

ORDINANCE NO. 4333

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTING VARIOUS MINOR UPDATES TO THE EDMONDS CITY CODE AND THE EDMONDS COMMUNITY DEVELOPMENT CODE, NONE OF WHICH CONSTITUTE SUBSTANTIVE POLICY CHANGES

WHEREAS, the city council adopted Ordinance 4295 to create a streamlined process for updating the city code; and

WHEREAS, the streamlined process is intended for code amendments that are minor, noncontroversial, and lacking any substantive policy changes that would require more in depth consideration; and

WHEREAS, the amendments adopted by this ordinance have been deemed appropriate for this new streamlined process in that no councilmember requested that any of these amendments be removed from the streamlined process; NOW, THEREFORE,

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

Section 1. Section 2.35.025 of the Edmonds City Code, entitled “Unpaid Holidays,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 2. Section 3.75.120 of the Edmonds City Code, entitled “Members advisory board” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 3. Section 4.68.100 of the Edmonds City Code, entitled “Construction of the right-of-way,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 4. Section 7.30.030 of the Edmonds City Code, entitled “Water rates – Meter installation charges,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown

in ~~strikethrough~~).

Section 5. Section 9.20.080 of the Edmonds City Code, entitled “Procedures and methods for maintenance, repair, and/or reconstruction – Apportionment of costs,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 6. Section 16.20.010 of the Edmonds Community Development Code, entitled “Uses,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 7. Section 16.30.010 of the Edmonds Community Development Code, entitled “Uses,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 8. Section 16.43.020 of the Edmonds Community Development Code, entitled “Uses,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 9. Section 16.45.010 of the Edmonds Community Development Code, entitled “Uses,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 10. Section 16.50.010 of the Edmonds Community Development Code, entitled “Uses,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 11. Section 16.53.010 of the Edmonds Community Development Code, entitled “Uses,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 12. Section 16.62.010 of the Edmonds Community Development Code, entitled “Uses,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 13. Section 16.100.030 of the Edmonds Community Development Code, entitled “Uses,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 14. Section 16.110.010 of the Edmonds Community Development Code, entitled “Uses,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 15. Chapter 17.50.020 of the Edmonds Community Development Code, entitled “Parking space requirements,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 16. Section 17.70.040 of the Edmonds Community Development Code, entitled “Bistro and outdoor dining” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 17. Section 17.95.090 of the Edmonds Community Development Code, entitled “Requirements for employers,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 18. Section 17.100.050 of the Edmonds Community Development Code, entitled “Local public facilities and schools,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 19. Section 17.100.070 of the Edmonds Community Development Code, entitled “Parks facilities,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and

incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 20. Section 17.115.020 of the Edmonds Community Development Code, entitled “Definitions,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 21. Section 18.05.060 of the Edmonds Community Development Code, entitled “Coordination of facility replacement,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 22. Section 18.70.050 of the Edmonds Community Development Code, entitled “Fees,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 23. Section 20.19.000 of the Edmonds Community Development Code, entitled “Purpose,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 24. Section 20.19.010 of the Edmonds Community Development Code, entitled “Conditional use permit required,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 25. Section 20.19.020 of the Edmonds Community Development Code, entitled “Criteria,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 26. Section 20.19.030 of the Edmonds Community Development Code, entitled “Permit,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~strikethrough~~).

Section 27. Section 20.30.040 of the Edmonds Community Development Code, entitled “Recorded agreement,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~striketrough~~).

Section 28. Section 20.75.060 of the Edmonds Community Development Code, entitled “Required information on preliminary plats,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~striketrough~~).

Section 29. Section 20.110.045 of the Edmonds Community Development Code, entitled “Suspension or revocation of permit,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~striketrough~~).

Section 30. Section 21.20.010 of the Edmonds Community Development Code, entitled “Day-care facility,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~striketrough~~).

Section 31. Section 23.90.020 of the Edmonds Community Development Code, entitled “Special study and report requirements – Fish and wildlife habitat conservation areas,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~striketrough~~).

Section 32. Section 24.90.030 of the Edmonds Community Development Code, entitled “Definitions – G to O,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~striketrough~~).

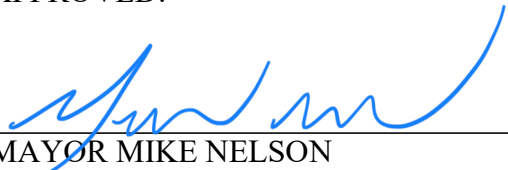
Section 33. Section 24.90.040 of the Edmonds Community Development Code, entitled “Definitions – P to R,” is hereby amended to read as shown in **Exhibit A**, which is attached hereto and incorporated herein as if fully set forth (new text is shown in underline; deleted text is shown in ~~striketrough~~).

Section 34. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of

the remaining portions of this ordinance.

Section 35. Effective Date. This ordinance, being an administrative function of the city council, 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:



MAYOR MIKE NELSON

ATTEST/AUTHENTICATED:



CITY CLERK, SCOTT PASSEY

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:


BY JEFF TARADAY

FILED WITH THE CITY CLERK:	December 15, 2023
PASSED BY THE CITY COUNCIL:	December 19, 2023
PUBLISHED:	December 22, 2023
EFFECTIVE DATE:	December 27, 2023
ORDINANCE NO.	4333

SUMMARY OF ORDINANCE NO. 4333

of the City of Edmonds, Washington

On the 19th day of December, 2023, the City Council of the City of Edmonds, passed Ordinance No. 4333. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS,
WASHINGTON, ADOPTING VARIOUS MINOR
UPDATES TO THE EDMONDS CITY CODE AND THE
EDMONDS COMMUNITY DEVELOPMENT CODE,
NONE OF WHICH CONSTITUTE SUBSTANTIVE
POLICY CHANGES

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

DATED this 19th day of December, 2023.



CITY CLERK, SCOTT PASSEY

EXHIBIT A: Edmonds City Code

2.35.025 Unpaid holidays.

A. Employees are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

B. The employee may select the days on which he or she desires to take the two unpaid holidays after consultation with his or her supervisor. If an employee prefers to take the two unpaid holidays on specific days, then the employee will be allowed to take the unpaid holidays on the days he or she has selected unless the absence would unduly disrupt operations, impose an undue hardship, or the employee is necessary to maintain public safety. The term “undue hardship” has the meaning contained in the rule established by the Office of Financial Management at WAC [82-56-020](#).

C. If possible, an employee should submit a written request for an unpaid holiday provided for by this section to the employee’s department head a minimum of two weeks prior to the requested day. Approval of the unpaid holiday shall not be deemed approved unless it has been authorized in writing by the employee’s department head. The employee’s department head shall work with [the Human Resources Department HR](#) to evaluate requests by considering the desires of the employee, scheduled work, anticipated peak workloads, response to unexpected emergencies, the availability, if any, of a qualified substitute, and consideration of the meaning of “undue hardship” developed by rule of the Office of Financial Management at WAC [82-56-020](#).

D. The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next. [Ord. 3972 § 1, 2014].

3.75.120 Members advisory board.

The EDBID shall be governed by a member advisory board comprised of an odd number of at least seven but no more than 11 members from the EDBID membership. The board shall be composed of both open-door and by-appointment office-based EDBID members, respectively, in rough proportion to the dollar value of assessments to be levied on each classification of businesses. In addition, the finance director and the community services/economic development director shall be nonvoting, ex officio members of the board.

The member advisory board shall be responsible for proposing any amendments to EDBID bylaws for city council approval and policy guidelines to the city council that will address, among other matters, the composition and method of appointing or electing board members. The member advisory board shall also provide advice and consultation to the finance director, and to any individual or agency, that may be hired to manage the day-to-day operations of the business improvement district program, on all matters related to the operation of the program.

Each year no later than October 31st the member advisory board shall submit to the city council a proposed annual work program and budget for the following year, unless otherwise approved by the city council. The board shall address and discuss member concerns and questions regarding the EDBID and program; review all reports submitted to the administrative services finance department by the member advisory board or program administrator, if hired; and sponsor the annual member meeting. [Ord. 4081 § 1, 2017; Ord. 3941 § 1 (Att. A), 2013; Ord. 3914 § 1 (Att. A), 2013; Ord. 3909 § 1, 2013].

4.68.100 Construction in right-of-way.

A. *Notification of City Public Works Community Services Department.* A franchisee shall submit an application for permit to perform work in the city's rights-of-way. Permits to perform work in the city's rights-of-way shall be available on the basis of the most favorable terms and conditions of any other franchisee or utility. The city shall provide an annual master permit process for the cable system rebuild project, the fees of which will be paid out of the annual franchisee fees. No work, other than emergency repairs, shall commence without such a permit. Emergency repairs may be made immediately with notification given to the city no later than the next business day.

B. *Installation.* In accordance with the permit issued, all transmission lines, equipment, and structures shall be located and installed so as to cause minimum interference with the rights and reasonable convenience of property owners, and at all times shall be maintained in a safe condition, and in good order and repair. Suitable barricades, flags, lights, flares, or other devices shall be used at such times and places as are reasonably required for the safety of the public. Any poles or other fixtures placed in any street by a franchisee shall be placed in such manner as not to interfere with the usual travel on such public way.

