

CITY OF MOUNTLAKE TERRACE

ORDINANCE NO. 2755

AN ORDINANCE OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON, REPEALING AND REPLACING CHAPTER 19.50 MTMC “DOWNTOWN COMMUNITY BUSINESS DISTRICT” (BC/D) WITH “TOWN CENTER ZONES” (TC), ADDING A NEW CHAPTER 19.123 MTMC “TOWN CENTER DESIGN STANDARDS”, AMENDING CHAPTER 19.15 MTMC “DEFINITIONS” TO INCLUDE ADDITIONAL DEFINITIONS RELATING TO LAND USE AND ZONING, AMEND SECTION 19.23.100 MTMC “ELECTRICAL VEHICLE INFRASTRUCTURE”, AMEND CHAPTER 19.95 MTMC “TRANSPORTATION CODE”, AND AMEND CHAPTER 19.135 MTMC “SIGN REGULATIONS” CONSISTENT WITH THE COMPREHENSIVE PLAN; AND SETTING FORTH SUPPORTING FINDINGS

WHEREAS, in 2008, Ordinance No. 2503 established provisions for the BC Downtown-Downtown Community Business District to establish zoning districts to implement “A Vision for the Mountlake Terrace Town Center”; and

WHEREAS, subsequent Ordinance Nos. 2567, 2650, 2668, 2683, and 2732 amended the provisions contained in Chapter 19.50 MTMC to address identified changes needed in the regulations; and

WHEREAS, the City Council desires to make changes and modifications to Title 19 MTMC, Zoning Code to implement the 2019 Town Center Subarea Plan; and

WHEREAS, proposed text amendments which relate to MTMC Title 19, Zoning Code, were considered by the Planning Commission and City Council under the provisions and criteria of MTMC Section 19.110.240(C); and

WHEREAS, the proposed text amendments which relate to MTMC Title 19, Zoning Code, as proposed meet the criteria for consistency review, including:

1. The proposal is in conformance with the goals and objectives of the Comprehensive Plan;
2. The proposal promotes the health, welfare, and safety of the general public; and
3. The proposal will not create excessive additional requirements at public cost for public facilities and services; and

WHEREAS, to address development issues associated with the slow rate of development in the Town Center due to a combination of economic issues associated with the great recession, a multitude of low-density land uses and development policies and regulations that are inconsistent with current urban development market trends, the City Council initiated a new approach to energize interest and development of the Town Center; and

WHEREAS, to assist in the preparation of development regulations to implement the goals and policies of the Town Center Subarea Plan, the City contracted with Makers Architecture and Urban Design; and

WHEREAS, notification was properly given for public hearings by the Planning Commission and the City Council to consider amendments to MTMC Title 19, Zoning Code; and

WHEREAS, the amendments to the MTMC Title 19 have been prepared to be consistent with the Washington State Growth Management Act (GMA) RCW 36.70A; and

WHEREAS, Notice of 60-day review and intent to adopt amendments to the Comprehensive Plan and development regulations contained in the city's Municipal Code was sent to the Washington State Department of Commerce on June 11, 2019; and

WHEREAS, the Planning Commission held a public hearing on July 10, 2019, to consider the entire record regarding the proposed amendments to the Comprehensive Plan and concurrent amendments to the Zoning Map and recommended that the City Council adopt by ordinance specific amendments to the Comprehensive Plan and Zoning Map; and

WHEREAS, the Planning Commission reconsidered its recommendation to the City Council on August 26, 2019, and provided a revised recommendation to the City Council; and

WHEREAS, the City Council held a public hearing on September 16, 2019 and the City Council considered the Planning Commission's revised recommendation and the range of issues finding that development code amendments affecting the Town Center should be implemented, consistent with amendments to the Town Center Subarea Plan; and

WHEREAS, the city's SEPA Official issued a Determination of Significance on April 18, 2019 requiring the preparation of a SEIS and contracted with BERK Consultants to prepare the document; and

WHEREAS, a Draft and Final Supplemental Environmental Impact Statement were issued by the City for the Town Center Subarea Plan Update and Planned Action; and

WHEREAS, the City Council finds that the proposed amendments are consistent with the City's Comprehensive Plan, the criteria for amending the zoning map and text, and other goals and objectives of the City; and

WHEREAS, the adoption of this Ordinance will promote the public health, safety, and general welfare within the City of Mountlake Terrace.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOUNTLAKE TERRACE, WASHINGTON DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are hereby adopted and incorporated as Findings of Fact and/or Conclusion of Law of the City Council pursuant to the requirements of

Mountlake Terrace Municipal Code 19.110.240 (C). The City Council bases its findings and conclusions on the entire record of testimony and exhibits, including all written and oral testimony before the Planning Commission and the City Council.

