

ORDINANCE NO. 030/2022B

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, ADOPTING INTERIM ZONING AMENDMENTS PURSUANT TO RCW 36.70A.390 AND RCW 35A.63.220; AMENDING CHAPTER 22.24 MMC TOURIST COMMERCIAL ZONING DISTRICT TO ELIMINATE VARIOUS GOVERNMENT FACILITIES AS PERMITTED USES WITHIN SUCH ZONE; SETTING FORTH PRELIMINARY SUPPORTIVE FINDINGS; REQUIRING A POST-ADOPTION PUBLIC HEARING; PROVIDING FOR SEVERABILITY; DECLARING A PUBLIC EMERGENCY; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of Monroe regulates the use and development of land through the standards and procedures codified in the Monroe Municipal Code (MMC), including the development regulations contained in the Unified Development Regulations (UDR), Title 22 MMC; and

WHEREAS, the City has adopted, and codified at Chapter 22.24 MMC, zoning standards specific to the Tourist Commercial (TC) zoning district; and

WHEREAS, the Land Use Element of the Monroe Comprehensive Plan emphasizes the importance of the Tourist Commercial designation for tourism-related uses and development:

The Tourist Commercial designation anticipates a new generation of planning and development in the vicinity of the airport and County Fairgrounds. It welcomes visitor accommodations, entertainment, events, and ancillary commercial development, yet it still may permit business park or related development that may eventually replace the airport. This part of Monroe is geared to serve those who visit, with direct access to a range of transportation infrastructure and unique regional facilities[;]

and

WHEREAS, consistent with the Land Use Element of the Monroe Comprehensive Plan, MMC 22.24.010 identifies the fundamental purpose of the TC zoning district as promoting and supporting development related to local tourism, including lodging, entertainment and event facilities:

The purpose of the tourist commercial zoning district is to provide areas for amenities in the vicinity of the Evergreen State Fairgrounds and First Air Field, such as lodging facilities, entertainment and event facilities, and ancillary commercial development, that serve the traveling public and

afford direct access to major transportation corridors and regional facilities. Business parks and related land uses compatible with existing development are also encouraged within the tourist commercial zoning designation[;]

and

WHEREAS, the promotion of tourism is a recognized public function of local government pursuant to applicable state law, including without limitation RCW 35.21.700; and

WHEREAS, there are fewer than 15 properties located within the TC zoning district, and these properties are highly visible, extremely important to the City's regional identity and economic vitality, and occupy a significant role in the City's long term planning goals and community vision; and

WHEREAS, the City has recently received inquiries and communications regarding one or more potential development proposals for government facilities within the TC zoning district that may involve a significant outdoor storage component; and

WHEREAS, in keeping with the tourism-focused land use framework of Chapter 22.24 MMC, outdoor storage is prohibited within the TC zoning district and is fundamentally inconsistent with the City's community vision for that zone; and

WHEREAS, when the UDR was originally adopted in 2019, it generically designated a few land use categories as permitted in all of the City's zoning districts, including the TC zoning district, regardless of whether such uses were actually compatible with the stated purpose of a particular zone as expressed in the Comprehensive Plan and the code; and

WHEREAS, most types of government facilities are not, by their nature, consistent with the purposes and vision of the TC zoning district as identified in the Comprehensive Plan and Chapter 22.24 MMC; and

WHEREAS, there are ample opportunities and available land within the City's numerous other zoning districts in which to site most types of government facilities; and

WHEREAS, the City Council wishes to adopt interim amendments to Chapter 22.24 MMC to eliminate various categories of government facilities as permitted land uses within the TC zoning district while the City studies, promulgates and adopts new permanent regulations for that zone, and ensures that such new permanent regulations are consistent with the proposed amendments currently being prepared as part of the pending update of the Monroe Comprehensive Plan;

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

Section 1. Preliminary Findings. The City Council hereby adopts the above recitals as preliminary findings in support of this ordinance. The Council further enters the following additional findings:

A. The City is authorized pursuant to applicable state law, including without limitation RCW 35A.63.220 and RCW 36.70A.390, to adopt interim zoning regulations while new development standards are considered, prepared and enacted.