C. *Interference with Use of Streets.* A franchisee must obtain an application for permit to perform work in the rights-of-way for all work performed by the franchisee in such areas. When installing, locating, laying, or maintaining facilities, apparatus, or improvements, a franchisee shall not interfere with the use of any street to any greater extent than is necessary, and shall leave the surface of any such street in as good condition as it was prior to performance by franchisee of such work. Any facility, apparatus, or improvement under this chapter shall be laid, installed, located, or maintained in conformance with instructions given by, and to the reasonable satisfaction of, the city. In any event, a franchisee shall, at its own expense, and to the reasonable satisfaction of the city in accordance with the terms of the application for permit to perform work in the rights-of-way, restore to city standards and specifications any damage or disturbance caused to streets as a result of franchisee's construction or operations.

D. *Relocation/Removal.* Upon receipt of 30 days' prior written notice, a franchisee, at its own expense, shall protect, support, temporarily disconnect, relocate, or remove any of its property when, in the judgment of the community services director, the same is required by reason of traffic conditions, public safety, and/or improvements by governmental agencies. Nothing herein shall be deemed a taking of the property of a franchisee, and franchisee shall be entitled to no surcharge by reason of this section. After receipt of 30 days prior written notice, upon failure of a franchisee to commence, pursue, or complete any work required by the provisions of this chapter to be performed on any street, within the reasonable time prescribed and to the reasonable satisfaction of the city, the city may, at its option, cause such work to be done, and a franchisee shall pay to the city the reasonable cost thereof, within 30 days after receipt of demand.

E. *Location of Facilities.* A franchisee agrees to provide the city with a map or maps which shall show the vertical and horizontal location of its facilities within the franchise area using a minimum scale of one inch equals 100 feet, measured from the centerline of the right-of-way,

which maps shall be in hard copy plan form acceptable to the city and in Geographical Information System (GIS) format. This information shall be provided within 90 days of the effective date of the ordinance codified in this chapter and shall be updated at least every 12 months thereafter. [Ord. 3083 § 1, 1996].

7.30.030 Water rates – Meter installation charges.

A. *Base Rate.* The bimonthly rates of water supplied through meters shall be fixed at the following levels:

	Effective Date	
	Current	2/1/2023
Single-family residence (per unit)	\$42.38	\$44.08
Duplex, apartment houses, condos and other multiunit residences (per unit)	\$37.33	\$38.82

All other customers:

Current	Meter	Effective Date
		2/1/2023
\$51.25	3/4"	\$53.30
\$104.34	1"	\$108.51
\$192.94	1 1/2"	\$200.66
\$294.15	2"	\$305.92

		Effective Date
Current	Meter	2/1/2023
\$634.56	3"	\$659.94
\$898.85	4"	\$934.80
\$1,822.99	6"	\$1,895.91

B. *Variable Rate.* In addition to the base rate set forth above, the customer shall be charged the following rate per 100 cubic feet of water consumed:

Variable Rate	Current	Effective Date: 2/1/2023
	\$4.42	\$4.60

For the purposes of understanding the reference to the "effective date" in the above tables, all water base rate and variable rate charges on water utility bills mailed on or after February 1st of each year shall be based on the adopted rates for that effective date even if the utility service period reflected on the bill includes time from before the effective date.

C. *Meter Installation Charges.* Fee shall be as set forth in ECDC 15.00.020.

1. New service line and meter installation charges are required, fixed as follows:

~~a. 3/4" \$550.00~~

~~b. 1" \$800.00~~

2. The actual cost of street restoration (with regard to all surface streets) shall be added to any meter installation charge, if applicable.

~~3. When approved by the city engineer, new service lines installed by a developer on a plat shall be credited as follows:~~

~~a. 3/4" \$175.00~~

~~b. 1" \$200.00~~

D. All rates set forth in this section shall be exclusive of any applicable taxes.

E. *Repealed by Ord. 3618.* [Ord. 4286 § 1, 2022; Ord. 4169 § 1, 2019; Ord. 4052 § 1, 2016; Ord. 3945 § 1, 2013; Ord. 3903 § 1, 2012; Ord. 3802 § 1, 2010; Ord. 3618 § 2, 2006; Ord. 3616 §§ 1 – 3, 2006; Ord. 3400 § 1, 2002; Ord. 3339 § 2, 2000; Ord. 2974 §§ 1 and 2, 1994; Ord. 2898 § 1, 1992; Ord. 2880 § 1, 1992; Ord. 2657 § 1, 1988; Ord. 2361 § 1, 1983; Ord. 2339 § 2, 1982; Ord. 2305 § 2, 1982; Ord. 2255 § 1, 1981; Ord. 2211 § 1, 1981; Ord. 2197 § 1, 1981; Ord. 2139, 1980; Ord. 1963 § 1, 1977; Ord. 1898 § 1, 1977; Ord. 1709 § 1, 1974; Ord. 1457 § 1, 1970; Ord. 1385 § 2, 1968; Ord. 1263 § 1, 1967; Ord. 0901, 1961; Ord. 0786 § 2, 1959].

9.20.080 Procedures and methods for maintenance, repair, and/or reconstruction – Apportionment of costs.

A. *Notice.* The city may construct, reconstruct or repair sidewalks and pay the costs thereof from any available funds, or the city may require the abutting property owner to construct the sidewalk improvement at his or her own cost or expense or, in the alternative, the city may assess all or any portion thereof against the abutting property owner. In the event the city requests an abutting property owner to undertake or pay for the improvement, it shall follow the procedures for resolution, notice and hearing on such improvements as outlined in Chapter [35.68](#) RCW.

B. Any person desiring to repair, change or relocate any sidewalk abutting their property shall make application in writing to the ~~public works community services~~ department of the city. Such application shall contain, among others, the exact location of such proposed change or relocation, the location of any new sidewalk to be laid and the connections and location of other sidewalks upon such street; no change or relocation of any sidewalk shall be made until the issuance of an appropriate permit; provided further, however, that the cost or reconstruction pursuant to ECDC [19.00.010\(H\)](#) shall be borne solely by the abutting property owner without contribution from the city. [Ord. 3101 § 1, 1996].

Edmonds Community Development Code

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\(G\)](#) through [\(R\)](#);
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 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;

5. Private residential docks or piers;
6. Family ~~day care day-care~~ in a residential home;
7. 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 subsection [\(D\)\(5\)](#) of this section, including commuter parking lots that are located upon more than one lot as specified in ECDC [21.15.075](#);
8. Bed and breakfasts, as in ECDC [20.23.020\(A\)\(1\)](#).

C. *Primary Uses Requiring a Conditional Use Permit.*

1. High schools, subject to the requirements of ECDC [17.100.050\(G\)](#) through [\(R\)](#);
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. Preschools;
2. Guest house;
3. Amateur radio transmitting antennas;
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; and
6. Bed and breakfasts, as in ECDC [20.23.020\(A\)\(2\)](#). [Ord. 3988 § 7, 2015; Ord. 3900 § 4, 2012; Ord. 3702 § 1, 2008; Ord. 3547 § 1, 2005].

16.30.010 Uses.**A. Permitted Primary Uses.**

1. Multiple dwellings;
2. Single-family dwellings;
3. Retirement homes or congregate care facilities, assisted living facilities;
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\(G\)](#) through [\(R\)](#);
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 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;
4. 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 subsection [\(D\)\(2\)](#) of this section, 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~~ ~~Day-care~~ centers and preschools for 13 or greater children;
4. Hospitals, convalescent homes, rest homes, sanitariums, and assisted living facilities;
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\(G\)](#) through [\(R\)](#);
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. ~~Day care~~ ~~Day-care~~ facilities or preschools of any size to be operated in a separate, nonresidential portion of a multifamily residential dwelling primary permitted structure operated primarily for the benefit of the residents thereof;

2. 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. [Ord. 3988 § 8, 2015; Ord. 3943 § 2 (Exh. 1), 2013; Ord. 3627 § 1, 2007].