Section 2. Replacement Chapter. Chapter 19.50 of the Mountlake Terrace Municipal Code “BC Downtown-Downtown Community Business District” and Ordinance No. 2732 is hereby repealed and new Chapter 19.50, “Town Center Zones” (TC), is hereby added to the zoning code, as set forth in Exhibit 1 which is attached hereto and incorporated by reference as though fully set forth.

Section 3. New Chapter. A new Chapter 19.123 of the Mountlake Terrace Municipal Code “Town Center Design Standards” is hereby added to the Zoning Code, as set forth in Exhibit 2 which is attached hereto and incorporated by reference as though fully set forth.

Section 4. Chapter Title Amendment. Title 19 chapter’s titles of the Mountlake Terrace Municipal Code, Zoning, are hereby amended to read as follows:

Chapters:

- 19.05 Title – Enactment – Purpose
- 19.10 Administration
- 19.15 Definitions
- 19.20 Land Use Regulations
- 19.23 Development Standards – Uses
- 19.25 *Repealed*
- 19.28 *Repealed*
- 19.30 RS – Single-Household Residential Districts
- 19.35 RM – Multiple-Household Residential Districts
- 19.40 *Reserved*
- 19.45 BC – Community Business District
- 19.50 TC – Town Center Zones
- 19.55 CG – General Commercial District
- 19.60 F/T – Freeway/Tourist District
- 19.65 LI/OP – Light Industry/Office Park District
- 19.70 S.O.A.B. – Sexually Oriented Adult Businesses/Adult Entertainment Establishments Overlay District
- 19.75 REC – Recreation and Park District
- 19.80 SDD/R – Special Development District/Residential
- 19.85 SDD C/R – Special Development District Commercial/Residential
- 19.90 Town Center Planned Action
- 19.95 Transportation Code
- 19.100 Freeway/Tourist District Planned Action
- 19.105 PFS – Public Facilities and Services District
- 19.110 Permits and Procedures
- 19.111 Temporary Shelter Encampments
- 19.115 Planned Unit Development
- 19.120 General Provisions

- 19.123 Town Center Design Standards
- 19.125 Off-Street Parking and Loading
- 19.126 Electric Vehicle Infrastructure
- 19.130 Landscape Development and Site Buffering
- 19.135 Sign Regulations
- 19.136 Banners Over Streets
- 19.137 Wireless Communication Facilities
- 19.140 Enforcement
- 19.145 *Repealed*
- 19.150 Marijuana Regulations

Section 5. Amendment. Section 19.15.010 “General.” of the Mountlake Terrace Municipal Code, is hereby amended to read as follows:

19.15.010 General.

A. The purpose of this chapter is to provide definitions for terms that may be used in this title and in MTMC Titles 15, 16, and 17, except that if any of said titles or chapters within them contain a different definition for the same term than is contained in this chapter, the definition in the aforesaid title or chapter shall apply for the specific purpose being addressed in the title or chapter.

B. All words used in the present tense include the future tense. All words in the plural number include the singular number and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word “shall” or “must” is mandatory and not discretionary. The word “used” shall be deemed also to include “designed, intended, or arranged to be used.” Unless otherwise specified, all distances shall be measured horizontally.

Section 6. Amendment. Section 19.15.020 “A.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “A.” in alphabetical order:

19.15.020 “A.”

“Articulation” means the giving of emphasis to the architectural elements (like windows, balconies, entries, etc.) that create a complementary pattern or rhythm, dividing large buildings into smaller identifiable pieces. See MTMC 19.123.240 for articulation provisions.

“Articulation interval” means the measure of articulation, the distance before architectural elements repeat. See MTMC 19.123.240 for articulation provisions

“Artisan manufacturing” means the production of goods by the use of hand tools or small-scale, light mechanical equipment occurring within a fully-enclosed building where such production requires no outdoor operations or storage, and where the production, operations, and storage of materials related to production occupy no more than 5,000 square feet of net floor area. Typical uses have negligible negative impact on surrounding properties and include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts, production of alcohol, or food processing.

Section 7. Amendment. Section 19.15.030 “B.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “B.” in alphabetical order:

19.15.030 “B.”

“Blank wall” means a ground floor wall or portion of a ground floor wall as described in MTMC 19.123.270 that does not include transparent window or door.

