the artist proposal Selection/ Committee. **Commissioner Stanger** seconded. Motion carried **5/0**.

DISCUSSION BY COMMISSION AND STAFF

- East Monroe Decision: The Growth Management Hearing Board (GMHB) has not issued a decision on East Monroe. A GMHB decision is scheduled to be issued by the end of the month.
- **Commissioner Bull** asked for clarification on the roles and responsibilities of the Hearing Examiner. **Director Osaki** gave a brief synopsis.
- **Director Osaki** summarized on-going, new, and potential projects city-wide.

ADJOURNMENT

Commissioner Duerksen moved to adjourn the **March 28, 2016** Planning Commission meeting. Motion was seconded by **Commissioner Stanger**. Motion carried **5/0** and the meeting was adjourned at **9:17p.m.**

Bridgette Tuttle
Vice Chair

Christina L. LaVelle
Planning Commission Secretary

MONROE PLANNING COMMISSION
Agenda Item Cover Sheet

TITLE:	<i>Zoning Code - Amendments</i>
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DATE:		CONTACT:	PRESENTER:	ITEM:
04/11/16		David Osaki	Dave Osaki	Old Business

Discussion: 01/11/16; 01/25/2016, 02/22/2016, 03/28.2016

Public Hearing: None

Attachments: 1. Monroe Municipal Code Chapter 18.12 (Downtown Commercial Zone)
[NOTE: Several other agenda packet items related to this issue have been provided in prior Planning Commission Packets are not being duplicated for this packet. Please refer to prior packet materials from the March 28, 2016 meeting.]

DESCRIPTION/BACKGROUND

Prior Planning Commission meetings have discussed amendments to the zoning code.

This discussion will continue at the April 11, 2016 meeting, with primary attention to the Downtown Commercial zone use tables. Copies of the “Definitions” Chapter of the Zoning Code have been provided to the Planning Commission under separate cover to facilitate this review.

The March 28, 2016 meeting included discussion on nonconforming language in the municipal code. Monroe Municipal Code 18.72.040E, pertaining to “Nonconforming uses” states,

“E. If no structural alterations are made, any nonconforming use of a structure, or structure and premises, may be changed to another nonconforming use; provided, that the hearing body findings in the specific case shall find that the proposed use is more appropriate to the zone than the existing nonconforming use. In permitting such change, the hearing body may require appropriate conditions and safeguards in accord with the provisions of this title.”

For discussion purposes at the April 11, 2016 meeting, an alternative for consideration is:

“If no structural alterations are made, any nonconforming use of a structure, or structure and premises, may be changed to another nonconforming use subject to obtaining a non-conforming use permit. In reviewing applications for non-conforming use permits, the proposed new use must be no

more detrimental to properties in the zone and vicinity than the existing use. This determination shall be based on consideration of the following:

1. The relative parking, traffic, light, glare, noise, odor and similar impacts of the two uses and how these impacts could be mitigated.

If the new use is permitted, the Director may require conditions, including but not limited to landscaping, screening, limitations on outdoor storage, adjustments to yards, parking requirements and/or limiting hours of operation”

RECOMMENDED ACTION

Discussion.

Chapter 18.12 DOWNTOWN COMMERCIAL (DC) ZONE

Sections:

- [18.12.110](#) Purpose of the downtown commercial zone.
- [18.12.120](#) Neighborhoods and maps.
- [18.12.130](#) Downtown neighborhood (DN).
- [18.12.140](#) Rails and Roads neighborhood (RR).
- [18.12.150](#) Historic Main area (HM).
- [18.12.160](#) Borlin Park neighborhood (BP).
- [18.12.170](#) Downtown neighborhood land use matrix.
- [18.12.180](#) Mixed-use requirements.
- [18.12.190](#) Special uses.
- [18.12.200](#) Downtown planning area bulk requirements.
- [18.12.210](#) General downtown commercial requirements for the Historic Main and Borlin Park neighborhoods.
- [18.12.220](#) Downtown commercial parking.