16.43.020 Uses.

A. *Table 16.43-1.*

Permitted Uses	BD1	BD1 GFSP ⁽¹⁾	BD2	BD3	BD4	BD5
Commercial Uses						
Retail stores or sales	A	A	A	A	A	A
Offices	A	X	A	A	A	A
Legal/law firms	A	X	A	A	A	A
Financial	A	X	A	A	A	A
Advising	A	X	A	A	A	A
Mortgage	A	X	A	A	A	A
Banks (without tellers)	A	X	A	A	A	A
Accounting	A	X	A	A	A	A
Counseling	A	X	A	A	A	A
Architecture	A	X	A	A	A	A
Engineering	A	X	A	A	A	A
Advertising	A	X	A	A	A	A

Permitted Uses	BD1	BD1 GFSF ⁽¹⁾	BD2	BD3	BD4	BD5
Insurance	A	X	A	A	A	A
Fitness related business (yoga/pilates/gym/fitness club)	A	X	A	A	A	A
Service uses	A	A ⁽²⁾	A	A	A	A
Retail sales requiring intensive outdoor display or storage areas, such as trailer sales, used car lots (except as part of a new car sales and service dealer), and heavy equipment storage, sales or services	X	X	X	X	X	X
Enclosed fabrication or assembly areas associated with and on the same property as an art studio, art gallery, restaurant, microbreweries/distilleries or food service establishment that also provides an on-site retail outlet open to the public	A	A	A	A	A	A
Automobile sales and service	X	X	A	A	X	X
Dry cleaning and laundry plants which use only nonflammable and nonexplosive cleaning agents	C	X	A	A	A	X
Printing, publishing and binding establishments	C	X	A	A	A	C
Public markets licensed pursuant to provisions in Chapter 4.90 ECC ¹	A	A	A	A	A	A
Residential						
Single-family dwelling	A	X	A	A	A	A
Multiple dwelling unit(s) – see ECDC 16.43.030(B) for further location standards	A	X	A	A	A	A
Other Uses						

Permitted Uses	BD1	BD1 GFSF ⁽¹⁾	BD2	BD3	BD4	BD5
Bus stop shelters	A	A	A	A	A	A
Churches, subject to the requirements of ECDC 17.100.020	A	A	A	A	A	A
Primary and high schools, subject to the requirements of ECDC 17.100.050(G) through (R)	A	X	A	A	A	A
Local public facilities, subject to the requirements of ECDC 17.100.050	C	C	C	C	A	C
Neighborhood parks, natural open spaces, and community parks with an adopted master plan subject to the requirements of ECDC 17.100.070	A	A	A	A	A	A
Off-street parking and loading areas to serve a permitted use	B	X	B	B	B	B
Commuter parking lots in conjunction with a facility otherwise permitted in this zone	B	X	B	B	B	X
Commercial parking lots	C	X	C	C	C	X
Wholesale uses	X	X	X	C	X	X
Hotels and motels	A	A	A	A	A	A
Amusement establishments	C	C	C	C	C	C
Auction businesses, excluding vehicle or livestock auctions	C	X	C	C	C	C
Drive-in/through businesses (businesses with drive through facilities)	X	X	C	A	C	X
Laboratories	X	X	C	C	C	X

Permitted Uses	BD1	BD1 GFSF ⁽¹⁾	BD2	BD3	BD4	BD5
Fabrication of light industrial products not otherwise listed as a permitted use	X	X	X	C	X	X
Day care Day-care centers	C	X	C	C	A	C
Hospitals, health clinics, convalescent homes, rest homes, sanitariums	X	X	C	C	A	X
Medical uses, e.g.,	A	X	A	A	A	A
Physicians	A	X	A	A	A	A
Dental	A	X	A	A	A	A
Optometrist (without retail)	A	X	A	A	A	A
Physical therapy (without retail)	A	X	A	A	A	A
Counseling	A	X	A	A	A	A
Other similar medical services	A	X	A	A	A	A
Museums and art galleries of primarily local concern that do not meet the criteria for regional public facilities as defined in ECDC 21.85.033	A	A	A	A	A	A
Zoos and aquariums of primarily local concern that do not meet the criteria for regional public facilities as defined in ECDC 21.85.033	C	X	C	C	C	A
Counseling centers and residential treatment facilities for current alcoholics and drug abusers	X	X	C	C	A	X
Regional parks and community parks without a master plan subject to the requirements of ECDC 17.100.070	C	C	C	C	C	C

Permitted Uses	BD1	BD1 GFSF ⁽¹⁾	BD2	BD3	BD4	BD5
Outdoor storage, incidental to a permitted use	D	X	D	D	D	D
Aircraft landings as regulated by Chapter 4.80 ECC	X	X	D	D	D	D

A = Permitted primary use

B = Permitted secondary use

C = Primary uses requiring a conditional use permit

D = Secondary uses requiring a conditional use permit

X = Not permitted

NOTES:

1 BD1 Zone GFSF = Ground Floor Designated Street Frontage (first 45 feet measured from public rights-of-way/sidewalk or parks/plazas) as defined under Edmonds Community Development Code Map 16.43-1: Designated Street Front for BD Zones. Buildings set back 15 feet or more from the sidewalk shall not be subject to the BD1 Zone GFSF requirements.

2 Services – by appointment uses not providing open door retail/dining/entertainment functions as a primary component of the business are not allowed within BD1 GFSF (first 45 feet). Open door businesses, e.g., real estate offices, banks (with tellers and no drive-throughs), nail and hair salons are allowed.

For conditional uses listed in Table 16.43-1, the use may be permitted if the proposal meets the criteria for conditional uses found in Chapter [20.05](#) ECDC, and all of the following criteria are met:

1. *Access and Parking.* Pedestrian access shall be provided from the sidewalk. Vehicular access shall only be provided consistent with ECDC [18.80.060](#). When a curb cut is necessary, it shall be landscaped to be compatible with the pedestrian streetscape and shall be located and designed to be as unobtrusive as possible.

2. *Design and Landscaping.* The project shall be designed so that it is oriented to the street and contributes to the pedestrian streetscape environment. Fences more than four feet in height along street lot lines shall only be permitted if they are at least 50 percent open,

such as a lattice pattern. Blank walls shall be discouraged, and when unavoidable due to the nature of the use shall be decorated by a combination of at least two of the following:

- a. Architectural features or details;
- b. Artwork;
- c. Landscaping.

B. *Exception to the BD1 GSFS.* The owner of a building in the BD1 zone may apply for an exception from the restrictions on offices and medical uses within the designated street front for leasable space meeting all of the following criteria:

1. The space is less than 500 square feet;
2. The space does not contain direct access to the street or sidewalk;
3. The previous use was a nonconforming use (e.g., not retail); and
4. The space has been vacant for a period of more than six months. [Ord. 4282 § 3 (Exh. B), 2022; Ord. 3955 § 1 (Att. A), 2014; Ord. 3932 § 6, 2013; Ord. 3918 § 1 (Att. 1), 2013; Ord. 3700 § 1, 2008].

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\(G\)](#) through [\(R\)](#);
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 subsection [\(D\)\(2\)](#) of this section, 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. 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](#);
6. ~~Day care~~ ~~Day-care~~ centers;

7. Hospitals, convalescent homes, rest homes, sanitariums;
8. 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](#);
9. Counseling centers and residential treatment facilities for current alcoholics and drug abusers;
10. 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 [\(C\)\(6\)](#) through [\(10\)](#) of this section. [Ord. 3353 § 3, 2001; Ord. 3269 § 1, 1999*; Ord. 3120 § 1, 1996; Ord. 2759 § 1, 1990; Ord. 2660 § 1, 1988; Ord. 2283 § 4, 1982].

* **Code reviser's note:** Ord. [3269](#) expired August 13, 2000. For provisions on the outdoor display of merchandise, see Chapter [17.65](#) ECDC.

16.50.010 Uses.

A. *Permitted Primary Uses.*

1. Single-family dwellings, as regulated in RS-6 zone;
2. Retail stores, restaurants, 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, except as provided in ECDC [16.50.020\(B\)](#);
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\(G\)](#) through [\(R\)](#);
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 subsections [\(C\)\(11\)](#) through [\(14\)](#) 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~~ ~~Day-care~~ centers and preschools;
11. Hospitals, convalescent homes, rest homes, and 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. [Ord. 3943 § 1 (Exh. 1), 2013; Ord. 3932 § 4, 2013; Ord. 3894 § 2, 2012; Ord. 3627 § 2, 2007; Ord. 3353 § 4, 2001; Ord. 3269 § 2, 1999*; Ord. 3147 § 1, 1997].

* **Code reviser's note:** Ord. [3269](#) expired August 13, 2000. For provisions on the outdoor display of merchandise, see Chapter [17.65](#) ECDC.

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\(G\)](#) through [\(R\)](#);
7. Local public facilities 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~~ ~~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. [Ord. 3353 § 5, 2001; Ord. 3127 § 1, 1997].

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. ~~Day care~~ ~~Day-care~~ facilities;
6. Counseling centers and alcohol and drug treatment facilities;
7. Transit 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\(G\)](#) through [\(R\)](#);
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](#). [Ord. 3453 § 3, 2003; Ord. 3353 § 7, 2001; Ord. 3118 § 1, 1996].