B. Adopting the interim zoning regulations as provided herein will serve the public interest by ensuring that development proposals within the TC zoning district will not be reviewed and evaluated under the City's current regulations, which the City Council wishes to study, amend and update.

C. Adoption of this ordinance is necessary in order to prevent the accrual of vested development rights that are inconsistent with the City's community planning vision. As such, a public emergency exists requiring that this ordinance take effect immediately upon passage.

D. The interim zoning regulations set forth herein are consistent with and will implement the relevant provisions of the Monroe Comprehensive Plan, including without limitation the goals and policies of the Land Use Element that are applicable to the TC zoning district.

Section 2. Amendment of MMC 22.24.030. Section 22.24.030 of the Monroe Municipal Code is hereby amended to provide in its entirety as contained in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 3. Public Hearing. The City Clerk is hereby authorized and directed to schedule a public hearing on the interim zoning regulations adopted by this ordinance and to provide notice of said hearing in accordance with applicable standards and procedures. Said hearing shall be held no later than 60 days after the date of adoption hereof. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council may adopt additional legislative findings in support of this ordinance at the conclusion of said hearing.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court or other tribunal of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Declaration of Emergency; Effective Date; Sunset. Based upon the findings set forth above, the City Council hereby declares a public emergency requiring this ordinance to take effect immediately. This ordinance shall accordingly be in full force and effect immediately upon passage and shall remain effective for a period of six (6) months unless terminated earlier or subsequently extended by the City Council. PROVIDED, that the City Council may, in its sole discretion, renew the interim zoning regulations adopted by this ordinance for one or more six-month periods in accordance with state law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 25th day of October, 2022.

First Reading: October 25, 2022
Adoption: October 25, 2022
Published: October 28, 2022
Effective: October 25, 2022

CITY OF MONROE, WASHINGTON:


Geoffrey Thomas (Oct 26, 2022 10:01 PDT)

Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:


Jodi Wycoff (Oct 26, 2022 11:42 PDT)

Jodi Wycoff, City Clerk


Zach Lell (Oct 26, 2022 08:34 PDT)

J. Zachary Lell, City Attorney

Table 22.24.030. Land Use in the Tourist Commercial Zoning District

• Schools, Technical and Trade	P
• Vocational Rehabilitation Centers	P
Government Facilities	
• Courts	P
• Fire Stations	P
• Government Administration Buildings	P
• Police Stations	P
• Public Works Maintenance and Storage Facilities	P
• U.S. Post Offices	P
5. PARKS, RECREATION, AND ENTERTAINMENT LAND USES	
Parks	
• Concessions	A
• Nonmotorized Trails	P
• Parks and Open Spaces	P
• Public Stables	P
Fitness and Health Clubs, Indoor	P
Recreational Facilities, Indoor	P
Recreational Facilities, Outdoor	P
Sports and Recreation Instruction, Indoor	P
6. INDUSTRIAL LAND USES	
Craft Manufacturing	P
Storage Facilities	
• Indoor (On-Site Only)	A
7. UTILITY AND TRANSPORTATION LAND USES	
Electric Vehicle Charging Stations (All Levels)	A
Major and Regional Utility Facilities	
• Regional Utility Corridors	C
Major and Regional Transportation Facilities	
• Airports	EPF
• Regional Transit Station	EPF
• School Bus Bases	P
• State and Regional Transportation Facilities	EPF
Minor Utility Facilities	P

Table 22.24.030. Land Use in the Tourist Commercial Zoning District

Wireless Communications Facilities P

8. UNCLASSIFIED LAND USES

Accessory Structures A

P = Permitted Use; A = Accessory Use; C = Requires a Conditional Use Permit; See Chapter 22.38 MMC for Requirements for Essential Public Facilities (EPF)

Table Notes:

1 A land use not explicitly permitted by Table 22.24.030 is prohibited within the tourist commercial zoning district.

2 Development in the tourist commercial zoning district is subject to the applicable provisions of Chapter 22.54 MMC, Airport Compatibility.

Ord 030-2022B TC Amendments - final

Final Audit Report

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