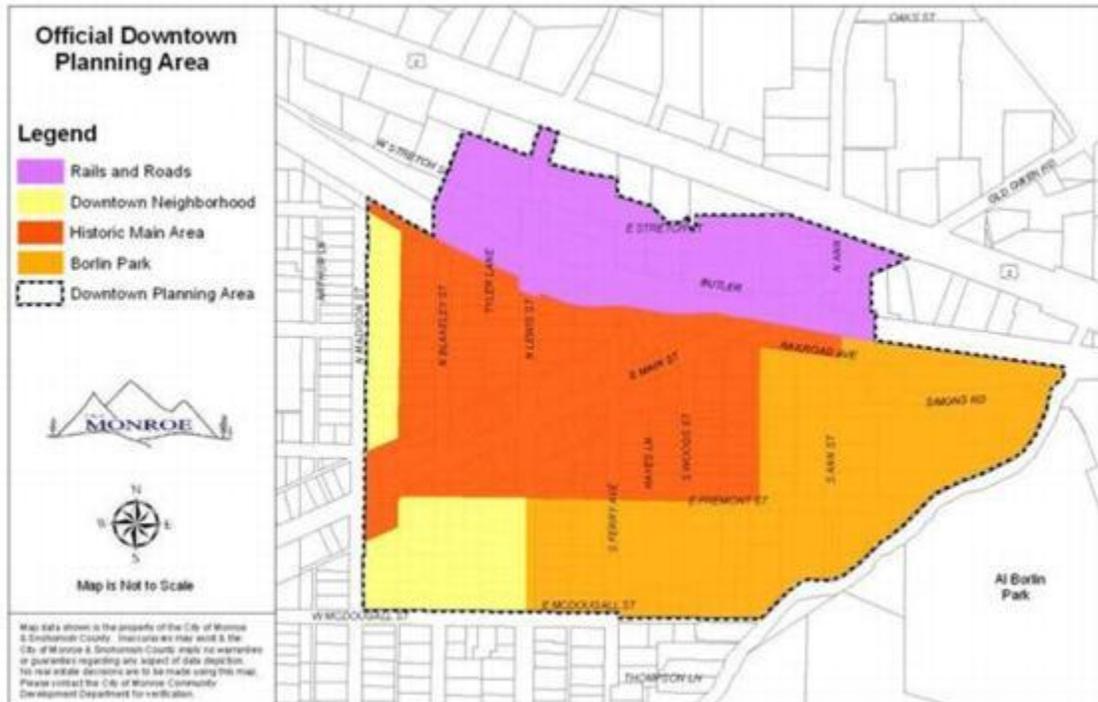
18.12.110 Purpose of the downtown commercial zone.

The purpose of the downtown commercial zone is to integrate civic, commercial, entertainment, cultural and residential uses and increase economic and urban activity levels within the zone. Development standards or guidelines applicable to the downtown commercial zone enhance opportunities for significant growth of office, commercial, and residential projects in the city's core, where public transit and civic amenities are more concentrated and available. (Ord. 006/2009 § 3)

18.12.120 Neighborhoods and maps.

A. Neighborhoods. The downtown commercial zone is subdivided into four distinct neighborhoods; each neighborhood is intended to implement specific aspects of the comprehensive plan that pertain to the downtown planning area. Each neighborhood contains a unique mix of uses and zoning regulations, as described in this chapter. The four neighborhoods are DN Downtown neighborhood, RR Rails and Roads neighborhood, HM Historic Main area, and BP Borlin Park neighborhood

B. Official Downtown Planning Area Zoning Map. The official downtown planning area zoning map shows the boundaries of the planning area and represents the four distinct neighborhoods in the downtown commercial zone. This map shall be supplemental to the current, official city of Monroe zoning map.