16.100.030 Uses.

A. Table 16.100.030-1.

Permitted Uses	District 1 Commercial	District 2 Multifamily
Residential Uses		
Single-family dwelling	X	X
Multiple dwelling unit(s)	X	A
Housing for low-income elderly and senior housing	X	A

Permitted Uses	District 1 Commercial	District 2 Multifamily
Commercial Uses		
Retail stores or sales	A	A
Offices (2nd floor or higher than retail space in the same building)	A	A
Service uses including professional service offices, health clinics	A	A
Retail uses including grocery stores, pharmacy/drug stores and bookstores	A	E
Retail sales requiring intensive outdoor display or storage areas, such as trailer sales, used car lots (except as part of a new car sales and service dealer), and heavy equipment storage, sales or services	X	X
Restaurants (excluding drive-through)	A	A
Pubs, taverns or bars	A	X
Enclosed fabrication or assembly areas associated with and on the same property as an art studio, art gallery, shoe repair, restaurant or food service establishment that also provides an on-site retail outlet open to the public	A	E
Automobile sales and service	X	X
Dry cleaning and laundry plants which use only nonflammable and nonexplosive cleaning agents	C	E
Printing, publishing and binding establishments	C	C
Community-oriented open air markets conducted as an outdoor operation and licensed pursuant to provisions in the Edmonds City Code	A	A
Bus stop shelters	A	X

Permitted Uses	District 1 Commercial	District 2 Multifamily
Churches, subject to the requirements of ECDC 17.100.020	A	E
Local public facilities subject to the requirements of ECDC 17.100.050	C	C
Off-street parking and loading areas to serve a permitted use	B	B
Commuter parking lots in conjunction with a facility otherwise permitted in this zone	B	B
Commercial parking lots	A	C
Wholesale uses	X	X
Hotels and motels	A	A
Amusement establishments	C	X
Auction businesses, excluding vehicle or livestock auctions	X	X
Drive-in businesses	X	X
Laboratories	X	X
Fabrication of light industrial products not otherwise listed as a permitted use	X	X
Day care Day-care centers	C	C
Museums and art galleries of primarily local concern that do not meet the criteria for regional public facilities as defined in ECDC 21.85.033	A	E
Retail stores larger than 12,000 GSF	X	X
Residential treatment facilities for alcoholics and drug abusers	X	X

Permitted Uses	District 1 Commercial	District 2 Multifamily
Light industrial	X	X
Outdoor storage, incidental to a permitted use	D	D

A = Permitted primary use

B = Permitted secondary use

C = Primary uses requiring a conditional use permit

D = Secondary uses requiring a conditional use permit

E = Permitted primary use on ground level floor only

X = Not permitted

[Ord. 3760 § 1, 2009].

16.110.010 Uses.

A. *Table 16.110-1.*

Permitted Uses	WMU
Commercial Uses	
Retail stores or sales	A
Offices	A
Service uses	A
Retail sales requiring intensive outdoor display or storage areas, such as trailer sales, used car lots	X

Permitted Uses	WMU
(except as part of a new car sales and service dealer), and heavy equipment storage, sales or services	
Enclosed fabrication or assembly areas associated with and on the same property as an art studio, art gallery, restaurant or food service establishment that also provides an on-site retail outlet open to the public	A
Automobile sales and service	C
Dry cleaning and laundry plants which use only nonflammable and nonexplosive cleaning agents	A
Printing, publishing and binding establishments	A
Public markets licensed pursuant to provisions in Chapter 4.90 ECC	A
Residential Uses	
Single-family dwelling	C
Multiple dwelling unit(s)	A
Other Uses	
Bus stop shelters	A
Churches, subject to the requirements of ECDC 17.100.020	C
Primary and high schools, subject to the requirements of ECDC 17.100.050(G) through (R)	C
Local public facilities, subject to the requirements of ECDC 17.100.050	C

Permitted Uses	WMU
Neighborhood parks, natural open spaces, and community parks with an adopted master plan subject to the requirements of ECDC 17.100.070	A
Off-street parking and loading areas to serve a permitted use	B
Commuter parking lots in conjunction with a facility otherwise permitted in this zone	B
Commercial parking lots	C
Wholesale uses	X
Hotels and motels	A
Amusement establishments	C
Auction businesses, excluding vehicle or livestock auctions	X
Drive-in businesses	C
Laboratories	C
Fabrication of light industrial products not otherwise listed as a permitted use	X
Day care Day-care centers	A
Hospitals, health clinics, convalescent homes, rest homes, sanitariums	C
Museums and art galleries of primarily local concern that do not meet the criteria for regional public facilities as defined in ECDC 21.85.033	A
Zoos and aquariums of primarily local concern that do not meet the criteria for regional public	C

Permitted Uses	WMU
facilities as defined in ECDC 21.85.033	
Counseling centers and residential treatment facilities for current alcoholics and drug abusers	C
Regional parks and community parks without a master plan subject to the requirements of ECDC 17.100.070	C
Outdoor storage, incidental to a permitted use	D
Aircraft landings as regulated by Chapter 4.80 ECC	X

A = Permitted primary use

B = Permitted secondary use

C = Primary uses requiring a conditional use permit

D = Secondary uses requiring a conditional use permit

X = Not permitted

For conditional uses listed in Table 16.110-1, the use may be permitted if the proposal meets the criteria for conditional uses found in Chapter [20.05](#) ECDC, and all of the following criteria are met:

1. *Access and Parking.* Pedestrian access shall be provided from the sidewalk and/or adjoining commercial areas.
2. The use shall be landscaped and designed to be compatible with the pedestrian streetscape, as described in Chapter [22.110](#) ECDC. [Ord. 3993 § 1 (Exh. 1), 2015].

17.50.020 Parking space requirements.

[Refer to ECDC [17.50.010\(C\)](#) and [17.50.070](#) for standards relating to the downtown business area.]

A. Residential.

1. Single-family and multifamily.
 - a. Single-family dwellings: two spaces per dwelling unit, except:
 - b. Multiple residential according to the following table:

Type of multiple dwelling unit	Required parking spaces per dwelling unit
Studio	1.2
1 bedroom	1.5
2 bedrooms	1.8
3 or more bedrooms	2.0

2. Boarding house: one space per bed.
3. Rest home, nursing home, convalescent home, residential social welfare facilities: one space per three beds.
4. Single-family dwellings with accessory dwelling unit: three spaces total.

B. Business.

1. Retail stores, including art galleries, convenience stores, department stores, discount stores, drug stores, grocery stores, supermarkets: one space per 300 square feet;
2. Furniture, appliances, and hardware stores: one space per 600 square feet;

3. Services uses, including barber shops, beauty shops, dry cleaners, laundries, repair shops: one space per 600 square feet;
4. Medical, dental and veterinarian offices, banks and clinics: one space per 200 square feet;
5. Business and professional offices with on-site customer service: one space per 400 square feet;
6. Offices not providing on-site customer service: one space per 800 square feet;
7. Bowling alley: four spaces per bowling lane;
8. Commercial recreation: one space per 500 square feet, or one space for each customer allowed by the maximum permitted occupant load;
9. Car repair, commercial garage: one space per 200 square feet;
10. Drive-in restaurants, automobile service station, car dealer, used car lot: one space per 500 square feet of lot area;
11. Restaurant, tavern, cocktail lounge: if less than 4,000 square feet floor area, one per 200 square feet gross floor area; if over 4,000 square feet floor area, 20 plus one per 100 square feet gross floor area in excess of 4,000 square feet;
12. Plant nurseries (outdoor retail area): one space per five square feet of outdoor retail area;
13. Motels and hotels: one space per room or unit;
14. Retail warehouse, building materials yard: one space per 1,000 square feet of lot area or one per three employees;
15. Manufacturing, laboratories, printing, research, automobile wrecking yards, kennels: one space per two employees on largest shift;
16. Mortuary: one space per four fixed seats or per 400 square feet of assembly area, whichever is greater;
17. Marina: to be determined by the hearing examiner, using information provided by the applicant, and the following criteria:

- a. The type of storage facility (moorage, dry storage, trailer parking) and intended use (sailboats, fishing boats, leisure boats),
 - b. The need to accommodate overflow peak parking demand from other uses accessory to the marina,
 - c. The availability and use of public transit;
18. Storage warehouse: one space per employee;
 19. Wholesale warehouse: one space per employee;
 20. Adult retail store: one space per 300 square feet;
 21. Sexually oriented business (except adult retail store): one space for each customer allowed by the maximum permitted occupant load.

C. *Community Facilities.*

1. Outdoor places of public assembly, including stadiums and arenas: one space per eight fixed seats, or per 100 square feet of assembly area, whichever is greater;
2. Theaters: one space per five seats;
3. Indoor places of public assembly, including churches, auditoriums: one space per four seats or one space per 40 square feet of assembly area, whichever is greater;
4. Elementary schools, junior high schools, boarding schools (elementary through senior high), residential colleges and universities: six spaces per classroom, or one space per daytime employee, whichever is greater;
5. Nonresidential colleges and universities: one space per daytime employee;
6. High schools (senior): one space per daytime employee;
7. Museums, libraries, art galleries: one space per 250 square feet;
8. ~~Day care~~ Day care centers and preschools: one space per 300 square feet, or one per employee, plus one per five students, whichever is larger;
9. Hospitals: three spaces per bed;

10. Maintenance yard (public or public utility): one space per two employees.

D. *Electric Vehicle (EV) Charging Infrastructure Parking Standards.* See Chapter [17.115](#) ECDC for parking standards relating to electric vehicle (EV) charging infrastructure. [Ord. 4251 § 2 (Exh. A), 2022; Ord. 3496 § 2, 2004].

17.70.040 Bistro and outdoor dining.

A properly zoned and licensed food or beverage service establishment may temporarily utilize public sidewalks in right-of-way areas immediately adjacent to its establishment. The area authorized for use shall be that area of the immediately adjacent public right-of-way and/or outdoor areas under the lease or ownership of the applicant lying between the applicant's property and the public right-of-way. The area authorized for such use shall not extend beyond the street frontage of the business lessee or property owner. Any building or structure as such terms are defined pursuant to the building code adopted by Chapter [19.00](#) ECDC shall fully comply with all provisions of the community development code, ~~including, but not limited to, review and approval by the architectural design board.~~ [Ord. 3742 § 1, 2009; Ord. 3293 § 1, 2000; Ord. 3265 § 1, 1999].