“Block-frontage” refers to the area between a street and building facades and other portions of a lot close to the street property line. See MTMC Article 2 of Chapter 19.123 for applicable block-frontage standards.

Section 8. Amendment. Section 19.15.040 “C.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “C.” in alphabetical order:

19.15.040 “C.”

“Cornice” means a horizontal molding projecting along the top of a wall, building, etc. See MTMC 19.123.250(D) for related standards.

Section 9. Amendment. Section 19.15.050 “D.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “D.” in alphabetical order:

19.15.050 “D.”

“Departure” means a provision allowing for applicants to propose alternative means of compliance with a specific standard on a voluntary basis, provided they meet the purpose of the standard. See MTMC 19.110.260 for more information on departures

Section 10. Amendment. Section 19.15.060 “E.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “E.” in alphabetical order:

19.15.060 “E.”

“Entertainment, commercial indoor” refers to predominantly spectator uses conducted within an enclosed building. Typical uses include motion picture theaters and concert music halls.

Section 11. Amendment. Section 19.15.070 “F.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “F.” in alphabetical order:

19.15.070 “F.”

“Financial Institution” means a bank, savings and loan, credit union, mortgage office, or similar establishment allowing for walk-in services.

“Façade” means the entire street wall face of a building extending from the grade of the building to the top of the parapet or eaves and the entire width of the building elevation.

Section 12. Amendment. Section 19.15.080 “G.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “G.” in alphabetical order:

19.15.080 “G.”

“General service” means a category of uses whose primary activity is the provision of service, rental, and/or repair to appliances, electronic equipment, machinery, tools, vehicles, and other similar products for personal, commercial, or civic use.

Section 13. Amendment. Section 19.15.130 “L.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “L.” in alphabetical order:

19.15.130 “L.”

“Live-work unit” means a dwelling unit designed to accommodate a small commercial enterprise on the ground floor and a residential unit above and/or behind. A live-work unit may be designed as any type of household living dwelling unit permitted in the applicable zoning district and may be designed as any type of household living dwelling unit permitted in the applicable zoning district and may be designed to be used for both single-occupant or dual-occupant usage (i.e., one occupant for the resident; another occupant for the commercial space).

“Landscaped block frontage” refers to a type of block frontage designation that emphasized landscaped setbacks. See MTMC 19.123.100 for details.

Section 14. Amendment. Section 19.15.140 “M.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “M.” in alphabetical order:

19.15.140 “M.”

“Modulation” means stepping forward or backwards a portion of the façade as a means to articulate or add visual interest to the façade.

Section 15. Amendment. Section 19.15.170 “P.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “P.” in alphabetical order:

19.15.170 “P.”

“Pedestrian-oriented space” means publicly accessible spaces that enliven the pedestrian environment by providing opportunities for outdoor dining, socializing, relaxing and provide visual amenities that can contribute to the character of the neighborhood. See MTMC 19.123.190 (D) for pedestrian-oriented space design criteria.

“Personal service” means an establishment which offers specialized services purchased frequently by the consumer. Included are barber shops, beauty salons and spas, repair shops, postal or courier services, laundromats, dry cleaning pickup, tailor shops, and other similar establishments. These uses may also include accessory retail sales of products related to the services provided.

“Professional office” refers to activities conducted in a room or suite of rooms and generally focused on professional services.

Section 16. Amendment. Section 19.15.190 “R.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “R.” in alphabetical order:

19.15.190 “R.”

“Roofline” means the highest edge of the roof or the top of a parapet, whichever establishes the top line of the structure when viewed in a horizontal plane.

Section 17. Amendment. Section 19.15.200 “S.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “S.” in alphabetical order:

19.15.200 “S.”

“Secondary block frontage” refers to a type of block frontage designation that allows use of either the Storefront or Landscaped block frontage standards. See MTMC 19.123.100 for details.

“Storefront” means the ground floor façade of a commercial use adjacent to a sidewalk or internal pathway.

“Storefront block frontage” refers to a type of block frontage designation that emphasizes storefronts. See 19.123.080 for details.

Section 18. Amendment. Section 19.15.210 “T.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “T.” in alphabetical order:

19.15.210 “T.”

“Transparency” means the degree to which rays of light may transmit through a substance. For storefronts and other ground level non-residential uses, transparency also refers to the ability to see through the window and into the building as clarified in MTMC 19.123.070.

Section 19. Amendment. Section 19.15.230 “V.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “V.” in alphabetical order:

19.15.230 “V.”