C. Planning Area and Neighborhood Boundaries. Where uncertainty exists as to the boundaries of the downtown planning area and downtown commercial neighborhoods, as shown on the official downtown planning area zoning map, the rules defined in MMC [18.04.030](#) shall apply. (Ord. 006/2009 § 3)

18.12.130 Downtown neighborhood (DN).

A. Purpose. The Downtown neighborhood frames the western edge of the Historic Main area and contains existing single-family houses, multifamily buildings, and some commercial uses. This mix of uses is appropriate for this neighborhood, as a transitional edge between single-family neighborhoods and the Historic Main area, to provide a setting for small businesses and close-in housing options. Future redevelopment in this area will provide a mix of uses. Residential uses in this neighborhood are limited to single-family residences and duplexes.

B. Residential Density. Residential density will allow up to eleven dwelling units per acre. The number of units on a specific site is calculated by multiplying the gross area by eleven units per acre. (Ord. 006/2009 § 3)

18.12.140 Rails and Roads neighborhood (RR).

The Rails and Roads neighborhood includes the lands north of the Historic Main area, between the railroad and U.S. Highway 2. Many of the properties in this area have roads along the front and rear of the property, looking both to downtown and to the commercial strip. Various commercial activities are appropriate in this neighborhood. The long-term vision for the area should make use of the rail lines by encouraging a rail stop for potential passenger service. Residential uses in the RR neighborhood are not allowed, due to the commercial nature of the area. (Ord. 006/2009 § 3)

18.12.150 Historic Main area (HM).

A. Purpose. The Historic Main area encompasses the blocks along Main Street between Madison Street and the railroad tracks and along Lewis Street between Fremont Street and the railroad tracks. The Historic Main area will be the core area for specialty commercial uses that serve the entire community and even the region. The goal for this area is to continue to have a high concentration of retail, dining, and entertainment functions, while accommodating professional services and some residential housing. Cultural and recreational facilities should also be a part of the area's mix of uses.

B. Residential Density. The Historic Main area allows up to twenty residential units per gross acre. To calculate the number of possible dwelling units/lots, refer to MMC [18.10.010\(B\)](#) for the single-family density calculation and MMC [18.10.020\(B\)](#) for the multifamily or mixed use density calculation.

C. Design Guidelines. All development within the Historic Main area shall comply with the design guidelines found in the downtown master plan. Design guideline review will be administrative and is subject to the requirements of MMC [18.10.130](#). (Ord. 026/2011 § 2 (Exh. 1); Ord. 006/2009 § 3)

18.12.160 Borlin Park neighborhood (BP).

A. Purpose. The goal for this neighborhood is to promote an "urban village" character that contains pedestrian scale amenities and high-quality mixed-use and high-density residential development. Land uses will provide for a concentration of commercial, residential, and civic functions. Civic functions may include recreational and arts uses as well as education-related activities. The Borlin Park neighborhood should contain significant, well-designed parks and open space. There are opportunities to make use of natural amenities along the eastern edge of the area that would make this a distinctive and appealing location for in-town housing. There are also opportunities to provide additional urban, civic green spaces within convenient walking distance of the Historic Main area. This combination of uses is necessary to promote the greater downtown Monroe area as a regional destination for specialty retail, dining, and entertainment.

Areas along Woods Creek and the Borlin Park neighborhood are encouraged to provide enhanced pedestrian and bicycle connectivity. Also proposed along Woods Creek is an area for an overlook and water access at the creek itself, which would be linked into the enhanced bike and pedestrian ways. Areas of the AI Borlin Park neighborhood, which are within the Woods Creek shoreline area, will have some development constraints due to the natural sensitivities of the creek side areas.

B. Residential Density. The Borlin Park neighborhood allows up to twenty residential units per gross acre. To calculate the number of possible dwelling units/lots, refer to MMC [18.10.020\(B\)](#) for the multifamily or mixed use density calculation.