17.95.090 Requirements for employers.

A major employer is required to make a good faith effort, as defined in RCW [70.94.534\(2\)](#) and this chapter, to develop and implement a CTR program that will encourage its employees to increase non-drive alone commute trips. The employer shall submit a description of its program to the city and provide quarterly progress reports to the city on employee commuting and progress toward meeting the goals and targets. The CTR program must include the mandatory elements as described below.

A. *CTR Program Description Requirements.* The CTR program description presents the strategies to be undertaken by an employer to achieve the program goals and targets stated in the city's CTR plan. Employers are encouraged to consider innovative strategies and combine program elements in a manner that will best suit their location, site characteristics, business type, and employees' commuting needs. Employers are further encouraged to cooperate with each other

and to form or use transportation management organizations in developing and implementing CTR programs.

At a minimum, the employer's description must include: (1) general description of the employment site location, transportation characteristics, and surrounding services, including unique conditions experienced by the employer or its employees; (2) number of employees affected by the CTR program; (3) documentation of compliance with the mandatory CTR program elements (as described in subsection (B) of this section); (4) description of the additional elements included in the CTR program (as described in subsection (B) of this section); and (5) schedule of implementation, assignment of responsibilities, and commitment to provide appropriate resources.

B. *Mandatory Program Elements.* Each employer's CTR program shall include the following mandatory elements:

1. *Transportation Coordinator.* The employer shall designate an employee transportation coordinator (ETC) to administer the CTR program. The coordinator and/or designee's name, location, and contact information must be displayed prominently at each major worksite. The coordinator shall oversee all elements of the employer's CTR program and act as liaison between the employer and city. The objective is to have an effective transportation coordinator presence at each worksite; a major employer with multiple sites may have one transportation coordinator for all sites.
2. *Information Distribution.* Information about alternatives to drive-alone commuting shall be provided to employees at least twice a year. One of the items distributed must be a description of the employer's worksite program. The employer's program description and quarterly report must identify the information to be distributed and the method of distribution.
3. *Quarterly Progress Report.* The CTR program must include a quarterly review of employee commuting and progress and good faith efforts toward meeting the goals and targets as outlined in the CTR plan. Major employers shall file a quarterly progress report with the city in accordance with the format established by this chapter and consistent with the CTR board guidelines*. The report shall describe each of the CTR measures that were in effect for the previous quarter, and the number of employees participating in the CTR program. Within the report, the employer should evaluate the effectiveness of the CTR program and, if necessary, propose modifications to achieve the worksite's CTR targets. The

format of the report shall be provided by the city. The employer should contact the city for the format of the report.

* CTR guidelines can be found at www.wsdot.wa.gov/transit/CTR/law.htm

4. *Trip Data Measurement.* Employers shall conduct a quarterly program data evaluation as a means of determining worksite progress toward meeting CTR targets.

5. *Annual Worksite Promotion of Employer CTR Program.* Major employers will hold at least one annual transportation fair or equivalent promotion which is available to all employees at each major worksite.

6. *ETC Training.* ETCs will be required to attend an ETC basic training session within six months of appointment.

7. *Employer Notification.* Employers will be required to notify the city or designee when there are proposed changes to their CTR program, changes in ETC or contact information, and/or changes in number of employees at the worksite.

8. *ETC Networking/Advanced Training.* ETCs will be required to attend at least six hours of networking or advanced training per year. Training and networking sessions may include marketing CTR programs to employees, trip planning, ridesharing, joint promotions and networking meetings.

9. *Additional Program Elements.* In addition to the specific program elements described above, the employer's CTR program shall include additional elements as needed to meet CTR goals and targets. Elements may include, but are not limited to, one or more of the following:

- a. Provision of preferential parking or reduced parking charges, or both, for high-occupancy vehicles;
- b. Instituting or increasing parking charges for single occupant vehicles;
- c. Provision of commuter ride matching services to facilitate employee ride-sharing for commute trips;
- d. Provision of subsidies for transit fares;
- e. Provision of vans for vanpools;

- f. Provision of subsidies for carpools or vanpools;
- g. Permitting the use of the employer's vehicles for carpooling or vanpooling;
- h. Permitting flexible work schedules to facilitate employees' use of transit, carpools, or vanpools;
- i. Cooperation with transportation providers to provide additional regular or express service to the worksite;
- j. Provision of bicycle parking facilities, lockers, changing areas, and showers for employees who bicycle or walk to work;
- k. Provision of a program of parking incentives such as a rebate for employees who do not use the parking facilities;
- l. Establishment of a program to permit employees to work part- or full-time at home or at an alternative worksite closer to their homes;
- m. Establishment of a program of alternative work schedules, such as a compressed work week which reduces commuting; and
- n. Implementation of other measures designed to facilitate the use of high-occupancy vehicles, such as on-site ~~day care daycare~~ facilities and emergency taxi services. [Ord. 4058 § 1, 2017].

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 ~~17.50.020(C), 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 ~~20.13.025 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 – 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 feet in height. Landscaping shall be provided in accordance with Chapter ~~20.13 20.12~~ ECDC.

E. *General – Signage.* All signage shall be erected and maintained in compliance with Chapter [20.60](#) ECDC.

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	Nonresidential
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 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 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 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 Chapter ~~20.13 20.12~~ ECDC.

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 11 spaces for each 100 students as determined from the design capacity as determined in accordance with subsection [H](#) of this section. Primary schools shall designate nondedicated 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 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-~~20.13.025 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 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 Chapter [20.60](#) ECDC.

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 to 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 section directly conflicts with any state or federal law or regulation, the provisions of such law or regulation shall control. [Ord. 3353 § 12, 2001].

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-~~17.50.020(C)~~ ~~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 [20.13.025](#) 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 Chapter [20.60](#) ECDC.

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 months in any two-year period.
3. The following secondary uses are allowed outright upon all park facilities:
 - a. Churches.
 - b. ~~Day care~~ ~~Day-care~~ facilities.
4. A use shall be considered secondary only where the use is subordinate to 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. [Ord. 3353 § 12, 2001].

17.115.020 Definitions.

- A. "Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by Chapter [19.28](#) RCW and RCW [19.27.540](#).
- B. "Battery exchange station" means a facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery, which meets or exceeds any standards, codes, and regulations set forth by Chapter [19.27](#) RCW and RCW [19.27.540](#).
- C. "Charging level" means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. Levels I, II, and III are defined by the electrical output, per the following specifications:

1. *Level I.* Considered slow charging and operates on a 15 to 20 amp breaker on a 120 volt AC circuit.
2. *Level II.* Considered medium charging and operates on a 40 to 100 amp breaker on a 208 or 240 volt AC circuit.
3. *Level III.* Considered fast or rapid charging and operates on a 60 amp or higher breaker on a 480 volt or higher three-phase circuit with special grounding equipment.

D. "Designated accessible parking space" means an accessible parking space required by WAC [51-50-005](#) and designated for the exclusive use of parking vehicles with a state disabled parking permit.

E. "Electric vehicle" or "EV" means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on board for motive purpose.

F. "Electric vehicle capable" or "EV capable" means a parking space that has listed an install panel capacity and conduit (raceway) and electrical capacity (breaker space) allocated to accommodate the future build-out of an electric vehicle charging station with Level II or Level III charging circuits.

G. "Electric vehicle charging station" means a public or private parking space that is served by EV ready or EV installed forms of electric vehicle charging infrastructure that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

H. "Electric vehicle charging infrastructure" means structures, machinery, and equipment necessary and integral to support an electric vehicle, including but not limited to battery charging stations, rapid charging stations, and battery exchange stations.

I. "Electric vehicle installed" or "EV installed" means a fully installed electric vehicle charging station for Level II or Level III charging levels.

J. "Electric vehicle parking space" means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

K. "Electric vehicle ready" or "EV ready" means a parking space that is designed and constructed to include a fully wired circuit with a Level II or Level III electric vehicle charging

receptacle outlet or termination point, including conduit and wiring and the electrical service capacity necessary to serve the ~~receptacle~~ receptable, that allows for future installation of an electrical vehicle charging station.

L. *Electric Vehicle Supply Equipment or EVSE*. See “Electric vehicle charging station.”

M. *Nonresidential Use*. For the purposes of this chapter, a “nonresidential use” means any primary use that is not a residential use such as, but not limited to, business uses, commercial uses, industrial uses, or public facility uses.

N. “Rapid charging station” means a Level III electric vehicle charging station that allows for faster recharging of electric vehicle batteries through higher power levels.

O. *Substantial Damage*. For the purposes of this chapter, “substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the replacement cost of the structure before the damage occurred.

P. *Substantial Improvement*. For the purposes of this chapter, “substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a primary structure, the cost of which equals or exceeds 50 percent of the market value of the primary structure before the “start of construction” of the improvement. [Ord. 4251 § 1 (Exh. A), 2022].