“Vertical building modulation” means a stepping back or projecting forwards vertical walls of a building face, within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure’s continuous exterior walls. Vertical building modulation may be used to meet some of the building massing and articulation standards in MTMC 19.123.240.

Section 20. Amendment. Section 19.15.240 “W.” of the Mountlake Terrace Municipal Code, is hereby amended with the following definitions to be added to Section “W.” in alphabetical order:

19.15.240 “W.”

“Weather protection” means a permanent horizontal structure above pedestrian areas such as sidewalks and building entries that protects pedestrians from the inclement weather.

Section 21. Amendment. Section 19.23.100 of the Mountlake Terrace Municipal Code, “Electric vehicle infrastructure”, is hereby amended to read as follows:

Table 1

Zone	Charging Level 1 and Level 2 Station	Charging Level 3 Station	Battery Exchange Station
RS	P		
RM	P		
BC	P	P	P
TC	P	P	P
CG	P	P	P
F/T	P	P	P
LI/OP	P	P	P
REC	P	C	C
SSD/R	P		
SSD C/R	P	P	
PFS	P	P	P

Section 22. Amendment. Subsection E(1) of Section 19.95.010 “Referenced Standards.” of the Mountlake Terrace Municipal Code, “Transportation Code”, is hereby amended to read as follows:

1. For improvements, maintenance, or alterations impacting the public right-of-way, City easements, and transportation facilities, the City of Mountlake Terrace hereby adopts by reference the following publications and standards and any amendments thereto:
 - a. 2012 Washington State Department of Transportation and American Public Works Association’s Standard Specifications for Road, Bridge and Municipal Construction;
 - b. 2012 Washington State Department of Transportation’s Standard Plans;
 - c. 2011 American Association of State Highway and Transportation Officials’ Policy on Geometric Design of Highways and Streets, and other AASHTO guidelines and publications referenced therein;
 - d. 2009 Manual for Uniform Traffic Control Devices;
 - e. 2000 Illuminating Engineering Society (IES) RP-8-00, American National Standard Practice for Roadway Lighting;
 - f. 2012 Mountlake Terrace Engineering Standards;
 - g. 2019 Town Center streetscape classifications and standards;
 - h. Other publications approved by the Engineering Services Director;
 - i. Washington State Department of Ecology’s Storm Water Management Manual for Western Washington, as identified in Chapter 16.20 MTMC;
 - j. Mountlake Terrace Town Center Design Standards;
 - k. Mountlake Terrace General Commercial Design Standards;

- l. Mountlake Terrace Freeway/Tourist Design Standards;
- m. Mountlake Terrace Community Business Design Standards;
- n. Mountlake Terrace Smaller Lot Residential Design Standards;
- o. Mountlake Terrace Multifamily Development Design Standards; and
- p. Other design standards adopted by the City of Mountlake Terrace.

Section 23. Amendment. Subsection “Town Center” of Section 19.95.020, “Definitions.” of the Mountlake Terrace Municipal Code is hereby amended as follows:

“Town Center” means the area designated as “Town Center” in the City’s Comprehensive Plan, including the Town Center subarea plan, and which is identified on the City’s Official Zoning Map as TC – Town Center.

Section 24. Amendment. Subsection A of Section 19.95.030, “Street design and access standards.” of the Mountlake Terrace Municipal Code is hereby amended as follows:

A. Purpose. It is the purpose of this section to establish design standards and development requirements for street improvements to provide for reasonable and safe access to public and private properties. These improvements include appropriately scaled sidewalks and landscape buffers related to the urban context, curbs, gutters, street paving, monumentation, and lighting, consistent with complete streets principles and fostering a sense of place in the public realm through attractive design amenities.

Section 25. Amendment. Subsection B of Section 19.95.030, “Street design and access standards.” of the Mountlake Terrace Municipal Code is hereby amended as follows:

B. Exemptions. Exemptions to this section shall be authorized by the Community and Economic Development Director for development comprised of the following:

1. New construction or addition with valuation less than \$75,000 that occurs or is permitted within any three-year period;
2. Within the TC zoning district, interior remodels with valuation less than \$100,000 that occur or are permitted within any five-year period;
3. Outside of the TC zoning district, interior remodels of any valuation; or
4. The construction of one single-family house, including one accessory dwelling unit, or the modification of or addition to an existing house; provided, that the lot on which a new house would be constructed is not part of a subdivision that occurred within the previous three years.