C. Design Guidelines. The Borlin Park Neighborhood Design Guidelines, dated February 2009, or as amended in the future, and attached to the ordinance codified in this section, are hereby adopted and incorporated into this code by this section by this reference as if set forth in full. All development within the Borlin Park neighborhood shall comply with the design guidelines as adopted and is subject to the requirements of MMC [18.10.130](#). (Ord. 026/2011 § 2 (Exh. 1); Ord. 006/2009 § 3)

18.12.170 Downtown neighborhood land use matrix.

This matrix shall be considered supplemental to the zoning land use matrix, MCC 18.10.050. Uses identified in the matrix below, but not in MCC 18.10.050, shall be considered prohibited in the zoning districts identified in MCC 18.10.050.

Downtown Neighborhood Zoning Matrix	Downtown Commercial Zone			
	Downtown Neighborhood	Rails and Roads Neighborhood	Historic Main Area	Borlin Park Neighborhood
Accessory dwelling units	P ¹		P ¹	P ¹
Adult entertainment (business use) P2				
Amusement facility		P	C	C
Antique shop		P	P	P
Art gallery		P	P	P
Auto repair, minor		P		
Auto repair, major		P		

Bakery		P	P	P
Bank with drive-up facility		P	P	
Bed and breakfast	C ¹		C ¹	C ¹
Brewery, micro		P	P	C
Church	C	P	P	P
Cleaning establishment		P	P	C
Clinic, health services	C	C	C	C
Club		P	P	C
Club, fitness	P	P	P	A
Coffee shop	A	P	P	P
Community open-air market		P	P	P
Convenience stores		P	P	
Day care center	C ²	C ²	C ²	C ²
Drive-up/through		P	P ³	P ³
Drug store		P	P	P
Dwelling, duplex	P			
Dwelling, mobile home	P		C	
Dwelling, multifamily			P ⁴	P
Dwelling, single-family	P		C	
Dwelling, townhouse				P
Electrical transmission lines of higher voltage than 115 kV, in existing corridors	P	P	P	P
Electrical transmission lines of higher voltage than 115 kV, in new corridors	C	C	C	C
Family day care	A	A	A	A

Garden produce		P	P	P
Gas station		P	C	
Government facilities	C	C	C	C
Greenhouse, retail		P	C	
Grocery store		P	P ⁵	P ⁵
Group homes, Type 1	P		C	P
Group homes, Type 2	C ³		C ³	C ³
Halfway house	EPF		EPF	EPF
Hardware store 1		P	P	
Hardware store 2		P		
Home occupations	P		P	P
Hotel		P	C	C
Library		P		P
Mixed-use (commercial and residential)	P		P	P
Mobile vendors		P ⁶	P ⁶	P ⁶
Motel		P		
Nursing and/or convalescent home			P ⁸	P ⁸
Office, professional	P	P	P	P
Parking lots (accessory use)	P	P	P	P
Parking lots (stand-alone)	C	C	C	C
Pawn shop		P	P	
Preschool	C	C	C	C
Print shop		P	P	C
Regional transit station, including bus, train, and other high-capacity vehicle	EPF	EPF	EPF	EPF

bases				
Restaurant		P	P	P
Retail stores		P	P ⁷	P ⁷
Retirement housing/assisted living facility		P ⁸	P ⁸	P ⁸
Service establishment	C	P	P	P
State and regional transportation facilities including highways of statewide significance	EPF	EPF	EPF	EPF
Tavern/pub		P	P	A
Tool sales and rental		P		
Utility services	P	P	P	P
Veterinary clinic/animal hospital	C	P	C	

P = Permitted use; A = Accessory use; C = Requires a conditional use permit; and EPF = Essential public facility (see Chapter [18.15](#) MMC)

P¹ Accessory dwelling units must meet criteria outlined in Chapter [18.40](#) MMC.

P² Adult entertainment facilities are subject to Chapter [5.48](#) MMC and are not allowed in the downtown commercial zone.

P³ Drive-up/through windows or areas are prohibited in any establishment serving food and/or beverages.

P⁴ Multifamily dwellings are only allowed in conjunction with mixed-use structures.