18.05.060 Coordination of facility replacement.

When a pole, tower or other facility is replaced, the owner of the facility shall have a reasonable amount of time, not to exceed 30 days, to coordinate transfer of all existing utility lines, transformers, and equipment to the new pole. The owner of the facility shall provide written notice to transfer such utility lines, transformers and equipment to the new pole to other utilities using the pole. Written notice shall be provided to each utility utilizing the pole by placement in the U.S. mail, postage prepaid, on or before the date the pole is to be replaced. The notice shall include the date of pole replacement and the city’s requirement that transfer of facilities be completed within 30 days. Failure to relocate a utility line, transformer or other equipment to the new facility within 30 days shall be a civil infraction punishable by a fine of up to \$200.00 per day. Each and every day which the utility fails to relocate its utility lines, transformers and/or equipment to the new pole shall be a separate violation. Failure to provide

written notice as provided above shall be a civil ~~infraction violation~~ punishable by a fine of up to \$200.00. Each day on which notice is not given after pole replacement shall be a separate violation. [Ord. 3701 § 2, 2008].

18.70.050 Fees.

A. Application fees for street use or encroachment permits are those established by the city council by resolution in its sole legislative discretion. Application fees shall be paid to the city prior to issuance of any permit.

B. Fees for the exclusive use of the public right-of-way are those established by the city council by resolution in its sole legislative discretion. ~~The fee to extend a streatery permit through April 30, 2022, shall be a monthly payment of \$500.00, with the first payment due on January 15, 2022; provided, that streatery operators not wishing to pay the permit extension fee shall remove the streatery from the right-of-way no later than 11:59 p.m. on January 15, 2022; and further provided, that all streateries shall be removed from the right-of-way no later than 11:59 p.m. on May 15, 2022. The city shall refund \$2,000 to any streatery applicant who paid a \$4,000 lump sum extension fee as required by the version of this code adopted pursuant to Ordinance 4243. Any streatery applicant who requests a refund by January 15, 2022, after abandoning their extension application shall be entitled to such refund. The fee collected, after subtracting an appropriate amount to cover streatery-related administrative costs, shall be used to rent parking spaces that will be made available to the public.~~

C. There shall be no judicial appeal from a determination of the compensation to be paid for the use of public right-of-way. [Ord. 4244 § 1 (Exh. A), 2022; Ord. 4243 § 1 (Exh. A), 2021; Ord. 4209 § 1 (Exh. A), 2020; Ord. 3790 § 1, 2010].

20.19.000 Purpose.

The purpose of this chapter is to permit residents to operate either a family day care or mini ~~day care day-care~~ facility at their home, subject to the requirements of this chapter. Nothing herein shall be interpreted to require a permit for family home ~~day care day-care~~ facilities which are outright permitted uses in any zone, however, such outright permitted home ~~day~~

~~care day-care~~ facility shall comply with the provisions of ECDC [20.19.020](#) in the course of their operation. [Ord. 2673 § 3, 1988].

20.19.010 Conditional use permit required.

When a conditional use permit is required by the provisions of ECDC Title [16](#) relating to the zoning districts, conditional use permit applications for operation of a mini ~~day care day-care~~ shall be processed as a Type II decision (Staff decision – Notice required) utilizing the criteria set forth in this chapter. In addition to the specific criteria set forth herein, the staff and hearing examiner on appeal shall also review the application under the criteria and required findings set forth in Chapter [20.05](#) ECDC relating to conditional use permits in order to establish that the proposed facility is not deleterious to the immediately surrounding neighborhood nor constitutes a public nuisance. The director of community services or designee, or the hearing examiner on appeal, may impose reasonable conditions on the approval of the conditional use permit for mini ~~day care day-care~~ facilities in order to ensure that the criteria of ECDC [20.19.020](#) are met and that the facility is in harmony with the surrounding neighborhood. The hearing examiner's decision on appeal shall be final. [Ord. 3736 § 50, 2009; Ord. 3112 § 10, 1996; Ord. 2673 § 3, 1988].

20.19.020 Criteria.

- A. *State Licensing.* The applicant must obtain any and all required state licenses and comply with all state licensing requirements.
- B. *Outdoor Play Times.* Outdoor play times shall not be scheduled before 9:00 a.m. or after 8:00 p.m. Care should be taken to minimize noise impacts on adjacent residences.
- C. *Fenced Play Area.* A completely fenced play area is required. No play area shall be allowed in the street setback.
- D. *Parking.* Two on-street or off-street parking spaces shall be provided for a family ~~day care day-care~~ operation. On-street parking spaces must be reasonably accessible to the applicant's residence and available for public use under city ordinance.

A minimum of three on-street or off-street parking spaces shall be provided with a mini ~~day care~~ ~~day-care~~ operation. On-street parking spaces must be reasonably accessible to the applicant's residence and available for public use under city ordinance.

E. *Location and Limitation.* No mini ~~day care~~ ~~day-care~~ center located within a residential zone shall be located closer than 300 feet to any other ~~day care~~ ~~day-care~~ operation of any kind or nature, or any preschool; provided that this limitation shall not apply to any public school facility operated by the Edmonds or other school district. [Ord. 2673 § 3, 1988].

20.19.030 Permit.

A conditional use permit for a mini ~~day care~~ ~~day-care~~ facility is personal to the applicant and shall not be transferred or otherwise assigned to any other person or entity, nor may the permit be transferred to any site other than the site described in the application. Nothing herein shall relieve the applicant of the obligation to obtain any and all licenses required under the provisions of state and federal law. [Ord. 2673 § 3, 1988].

20.30.040 Recorded agreement.

If joint use is approved, the applicant shall provide to the ~~planning and development~~ ~~community development~~ department a legal instrument conveying a nonrevocable parking easement for the life of the applicant's use or a covenant to the city if only one parcel of property is involved. When the city attorney has approved the agreement, the city shall file it for record with the county auditor at the applicant's expense and retain a copy in the application file.

20.75.060 Required information on preliminary plats.

A preliminary plat is a neat and approximate drawing to scale of a proposed division of land, showing the existing conditions and the general proposed layouts of streets, lots and other information needed to properly review the proposal. The preliminary plat of a short subdivision may be referred to as a short plat. A preliminary plat shall be prepared by a professional land

surveyor registered in the state of Washington. The scale used shall be sufficient to show clearly all details of the proposal. A scale of 50 feet to the inch is preferred; other engineering scales may be used, if necessary. Preliminary plats for formal subdivisions shall not exceed a size of 24 inches by 36 inches. Short plats shall be on an eight-and-one-half-by-11-inch page. The following information shall be shown on the plat:

- A. The name, if any, of the proposed subdivision;
- B. Sufficient description to define the location and boundaries of the proposed subdivision;
- C. Name, address, seal and signature of the land surveyor who prepared the map;
- D. A vicinity sketch;
- E. Date prepared or revised, scale, north point, quarter section, section, township and range number;
- F. Total acreage of the land to be divided, and area in square feet of each proposed lot;
- G. Existing zoning, and zoning boundaries, if any;
- H. Lot dimensions and numbers;
- I. Setback lines required by the existing or proposed zoning, if the proposed lot has an unusual shape, steep topography, or other unusual limitations on its building site;
- J. Any existing property lines within, or adjacent to, the proposed subdivision, and the names of the owners of adjacent property;
- K. Contour lines in areas to be developed shall be at five-foot intervals, or as specified by the planning and development director. Ten-foot intervals may be used in areas not to be developed. All contour lines shall be extended into adjacent property a sufficient distance to show the topographical relationship of adjacent property to the proposed subdivision;
- L. The location, name and width of all existing and proposed street rights-of-way, or easements within or adjacent to the proposed subdivision, the grade or proposed streets and the pavement location of existing and proposed streets;

- M. The location of all existing structures within the proposed subdivision and within 25 feet of the proposed subdivision. Public area or areas to be owned in common by the lot owners, if any;
- N. The location of tree-covered areas, with the location of individual trees over eight inches in diameter in areas as requested by the planning and development director;
- O. A preliminary grading plan or profile of proposed roads if more than 500 cubic yards of earth is to be removed;
- P. A preliminary drainage proposal as specified in Chapter [18.30](#) ECDC, showing existing and proposed drainage facilities for the site and the adjacent areas;
- Q. A statement of improvements to be installed;
- R. The location of known or suspected soil or geological hazard areas, water bodies, creeks and areas subject to flooding;
- S. Possible future lot lines if any [lot](#) is large enough to allow future division;
- T. Location of existing underground utility lines, sewer and water mains adjacent to or within the proposed subdivision;
- U. Other information that may be required by the planning and development director in order to properly review the proposed subdivision, including information needed to determine the environmental impact of the proposal. [Ord. 4299 § 56 (Exh. A), 2023; Ord. 4154 § 4 (Att. C), 2019; Ord. 4070 § 1 (Exh. 1), 2017; Ord. 3296 § 1, 2000. Formerly 20.75.055].