Section 26. Amendment. Subsection E of Section 19.135.060 “Specific Standards” of the Mountlake Terrace Municipal Code, is hereby amended to read as follows:

E. Freestanding and Monument Signs. Freestanding signs, including monument signs, shall be of a style, material, and design compatible with the associated building. All sign and support elements are to be integrated into a single design. An area around the base of each freestanding sign equal to the sign area shall be landscaped to improve the overall appearance of the sign. At least 50 percent of the area shall be landscaped with living plant material. Auxiliary projections or attachments not a part of that design shall not be erected without a building permit. The area of a

freestanding sign shall be the area of the maximum number of faces visible from any single viewpoint. Each freestanding sign shall meet the following requirements:

Zone	Use	Allowable Sign Area in Sq. Ft.	Max. Sign Area in Sq. Ft.	Max. Sign Ht. in Ft.	Max. Number Signs Per Lot	Max. No. of Signs per Street Frontage ⁶
RS	Single-household residential	N/A	N/A	N/A	0	0
RS ¹	Religious facilities, schools, PUDs, subdivisions	24	24	6	2	1 ⁵
RML ¹ , RMM, F/T ²	Multi-household residential, office, religious facilities, schools	24	24	6	2	1 ⁵
BC, CG, LI/OP, F/T ³ , PFS, SDD C/R	All	The greater of: a) 40 sq. ft., or b) 15 sq. ft. plus .0014 sq. ft. of sign area for each one sq. ft. of land area	NA	30	2	1 ⁴
TC Town Center	All	Same as BC above	NA	30	2	1 monument 1 freestanding

¹ All signs in RS, RML, or RMM zones except those relating to emergency facilities such as hospitals and medical clinics, shall include no interior illumination.

² Apply when the use in the F/T zone is multi-household residential.

³ Applies for all office, retail, and commercial uses in F/T zone.

⁴ Multiple tenant complexes shall be allowed one additional freestanding sign on any street frontage which exceeds 300 lineal feet; provided, however, that no freestanding sign may be located closer than 100 feet from another freestanding sign on the same frontage.

⁵ Residential subdivisions and multi-household residential projects shall be allowed one additional freestanding monument sign on any street frontage at the primary entrance to the project.

⁶ "Street frontage" is the area within the required front yard setback of the applicable zone district.

Section 27. Amendment. Subsection E(3) of Section 19.135.060 "Specific Standards" of the Mountlake Terrace Municipal Code, is hereby amended to read as follows:

3. Farmers Market Signs. Farmers market signs shall be allowed in the TC, BC, CG, F/T, and PFS zoning districts and in any zoning district along 220th Street SW on the days the farmers market is operating ("market days"), subject to a seasonal farmers market sign permit, which may be issued for a period between May and the end of October. Such signs may be placed in the public right-of-way or, with written permission from the owner, on properties within the zoning districts

identified in this subsection; provided, that such signs shall not encroach on any sidewalk or traffic lane, unless expressly authorized by the City, and shall not otherwise create a hazard, and that their locations have been approved as part of a seasonal sign permit issued by the planning department. The signs shall be erected no earlier than 7:00 a.m. on each market day and shall be removed by 9:00 p.m. on each market day. Each farmers market sign shall consist of an A-board or sandwich sign with dimensions no greater than 30 inches by 36 inches. A total of up to eight signs at any one time may be allowed under the seasonal permit. On-site vendor(s) signage associated with the farmers market is allowed without a permit on market days; provided, that any such vendor signage has been approved by the organization sponsoring the farmers market. Additional signage associated with a road closure for the farmers market is allowed without a permit; provided, that it is part of a traffic control plan approved by the City.

Section 28. Corrections. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 29. Conflict. In the event of a conflict between this Ordinance and any ordinance or regulation of the City, the provisions of this Ordinance shall control.

Section 30. Severability. Should any term or provision of this ordinance be found to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other term or provision of this Ordinance.

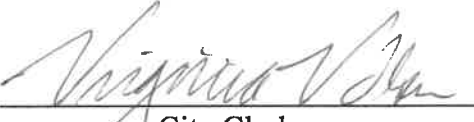
Section 31. Effective Date. This Ordinance shall take effect five days after its adoption and publication as required by law.

Section 32. Publication. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

PASSED by the City Council of the City of Mountlake Terrace this 26th day of September, 2019 and signed into authentication of its passage this 26th day of September, 2019.



Mayor Kyoko Matsumoto Wright

ATTEST: 

City Clerk

APPROVED AS TO FORM: 

Gregory G. Schrag, City Attorney