P⁵ Grocery stores may not exceed 20,000 square feet in gross floor area.

P⁶ Mobile vendors must meet the criteria outlined in MMC [18.12.190\(A\)](#).

P⁷ In the Historic Main and Borlin Park neighborhoods, retail stores are limited to low-intensity uses no more than two thousand five hundred gross square feet, which are typically part of a larger development. Low-intensity uses may include, but are not limited to, boutiques, galleries, jewelry stores, clothing shops, and similar retail uses.

P⁸ 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 (43,560 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 $\times 3 = 33$).

C¹ Caretaker must be on site.

C² Limitation on number of children permitted per establishment.

C³ Group homes that qualify as essential public facilities shall follow the regulations in Chapter [18.15](#) MMC, Essential Public Facilities.

(Ord. 008/2010 § 1 (Exh. 1); Ord. 006/2009 § 3)

18.12.180 Mixed-use requirements.

A. Residential Mixed-Use Requirements. The purpose and intent of requiring specific standards for residential mixed-use developments is to determine:

1. Compatibility of land uses by establishing specific standards and incentives for residential mixed-use developments to ensure and promote consistency in design, construction, and scale;
2. Proximity of housing to services by providing opportunities for residents to live close to areas of shops, offices and other urban amenities, in order to facilitate access to such services and places of employment, and also to promote pedestrian orientation while decreasing the need for automobile trips;
3. Consistent application of design standards for all new or renovated buildings within the Historic Main Street and Borlin Park neighborhoods, as applicable; and
4. Ensure that the residents of mixed-use developments are provided with the same amenities afforded other multifamily developments throughout the city.

B. Applicability. Residential mixed-use development is permitted as established in the Downtown neighborhood Land Use Matrix of this chapter.

1. A minimum of one floor must be dedicated to residential use to qualify as a mixed-use development.
2. Historic Main ground floor must be commercial. (Ord. 006/2009 § 3)

18.12.190 Special uses.

A. Mobile Vendors. The purpose of this section is to regulate the activities of mobile vendors, where permitted, and promote the safety and welfare of the general public.

1. Requirements.
 - a. Submit a site plan that includes the elements described in MMC [18.82.030](#).
 - b. Submit property owner's written approval to locate on property.
 - c. Provide a signed agreement with a neighboring property owner within two hundred feet of the business for use of restrooms.
 - d. All mobile vendors engaged in the sale of food shall comply with all laws, rules, and regulations regarding food handling and provide a statement of approval from the Snohomish Health District. All vehicles or conveyances used by mobile vendors shall comply with all applicable laws, rules, and regulations as established by the Washington State Motor Vehicle Code and the Monroe Municipal Code.
 - e. If inside seating is provided within the vehicle or unit, compliance with the accessibility code is required including, but not limited to:
 - i. Accessible ramp;
 - ii. Aisle width of thirty-six inches;
 - iii. Door width of thirty-six inches;
 - iv. Seating to accommodate a wheelchair;
 - v. An accessible restroom within the vehicle/unit.
 - f. Vehicles must bear a seal that indicates it has been inspected and approved by L & I.

2. Business License. A business license is required for all mobile vendors prior to conducting business, in conformance with licensing requirements established in Chapter [5.02](#) MMC, Business Licenses.

3. Site Restrictions.

a. Mobile vendors shall be limited to two, per linear block on each side of the street, if the vendors are separated by a minimum distance of one hundred feet.

b. No mobile vendor shall sell or convey goods in the public right-of-way.

c. Mobile vendors cannot obstruct the passage of any sidewalk, street, avenue, alley or any other public place, by causing people to congregate at or near the place where any article is being sold or offered for sale.

d. No merchandise will be offered, displayed, or sold, and no customers served, in any vehicle travel lane.

e. Mobile vendors cannot conduct business unless the vehicle or conveyance is parked and operated in full compliance with the traffic and sidewalk ordinances of the city, in effect at the time of application or as hereafter amended.

f. This section shall not apply to vendors operating in conjunction with, and at the location of, events known as the farmers' market or as part of permitted special event, per Chapter [5.28](#) MMC.

g. No temporary/portable restrooms are allowed on site.

h. All mobile vendors shall clean up all litter originating from their business, each day, within a one hundred fifty-foot radius of the location where sales occur.