20.110.045 Suspension or revocation of permit.

The city shall retain the right to suspend or revoke a permit issued under this development code that fails to comply with any conditions of approval of said permit, or which operates in a manner inconsistent with representation made in the application. The suspension or revocation of a permit may be appealed to the hearing examiner under Chapter [20.06](#) ECDC. Upon receipt of a timely appeal under Chapter [20.06](#) ECDC, suspension or revocation shall ~~be by~~ stayed pending decision on the appeal; provided, that such a stay shall [not](#) affect any stop work order issued by the director. [Ord. 4154 § 25 (Att. D), 2019].

21.20.010 Day care ~~Day-care~~ facility.

The following definitions shall apply to the various day care ~~day-care~~ facilities allowed in the different zone districts:

A. Family Day Care ~~Day-Care~~ Home: A residence used for the care of children under the age of 12 located in the family dwelling of the person or persons under whose direct care the child or children are placed, accommodating 12 or fewer children, such numbers to include those members of the resident family who are under the age of 12 years old and are cared for within the day care ~~day-care~~ facility. This definition shall apply regardless of whether the care is provided for compensation.

B. ~~Day-Care~~ Day Care Center: A building or portion thereof used for the care of children under the age of 12 located in a facility which accommodates 13 or more children regardless of whether such services are provided for compensation.

C. Adult Care: The definitions of family day care ~~day-care~~ home and day care ~~day-care~~ center shall also include facilities designed for the care of disabled persons, and persons over the age of 65 years during normal working hours ("adult care"). The expansion of the definition is intended to permit neighborhood oriented facilities which provide services to the disabled and elderly while their adult children or other family care givers are at work. This definition shall be applied in a way which permits day care ~~day-care~~ facilities for adult care to operate under the same terms and conditions as day care ~~day-care~~ facilities for children. This definition shall not include facilities such as halfway houses, treatment centers, counseling centers, or other businesses which offer medical services, treatment or counseling to the disabled; these business uses shall be located only in the appropriate commercial zones. [Ord. 3453 § 4, 2003; Ord. 2458 § 4, 1984].

23.90.020 Special study and report requirements – Fish and wildlife habitat conservation areas.

In addition to the general critical areas report requirements of ECDC [23.40.090](#), critical area reports for fish and wildlife habitat conservation areas must meet the requirements of this section. Critical areas reports for two or more types of critical areas must meet the report requirements for each relevant type of critical area.

A. *Preparation by a Qualified Professional.* A critical areas report for a fish and wildlife habitat conservation area shall be prepared by a qualified professional who is a biologist with experience preparing reports for the relevant type of habitat. Pursuant to ECDC [23.40.090\(A\)](#), applicants may choose one of the qualified technical consultants on the city's approved list in preparing critical areas reports for fish and wildlife habitat conservation areas, or may utilize an alternative consultant. Critical areas studies and reports developed by an alternative consultant shall be subject to independent review pursuant to ECDC [23.40.090\(B\)](#).

B. *Areas Addressed in Critical Areas Report.* The following areas shall be addressed in a critical areas report for fish and wildlife habitat conservation areas:

1. The project area of the proposed activity;
2. All fish and wildlife habitat conservation areas and recommended buffers within 200 feet of the project area;
3. All shoreline areas, floodplains, other critical areas, and related buffers within 200 feet of the project area; and
4. A discussion of the efforts to avoid and minimize potential effects to these resources and the implementation of mitigation/enhancement measures as required.

C. *Habitat Assessment.* A habitat assessment is an investigation of the project area to evaluate the potential presence or absence of designated critical fish or wildlife species or habitat. A critical areas report for a fish and wildlife habitat conservation area shall contain an assessment of habitats, including the following site- and proposal-related information at a minimum:

1. Detailed description of vegetation on and adjacent to the project area and its associated buffer;
2. Identification of any species of local importance, priority species, or endangered, threatened, sensitive, or candidate species that have a primary association with habitat on or adjacent to the project area, and assessment of potential project impacts to the use of the site by the species;
3. A discussion of any federal, state, or local special management recommendations, including Washington Department of Fish and Wildlife habitat management

recommendations, that have been developed for species or habitats located on or adjacent to the project area.

D. *Additional Technical Information Requirements for Streams.* Consistent with specific development standards for Edmonds streams (ECDC [23.90.040\(D\)](#)), critical areas report requirements for streams may be met, at the discretion of the director, through submission of one or more specific report types. If stream buffer enhancement is proposed to reduce a standard stream buffer width or as part of project mitigation required by the director, a stream buffer enhancement plan may be submitted to fulfill the requirements of this section. If no project impacts are anticipated and standard stream buffer widths are retained, a stream survey report, general critical areas report or other reports alone or in combination may be submitted as consistent with the specific requirements of this section. In addition to the basic critical areas report requirements for fish and wildlife habitat conservation areas provided in subsections [\(A\)](#) through [\(C\)](#) of this section, technical information on streams shall include the following information at a minimum:

1. A written assessment and accompanying maps of the stream and associated hydrologic features within 200 feet of the project area, including the following information at a minimum:
 - a. Stream survey showing the ordinary high water mark(s);
 - b. Standard stream buffer boundary;
 - c. Boundary for proposed reduced stream buffers;
 - d. Vegetative, faunal, and hydrologic characteristics;
 - e. Soil and substrate conditions; and
 - f. Topographic elevations, at two-foot contours;
2. A detailed description and functional assessment of the stream buffer under existing conditions pertaining to the protection of stream functions, fish habitat and, in particular, potential anadromous fisheries;
3. A habitat and native vegetation conservation strategy that addresses methods to protect and enhance on-site habitat and stream functions;

4. Proposed buffer enhancement, if needed, including a written assessment and accompanying maps and planting plans for buffer areas to be enhanced, including the following information at a minimum:
 - a. A description of existing buffer conditions;
 - b. A description of proposed buffer conditions and how proposed conditions will increase buffer functioning in terms of stream and fish habitat protection;
 - c. Performance standards for measuring enhancement success through a monitoring period of at least ~~five~~ ~~three~~ years; and
 - d. Provisions for monitoring and submission of monitoring reports documenting buffer conditions as compared to performance standards for enhancement success;
5. A discussion of ongoing management practices that will protect stream functions and habitat value through maintenance of vegetation density within the stream buffer. [Ord. 4026 § 1 (Att. A), 2016; Ord. 3527 § 2, 2004].

24.90.030 Definitions – G to O.

- A. "Gabions" means structures composed of masses of rocks, rubble or masonry held tightly together, usually by wire mesh, so as to form blocks or walls; sometimes used on heavy erosion areas to retard wave action or as foundations for breakwaters or jetties.
- B. "Geotechnical report" or "geotechnical analysis" means a scientific study or evaluation conducted by a qualified expert that includes a description of the ground and surface hydrology and geology, the affected land form and its susceptibility to mass wasting, erosion, and other geologic hazards or processes, conclusions and recommendations regarding the effect of the proposed development on geologic conditions, the adequacy of the site to be developed, the impacts of the proposed development, alternative approaches to the proposed development, and measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development; including the potential adverse impacts to adjacent and down-current properties. Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise in both regional and local shoreline geology and processes.

- C. "Government facility" means the movement or redistribution of the soil, sand, rock, gravel, sediment, or other material on a site in a manner that alters the natural contour of the land.
- D. "Grading" means the movement or redistribution of the soil, sand, rock, gravel, sediment, or other material on a site in a manner that alters the natural contour of the land.
- E. "Haines Wharf" means Lots 7 through 11 in the plat of Meadowdale Tidelands.
- F. "Hotel" means any building containing five or more separately occupied rooms that are rented out for sleeping purposes. A central kitchen and dining room and interior accessory shops and services catering to the general public can be provided. Not included are institutions housing persons under legal restraint or requiring medical attention or care.
- G. "Improvement" means any structure or manmade feature.
- H. "Inner harbor line" means the line designated as such by the State Harbor Line Commission pursuant to Article XV, Washington State Constitution.
- I. "Land surface modification" means the clearing or removal of trees, shrubs, ground cover and other vegetation, and all grading, excavation and filling of materials. The removal of overhanging vegetation and fire hazards as specified in ECDC [23.10.040\(C\)](#) ~~[18.45.030\(E\)](#)~~ shall not be deemed to be land surface modifications.
- J. "Landscaping" means the planting, removal and maintenance of vegetation along with the movement and displacement of earth, topsoil, rock, bark and similar substances done in conjunction with the planting, removal and maintenance of vegetation.
- K. "Landward" means upland from the ordinary high water mark.
- L. "Lot" means a single tract of land legally created as a separate building site with frontage on a street or access easement. For purposes of this code the area of the lot used to calculate lot area shall be the area of the lot which is upland of the OHWM and adjoining lots under common ownership which were created without subdivision or short subdivision approval from applicable city or county governments. This lot area shall be considered as one lot and subject to the regulations contained herein. The terms of this section shall apply regardless of whether the individual adjoining lots meet current zoning requirements.
- M. "Low impact development (LID)" means a stormwater and land use management strategy that strives to mimic predisturbance hydrologic processes of infiltration, filtration, storage,

evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

N. "LID principles" means land use management strategies that emphasize conservation, use of on-site natural features, and site planning to minimize impervious surfaces, native vegetation loss, and stormwater runoff.

