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ORDINANCE NO. 3728

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF THE EDMONDS COMMUNITY DEVELOPMENT CODE, SECTIONS 21.05.010 ACCESSORY BUILDINGS, 21.40.030 HEIGHT, AND 16.20.050 SITE DEVELOPMENT STANDARDS - ACCESSORY BUILDINGS (B) HEIGHT; ADDING A NEW SECTION 21.40.006 HALLWAY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, garage and other accessory buildings which are physically attached or connected to a house are considered for the purposes of the City's height limitations to be a part of the main structure; and

WHEREAS, the primary structure on a lot is entitled to utilize a 25-foot height limit while accessory structures are limited to 15 feet in height; and

WHEREAS, long narrow structures such as breezeways or isolated hallways whose primary function is to connect what would otherwise be an accessory structure to the main building may subvert the purpose and intent of the City's height restrictions relating to accessory buildings; and

WHEREAS, following a public hearing, the City's Planning Board made its recommendation on December 10, 2008, to amend the zoning code to clarify when attachments between an accessory structure and the primary structure are sufficient to permit use of the 25-foot as opposed to the 15-foot height limitation; and

WHEREAS, the City Council held a public hearing on January 20, 2009, continuing said hearing to February 17, 2009; and

WHEREAS, the City Council finds it to be in the public interest to adopt Planning Board recommendations with some clarifying definitions; NOW THEREFORE,

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

Section 1. The Edmonds Community Development Code ("ECDC") Section 21.05.010 defining accessory buildings is hereby amended to read as follows:

21.05.010 Accessory Buildings.

Accessory building means one which is subordinate to the main building, and is incidental to the use of the main building on the same lot. Any building attached by a breezeway, hallway, or other similar connection and otherwise separated by more than 10 feet from the main building shall be considered to be an accessory building.

Section 2. The Edmonds Community Development Code Section 21.40.030

Height is hereby amended to read as follows:

21.40.030 Height.

A. Height means the average vertical distance, from the average level of the undisturbed soil of the site covered by a structure, to the highest point of the structure. (See subsection (D) of this section for exceptions to this rule.)

B. "Average level" shall be determined by averaging elevations of the downward projections of the four corners of the smallest rectangle which will enclose all of the building, excluding a maximum of 30 inches of eaves. If a corner falls off the site, its elevation shall be the average elevation of the two points projected downward where the two sides of the rectangle cross the property line. (See subsection (D)(1) of this section for exceptions to this rule.)

C. Accessory buildings that are attached to the main building by a breezeway, hallway, or other similar connection so that the accessory building is separated by 10 feet or less from the main building shall be considered to be part of the main building for purposes of determining the "average level." For the purposes of this section, in order for an accessory building to be considered to be attached to and a part of the main building, the connecting structure must have a roof and be constructed of similar materials

to both the main building and the accessory building so that it appears to be a unified and consistently designed building.

D. Height Exceptions.

1. (Reserved.)
2. Church steeples.
3. Elevator penthouses, not to exceed 72 square feet in horizontal section, or three feet in height, for that portion above the height limit;
4. Chimneys, not to exceed nine square feet in horizontal section or more than three feet in height, for that portion above the height limit. In RM districts, chimneys shall be clustered. No multiple-flue chimney shall exceed 39 square feet in horizontal section. The first chimney shall not exceed nine square feet in horizontal section, and other chimneys shall not exceed six square feet in horizontal section;
5. Vent pipes not to exceed 18 inches in height above the height limit; and
6. Standpipes not to exceed 30 inches in height above the height limit.

Section 3. The Edmonds Community Development Code Section 16.20.050 Site

development standards - Accessory buildings, B. Height, is hereby amended to read as follows:

16.20.050 Site development standards - Accessory buildings.

...

B. Height. Height shall be limited to 15 feet, except for amateur radio transmitting antennas and their supporting structures. Garages or other accessory buildings attached by a breezeway, hallway, or other similar connection to the main building which results in a separation exceeding ten feet in length may not exceed the 15-foot height limit. The separation shall be determined by the minimum distance between the outside walls of the main building and accessory building, exclusive of the connecting structure.

...

Section 4. The Edmonds Community Development Code Chapter 21.40

Definitions H is hereby amended by the addition of a new section 21.40.006 Hallway to read as follows:

21.40.006 Hallway.

Hallway, as used in ECDC 16.20.050, 21.05.010, and 21.40.030(c), means a wholly enclosed building whose primary purpose is the connection of one building or portion thereof to

another. A building or portion thereof which connects one building to another and whose width is 60 percent or less of its length shall be presumed to be a hallway.

Section 5. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, 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.

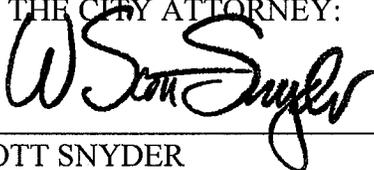
APPROVED:


MAYOR GARY HAAKENSON

ATTEST/AUTHENTICATED:


CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	02/13/2009
PASSED BY THE CITY COUNCIL:	02/17/2009
PUBLISHED:	02/22/2009
EFFECTIVE DATE:	02/27/2009
ORDINANCE NO. <u>3728</u>	

SUMMARY OF ORDINANCE NO. 3728

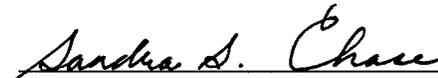
of the City of Edmonds, Washington

On the 17th day of February, 2009, the City Council of the City of Edmonds, passed Ordinance No. 3728. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF THE EDMONDS COMMUNITY DEVELOPMENT CODE, SECTIONS 21.05.010 ACCESSORY BUILDINGS, 21.40.030 HEIGHT, AND 16.20.050 SITE DEVELOPMENT STANDARDS - ACCESSORY BUILDINGS (B) HEIGHT; ADDING A NEW SECTION 21.40.006 HALLWAY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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

DATED this 18th day of February, 2009.


CITY CLERK, SANDRA S. CHASE

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice



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DATED this 18th day of February, 2009.

CITY CLERK, SANDRA S. CHASE

Published: February 22, 2009.

Summary of Ordinance No. 3728

Amending Provisions of the Edmonds Community Development Code

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

February 22, 2009

and that said newspaper was regularly distributed to its subscribers during all of said period.

Jody Grohl

Principal Clerk

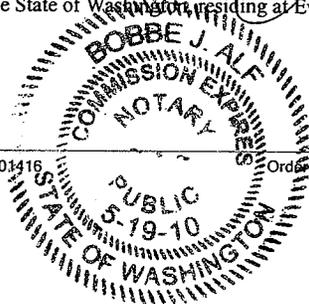
Subscribed and sworn to before me this

23rd

day of February, 2009

Bobbe J. Alf

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.



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EDMONDS CITY CLERK