B. Community-Oriented Open-Air Markets.

1. The purpose of this chapter is to regulate community-oriented open-air markets within the downtown commercial zone, including farmers' markets, art fairs, and the like. Community-oriented open-air markets are intended to be operated by a public or private organization, which is open to the public and operates from individual booths or stands.

2. Permitted Uses.

- a. All fruits, vegetables, berries, butter, eggs, milk, or any farm produce sold by the grower or a representative.
- b. Edibles raised or caught by the seller, including fish and meats.
- c. The sale of goods and products produced by artisans, crafts persons, or their representative.
- d. Sale of food and beverages prepared on site such as concession stands.

3. Prohibited Uses.

- a. The secondhand sale of goods and products;
- b. The sale of any raw meat, fish or poultry product unless approved by the Snohomish Health District;
- c. The sale of any beverage or food unless appropriately licensed from the Snohomish Health District; and
- d. No sound amplification system shall be used in conjunction with the market, which produces noise and which is audible beyond the boundaries of the area designated in the application per MMC [18.10.270](#), Performance standards.

4. Required License and Permits.

- a. A business license from the city must be obtained by the sponsoring organization in conformance with licensing requirements established in Chapter [5.02](#) MMC, Business Licenses.
- b. Any permits required by the Snohomish County Health District.
- c. Exemptions. Required license and permits shall not be applied to any farmer, gardener or other person who sells any fruits, vegetables or other farm produce or edibles produced by such person within Snohomish County, Washington, and exempt pursuant to

RCW [36.71.090](#) from paying any fee or application. Such persons are exempt from the licensing and fee requirements of Chapter [5.02](#) MMC.

d. A special event permit will be required per Chapter [5.28](#) MMC, for events on public property. (Ord. 026/2011 § 2 (Exh. 1); Ord. 006/2009 § 3)

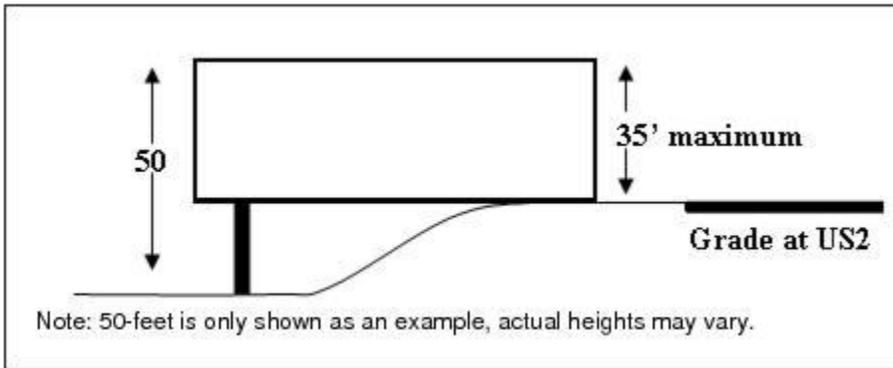
18.12.200 Downtown planning area bulk requirements. 