O. "Low impact development best management practices" means distributed stormwater management practices, integrated into a project design, that emphasize predisturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration. LID BMPs include, but are not limited to, bioretention/rain gardens, permeable pavements, roof downspout controls, dispersion, soil quality and depth, vegetated roofs, minimum excavation foundations, and water reuse.

P. "Marine launcher" means a mechanical device that can hoist vessels off trailers and transport them into the water and often is associated with dry land moorage facilities.

Q. "Master plan" means a complete development plan for the subject property showing placement, dimensions and uses of all structures as well as streets and other areas used for vehicular circulation.

R. "Mean sea level" means the level of Puget Sound at zero tide as established by the U.S. Army Corps of Engineers.

S. "Minor appurtenant building" means minor buildings associated with overwater structures including but not limited to the following: storage buildings less than 150 square feet in area, ferry terminal passenger shelter, covered moorage, etc.

T. "Mixed use developments" are shoreline developments which combine more than one separate but related activity into a coordinated package. Activities usually include one or more water-dependent uses with non-water-dependent uses. Drive-in businesses are not permitted.

U. "Modification" means an action undertaken in support of or in preparation for a shoreline use that modifies the physical configuration or qualities of the shoreline area.

V. "Moorage" means a place to tie up or to anchor a waterborne craft.

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- W. "Mooring buoy" means a floating object anchored to the bottom of a water body that provides tie-up capabilities for waterborne craft.
- X. "Moorage facility" means a pier, dock, dolphin, buoy or other structure providing docking or moorage space for waterborne craft.
- Y. "Motel" means a building containing units which are used as individual sleeping units having their own private toilet facilities and sometimes their own kitchen facilities, designed primarily for the accommodation of transient automobile travelers. Accommodations for trailers are not included. This term includes tourist court, motor lodge, auto court, cabin court, motor hotel, motor inn and similar names.
- Z. "Multimodal terminal (facility)" means a terminal (facility) designed for the co-location of transportation loading and unloading by multiple forms of transportation including land, water or rail.
- AA. "Nonconformance" means any use, structure, lot, condition, activity, or any other feature or element of private property or the use or utilization of private property that does not conform to any of the provisions of this code or that was not approved by the city through the appropriate decision-making process required under this code and/or was established prior to the original Edmonds shoreline master program.
- BB. "Normal appurtenances" include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield and grading which does not exceed 250 cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark. Local circumstances may dictate additional interpretations of normal appurtenances which shall be set forth and regulated within the applicable master program.
- CC. "Office (use)" means a place of employment in a building or separately defined space within a building providing services other than production, distribution or sale or repair of goods or commodities. The following is a nonexclusive list of office uses: accounting, architectural, engineering, consulting or other similar professional services; management, administrative, secretarial, marketing, advertising, personnel or other similar personnel services; sales offices where no inventories or goods are available on the premises; real estate, insurance, travel agent, brokerage or other similar services. The following uses are specifically excluded from the definition of office: medical, dental, or other health care; veterinary; banks, loan companies and similar financial institutions.

DD. "Off-street parking" means motor vehicle parking facilities within the lot area of a private lot or public lot established for that purpose.

EE. "Official newspaper of the city" means the publication designated by ordinance or resolution to contain official newspaper publications for the city government.

FF. "Official notification boards of the city" means the bulletin boards in the public areas of the city of Edmonds Community Services Building, the Edmonds Main Post Office Branch, and the Edmonds Public Library.

GG. "OHWM" means ordinary high water mark (see subsection [\(II\)](#) of this section).

HH. "Open space" means land not covered by buildings, roadways, parking areas or other surfaces through which water cannot percolate into the underlying soils.

II. "Ordinary high water mark" on all lakes, streams, and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition existing on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by the city of Edmonds or the Department of Ecology; provided, that in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water.

JJ. "Oriented" means facing or directed toward.

KK. "Outer harbor line" means the line designated as such by the State Harbor Line Commission pursuant to Article XV, Washington State Constitution. [Ord. 4072 § 1 (Att. A), 2017].

24.90.040 Definitions – P to R.

A. "Parking area" means any area designed and/or used for parking of vehicles.

B. "Parking space" means an area which is improved, maintained and used for the sole purpose of temporarily accommodating a motor vehicle that is not in use.

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- C. "Pedestrian orientation" pertains to facilities which encourage pedestrian movement and are designed and oriented toward use by pedestrians.
- D. "Pier" means a fixed structure which abuts the shoreline and is used for moorage or other water-related activities such as fishing, swimming and diving.
- E. "Planning division" means the planning division of the [Planning and Development community services](#) department of the city of Edmonds.
- F. "Planning manager" means the manager of the planning division of the city of Edmonds or the acting manager of that division.
- G. "Planning official" means the manager of the planning division or his/her designee.
- H. "Port" means a special purpose unit of local government created for the purpose of managing port-related lands, facilities and activities. For the purposes of this document, "port" refers to the port of Edmonds and its facilities and operation.
- I. "Property line" means those lines enclosing a lot, its developable area and those lines defining a recorded vehicular access easement. The following are categories of property lines:
1. "Front property line" is any property line that is adjacent to a street or easement more than 20 feet in width, except that the Burlington Northern right-of-way shall not be considered a front property line.
 2. "Rear property line" is any property line that is farthest from and essentially parallel to a front property line except on a lot which contains two or more front property lines.
 3. "Side property line" is any property line other than a front property line or a rear property line.
- J. "Public access" is the physical ability of the general public to reach and touch the water's edge and/or the ability to have a view of the water and the shoreline from upland locations. There are a variety of types of public access including picnic areas, pathways and trails (including disabled), floats and docks, promenades, viewing towers, bridges, boat launches, street ends, ingress and egress, parking and other similar facilities or locations.
- K. "Public access pier or boardwalk" means an elevated structure or floating structure which is constructed waterward of the ordinary high water mark and intended for public use.

L. "Public park" means an area provided by a unit of government to meet the active or passive recreational needs of people in the water and on the upland shoreline.

M. "Public right-of-way" means land dedicated to the movement of vehicles and pedestrians and providing for primary access to adjacent parcels and or public waterborne transportation. Secondly, the land provides space for utility lines and appurtenances and other publicly owned devices.

N. "Public use area" means a portion of private property that is dedicated to public use and which contains one or more of the following elements: benches, tables, lawns, gardens, piers, exercise or play equipment or similar improvements or features. These elements are to provide the public with recreational opportunities in addition to the right to traverse or stand in this area.

O. "Public utility" means a private business organization such as a public service corporation, including physical plant facilities, performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either of which are paid for directly by the recipients thereof. Such services shall include but are not limited to: water supply, waste water treatment, stormwater treatment, electric power, telephone, cablevision, gas, and transportation for persons and freight.

P. "Railroad right-of-way" means the land occupied by a railroad for its tracks, yard, buildings, and related structures.

Q. "Restaurant" means a building where food is sold to the public for on-premises consumption or to go. It may include alcoholic beverage service only pursuant to a Class "C," "D," or "H" state liquor license.

R. "Restore," "restoration" or "ecological restoration" means the reestablishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, revegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

S. "Retail establishment" means a commercial enterprise which provides goods or services directly to the consumer and whose goods are available for immediate purchase and removal

from the premises by the purchaser or whose services are traditionally not permitted within an office use. [Ord. 4072 § 1 (Att. A), 2017].

The Edmonds City Code is current through Ordinance 4302, passed May 23, 2023.

Disclaimer: The city clerk's office has the official version of the Edmonds City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

The Edmonds Community Development Code is current through Ordinance 4302, passed May 23, 2023.

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[City Website: www.edmondswa.gov](http://www.edmondswa.gov)

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Everett Daily Herald

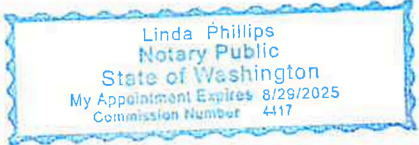
Affidavit of Publication

State of Washington }
County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH989146 ORD. 4333, 4334 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 12/22/2023 and ending on 12/22/2023 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$36.12. [Signature]

Subscribed and sworn before me on this 28th day of December, 2023.



[Signature]

Notary Public in and for the State of Washington.

ORDINANCE SUMMARY

of the City of Edmonds, Washington
On the 19th Day of December 2023, the City Council of the City of Edmonds, passed the following Ordinances, the summaries of said ordinances consisting of titles are provided as follows:

ORDINANCE NO. 4333

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING CHAPTER 20.80 OF THE EDMONDS COMMUNITY DEVELOPMENT CODE, ENTITLED "TEXT AND MAP CHANGES," TO ADD A NEW STREAMLINED PROCESS FOR ADOPTING MINOR AMENDMENTS TO THE ECDC.

ORDINANCE NO. 4334

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING ORDINANCE NO. 4313 AS A RESULT OF UNANTICIPATED TRANSFERS AND EXPENDITURES OF VARIOUS FUNDS, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.
DATED this 19th Day of December, 2023.
CITY CLERK, SCOTT PASSEY

Published: December 22, 2023.

EDH989146