

ORDINANCE NO. 005/2004

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, ADDING A NEW SECTION TO THE LAND USE CODE REGARDING THE NORTH KELSEY MIXED-USE OVERLAY, AMENDING SECTION 18.86.050 TO ESTABLISH THE OFF-STREET PARKING REQUIREMENT FOR RETAIL USE IN THE NORTH KELSEY AREA; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Monroe adopted the North Kelsey Development Plan and Design Guidelines in 2003, Ordinances 015-2003 and 008-2003, along with amendments to the Comprehensive Plan Land Use Element, and the Official Zoning Map to establish the North Kelsey Mixed-Use Overlay designation; and

WHEREAS, the Planning Commission held a public hearing on March 22, 2004, which hearing was continued to April 12, 2004, regarding certain amendments to the City of Monroe Land Use Code; and

WHEREAS, the Monroe Planning Commission, after considering all information received, recommended that the Monroe City Council approve the proposed amendments,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE as follows:

Section 1. Amendments. For all the sections below, when a complete section is amended, that section shall read as incorporated in this ordinance.. When only a subsection is amended, the subsection shall read as amended below, and subsections not listed or amended in shall remain in effect in their current form.

Section 2. North Kelsey Mixed-Use Overlay. A new Section 18.10.055 entitled “North Kelsey Mixed-use Overlay” is hereby amended to read in its entirety as follows:

Section 18.10.055 North Kelsey Mixed-Use Overlay

Uses permitted within the North Kelsey Mixed-Use Overlay are listed in the following matrix. The North Kelsey Mixed-Use Overlay is further divided into the North Site and South Site, with North Kelsey Street being the boundary between the two.

Land Use	North Site⁸	South Site⁸
Retail ¹	Permitted	Permitted
Commercial Services ²	Permitted	Permitted
Professional Office ³	Permitted	Permitted
Public, Cultural, and Recreation Facilities ⁴	Permitted	Permitted

Educational Institutions ⁵	Permitted	Accessory
Residential ⁶		Accessory
Industrial, Warehousing, and Distribution ⁷	Permitted	

Footnotes:

1. Retail trade use should be the predominant use south of North Kelsey Street. This includes both small and large scale uses and include general merchandise stores, food stores, apparel and accessory stores, home furniture, furnishings, and equipment stores, eating and drinking places, miscellaneous retail, and other retail uses.
2. Commercial service uses, including lodging establishments, limited personal services, limited business services, and limited amusement/recreational service uses are encouraged south of North Kelsey Street.
3. Office uses south of North Kelsey Street shall be located above the first floor. Office-related uses north of North Kelsey Street are encouraged, including office campuses.
4. Public, cultural, and recreational uses, such as a community center, are encouraged south of North Kelsey Street, shall include public restroom facilities, and should include a building at least 20,000 square feet in area. This use is also acceptable north of North Kelsey Street.
5. Educational facilities, including a branch college campus or technical college are encouraged north of North Kelsey Street, and permitted south of North Kelsey Street as part of a mixed-use project. Educational facilities south of North Kelsey Street shall be above the first floor.
6. Multi-family residential uses are permitted above the first floor of commercial developments and preferred as part of a mixed-use project south of North Kelsey Street.
7. Industrial, warehousing and distribution uses are permitted north of North Kelsey Street.
8. Drive-through businesses are prohibited within the North Kelsey Mixed-Use Overlay.

Other uses not listed within the above matrix or footnotes may be considered by the City of Monroe.

Development within the North Kelsey Mixed-Use Overlay shall comply with the height, bulk, setback, and general development standards established for the General Commercial (GC) zoning district, MMC Section 18.10.140 (Setback Matrix). All proposed development shall also comply with the North Kelsey Design Guidelines, Ordinance 008-2003.

Section 3. Required number of parking spaces. Section 18.86.050 of the Monroe Municipal Code entitled “Required number of parking spaces” is hereby amended by adding “Retail establishments” to the listed uses as follows:

Retail establishments within the North Kelsey Mixed Use Overlay Zone:	1 for each 250 square feet of gross floor area.
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Section 4. Severability. If any section, sentence, clause or phrase of this ordinance or the amendments to the City of Monroe Comprehensive Plan adopted hereby should be held to be invalid or unconstitutional by a court 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. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, Washington, at a regular meeting thereof held this 5th day of May, 2004.

1st Reading: 05/05/04
Published: 05/12/04
Effective: 05/17/04

CITY OF MONROE, WASHINGTON

Donnetta Walser, Mayor

ATTEST:

Betty King, City Clerk

APPROVED AS TO FORM:

Phil Olbrechts, City Attorney