Site Requirement	Downtown Commercial Zone Neighborhoods			
	Downtown Neighborhood	Rails and Roads Neighborhood	Historic Main Area ¹	Borlin Park Neighborhood
District Symbol	DN	RR	HM	BP
Minimum Building Front/Street Setbacks (In Feet)	10 ft. – Living 20 ft. – Garage 20 ft. – Office	25 ft. from arterial 20 ft. from all other streets	None	None
Minimum Building Rear Setbacks (In Feet)	Single story – 5 ft. add 2 ft. for each additional story	As per IBC and IFC ²	As per IBC and IFC ²	As per IBC and IFC ²
Minimum Building Side Setbacks (In Feet)	Single story – 5 ft. add 2 ft. for each additional story	As per IBC and IFC ²	As per IBC and IFC ²	As per IBC and IFC ²
Maximum Lot Coverage of Structures and Other Impervious Surfaces	75%	None	None	85% ²
Minimum Landscaped Area/Landscaping Requirements	Per Chapter 18.78 MMC	Per Chapter 18.78 MMC	Per Chapter 18.78 MMC	Per Chapter 18.78 MMC
Maximum Height (In Feet)	35 ft.	35 ft. ⁶	35 ft. ³	35 ft. ³
Maximum Height Bonus (In Feet) for Mixed-Use Buildings	None	None	55 ft.	55 ft.

Ground Floor Use Requirement for Mixed-Use Buildings	None	None	Commercial	None
Design Criteria	None	None	Yes – MMC 18.12.150	Yes – MMC 18.12.160
Minimum First Story Height (Mixed-Use)	None	None	15 ft.	15 ft.
Minimum Lot Area	SFR – 4,000 sq. ft. Duplex – 8,000 sq. ft. Office – 4,000 sq. ft.	None	None	None
Floor Area Ratio (FAR)	N/A	N/A	1.7:1	1.7:1
Bonus FAR for Residential	N/A	N/A	0.5 ⁴	0.5 ⁴
Bonus FAR for Underground Parking	N/A	N/A	0.5 ⁵	0.5 ⁵

1. New single-family development in the Historic Main neighborhood will follow the bulk requirements for the downtown neighborhood.
2. Critical areas located on the lot count toward the FAR.
3. Mixed-use facilities may achieve twenty-foot height bonus.
4. If the structure is mixed-use, a minimum of one story must be dedicated to residential use.
5. Bonus FAR of 0.5 for buildings which provide one full level of parking below grade.

6. Maximum height of thirty-five feet is measured from the grade level at U.S. Highway 2 to the roofline for buildings fronting U.S. Highway 2 (see diagram below).



(Ord. 026/2011 § 2 (Exh. 1); Ord. 006/2009 § 3)

18.12.210 General downtown commercial requirements for the Historic Main and Borlin Park neighborhoods.



A. Development Standards.

1. Minimum height of ground floor shall be fifteen feet in height, from top to top of the successive finished floor surfaces on applicable buildings, as illustrated in Figure 18.12-1.

Figure 18.12-1 shows a ground floor height of fifteen feet.

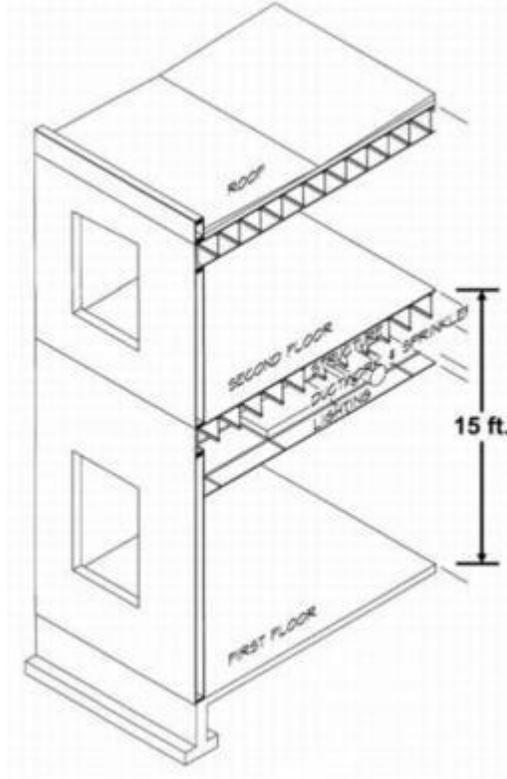


Figure 18.12-1: Ground Floor Height Measurement

2. Floor Area Ratio (FAR) Bonus. New or renovated buildings, as applicable, may attain a 0.5 FAR bonus for mixed-use buildings, if a minimum of one floor is dedicated to residential use.
3. Ground Floor. Commercial uses shall be located on the ground floor, as applicable. The elevation of the ground floor and associated entry shall be within seven inches of the grade level of the adjoining sidewalk. "Grade" shall be as measured at the entry location.
4. Exceptions and Clarifications.
 - a. Parking is not considered to be a commercial use for the purposes of satisfying the ground floor commercial use requirement. Ground floor parking is allowed under the following circumstances:
 - i. The parking lot is behind commercial suites on the ground level.
 - ii. Commercial use requirement will be satisfied on the second story.

iii. Additional landscape screening is provided.

b. Commercial space located on the ground floor shall be directly accessible, by an entry, from the sidewalk. (Ord. 006/2009 § 3)

18.12.220 Downtown commercial parking. 

A. Off-street parking shall be provided per Chapter [18.86](#) MMC, throughout the downtown commercial zone, with the following exceptions:

1. The Historic Downtown neighborhood is exempt from off-street commercial parking requirements; however, for new construction on-site parking is encouraged when feasible.

B. The director or designee may approve a reduction of up to twenty percent of the required off-street parking spaces, per MMC [18.86.050](#), when the applicant provides one or more of the following:

1. The applicant submits a parking study, by a qualified professional, substantiating that the parking need can be met by the proposed reduction.

2. The applicant sets aside land equal to the reduction area, which can be converted to parking, if a change in use or tenant occurs that increases the minimum required off-street parking, per MMC [18.86.050](#); in such case, the land set aside must be converted to parking.

3. For every five bicycle spaces provided, per subsection (C) of this section, or for each bicycle locker (two-bicycle capacity), the minimum motor vehicle parking space requirements may be reduced by one space up to five percent of the total required off-street parking spaces.

4. On sites where at least twenty parking spaces are required and where at least one frontage abuts a designated roadway, transit supportive plazas may be substituted for up to ten percent of required vehicle parking when:

a. The plaza is adjacent to the arterial street (if there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop);

b. The plaza must be at least two hundred square feet in area and be shaped so that a ten-foot by ten-foot square will fit entirely within the plaza; and

c. The plaza must be open to the public, contain a bench or other sitting area and shall have at least ten percent and no more than twenty-five percent landscaping.

5. The applicant enters into joint parking agreement, for use of a cooperative parking facility, in accordance with MMC [18.86.070](#) and [18.86.080](#). Through a joint parking agreement, the twenty percent reduction may be increased if all cooperative parking facility criteria are met.

C. Standards for Bicycle Parking. Any bicycle parking implemented under this section must meet the following standards:

1. Bicycle parking must be provided at the ground level, and may be provided in floor or wall racks that hold bicycles securely. Bicycles may be tipped vertically for storage, but not hung above the ground. If the bicycle parking is placed in the public right-of-way, it shall not obstruct pedestrian walkways or damage required landscaping.

2. Where required bicycle parking is provided with racks, the racks must meet the following standards:

a. The rack must hold the bicycle securely by means of the frame. The frame must be able to be supported so that the bicycle cannot be pushed or fall to one side in a manner that will damage the wheels;

b. The bicycle frame and one wheel can be locked to the rack with a high-security, U-shaped shackle lock if both wheels are left on the bicycle;

c. The rack must be securely anchored to the ground or adjacent structure with theft-resistant hardware.

3. Where bicycle parking is provided with lockers, such lockers must meet the following standards:

a. An area of at least six feet of horizontal distance shall be provided around the entrance of each locker that is free from obstructions; and

b. The lockers must be securely anchored to the ground or adjacent structure with theft-resistant hardware.

D. Underground parking is encouraged throughout the downtown commercial zone. (Ord. 026/2011 § 2 (Exh. 1); Ord. 006/2009 § 3)