

ORDINANCE NO. 1651

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING SECTION 18.08.020 OF THE BONNEY LAKE MUNICIPAL CODE AND THE CORRESPONDING PORTIONS OF ORDINANCE NUMBERS 1644, 1584, 1568, 1533, 1520, 1483, AND 1416 RELATED TO PERMITTED USES IN THE MIDTOWN CORE ZONING.

WHEREAS, this ordinance contains minor amendments to ensure consistency with the City’s adopted comprehensive plan, which directs to the City to preserve the Midtown Center for future commercial development and maintain Midtown as a regional commercial destination; and

WHEREAS, the area of the City zoned Midtown that lines both sides of SR 410 accounts for only three percent (3%) of the City’s land area, but generates the majority of the sales tax revenue and support sixty-four percent (64%) of Bonney Lake’s employment;

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

Section 1. Findings of facts and conclusions. The findings of fact and conclusions attached as Attachment A and the analysis contained in staff report attached as Attachment B are adopted in full by the City Council in support of its decision.

Section 2. Section 18.08.020 of the Bonney Lake Municipal Code and the corresponding portions of Ordinance 1416 § 10, Ordinance 1483 § 1, Ordinance 1520 § 3, Ordinance 1533 § 15, Ordinance 1568 § 13, Ordinance 1584 § 1, and Ordinance 1644 § 7 are each hereby amended to read as follows:

18.08.020 Land use matrix.

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Residential Uses												
Accessory dwelling unit ^[1]		A	A	A								
Adult family home		P	P	P	P	P	P	P	P	P	P	
Apartments/condominiums					P		P ^[2]	P ^[2]		P ^[3]	P	
Duplexes				P	P							
Family day cares		A	A	A	A	A	A	A	A	A	A	
Home occupations ^[4]		A	A	A	A	A				A	A	

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Mobile/manufactured homes ^[5]		P	P	P								
Mobile/manufactured home parks ^[6]								P				
Private docks, mooring facilities and boathouses ^[7]		A	A	A	A							P
Residences in connection with a business establishment						P	C	A	€	P ^[3]	P	
Single-family residences		P	P	P		P						
Townhouses				P	P	C	C	P	€			
Educational Uses												
Dancing, music, art, drama and instructional schools	611610, 611620, 611630, 611691, 611692, and 611699	A ^[8]				P	P	P	P	P ^[3]	P	P
Elementary and secondary schools	611110		C	P	P	P	C					P
Business, technical, and trade schools	611410, 611420, 611430, 611511, 611512, 611513, and 611519		C	C	C	C	C		C	P	P	P
Cultural, Recreational, and Entertainment												
Adult entertainment facilities ^[9]	N/A							C				
Amphitheater	N/A						P	P	€			P

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Arcade	713120							P	P			
Bars and taverns	722410					C	P	P	P	P	P	
Bed-and-breakfast inns ^[10]	721191	A	C	C	C	P						
Bowling alley	713950							P	P			
Brewpubs and microbreweries	N/A					C	P	P	P	P	P	
Campgrounds	712110							P	€			C
Cinema	512131						P	P	P			
Coffee shops and cafes	722515					P ^[11]	P	P	P	P ^[11]	P ^[11]	A ^[11]
Golf courses	713910	C										C
Fitness centers and recreational centers	713940						P	P	P			P
Hotels and motels	721110							P	P	P	P	
Libraries	519120				P	P	P	P	P	P	P	P
Museums	712110	C	C			P	P	P	P	P	P	P
Parks, open space, and trails	712190	P	P	P	P	P	P	P	P	P	P	P
Public meeting halls	N/A			C	P	P	P	P	P			P
Recreation facilities	713990						P	P	P			P
Restaurants and eating establishments	722511, 722513, 722514, and 722515				A ^[11] [12]	C ^[11]	P	P	P	P ^[11]	P ^[11]	A ^[11] [13]
Theaters	711110, 711120, 711130, and 711190						P	P	P	P	P	
Public, Quasi-Public, and Social Service Facilities												
Adult day care centers and senior centers	624120						P	P	P			P

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Executive, legislative, and other general government support	921130, 921140, and 921190		C ^[2]	C ^[2]	C ^[2]	P	P	P	P	P	P	P
Public safety facilities	922120, 922130, 922150, 922160, and 922190		C ^[2]	C ^[2]	C ^[2]	P	P	P	P	P	P	P
Administration of human resource programs	923110, 923120, 923130, and 923140		C ^[2]	C ^[2]	C ^[2]	P	P	P	P	P	P	P
Administration of environmental quality programs	924110 and 924120		C ^[2]	C ^[2]	C ^[2]	P	P	P	P	P	P	P
Administration of housing programs, urban planning, and community development	925110 and 925120		C ^[2]	C ^[2]	C ^[2]	P	P	P	P	P	P	P
Administration of economic programs	926110, 926130, 926140, and 926150		C ^[2]	C ^[2]	C ^[2]	P	P	P	P	P	P	P
Religious, philanthropic, and civic organizations	813110, 813211, 813212, 813219, and 813410	C	C	C	C	P	P			P	P	P

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Social advocacy, business, professional, labor, and political organizations	813311, 813312, 813319, 813910, 813920, 813930, 813940, and 813990					C	P			P	P	P
Manufacturing, Wholesale and Industrial												
Assembly or processing of previously prepared materials in a fully enclosed building	N/A							C ^[14]				
Bakery, wholesale	311811, 311812, 311813, 311821, 311824, and 311830							P				
Cabinet and furniture shops	337110, 337121, 337122, 337124, 337125, 337127, 337211, 337212, and 337214							P				
Construction equipment and machinery sales	423810 and							P				

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
	423820											
Junk, salvage or wrecking yard	423930							C ^[14]				
Machine shops	332710, 332721, and 332722						C	P	C			
Storage or distribution of sand, gravel, top soil, or bark	N/A							P				
Retail and wholesale warehousing and distribution of goods within a fully enclosed building								P				
Construction and Resource												
Agriculture and orchards	N/A	P										
Contractor yards	N/A							P				
Plumbing, electrical, and HVAC contractors	238210 and 238220						P	P	P			
Tree farms	N/A	P										
Raising of livestock, small animals and fowl	N/A	P ^[15]										
Communication and Utilities												
Public utility facility	N/A	P ^[16]	P ^[16]	P ^[16]	P ^[16]	P	P	P	P	P	P	P
WCF microcell	N/A	P	P	P	P	P	P	P	P	P	P	P
WCF mini	N/A					P	P	P	P	P	P	P
WCF macro	N/A					P	P	P	P	P	P	P
WCF monopole I	N/A	C	C	C	C	C	C	C	C	C	C	C
WCF monopole II and lattice tower	N/A						C	C	C	C	C	C
WCF small cell	N/A	P	P	P	P	P	P	P	P	P	P	P

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Retail and Personal Services												
Antique and used merchandise shops	453310					C	P	P	P	P	P	
Automobile dealer	441110 and 441120							P	C			
Automobile fueling stations	447110 and 447190						P	P	P			
Automotive parts and repair	441310, 441320, 811111, 811112, 811113, 811118, 811121, 811122, 811191, and 811198						P	P	P			
Baked goods store	445291					P	P	P	P	P	P	
Barber shops and beauty shops	812111 and 812112				A ^[12]	P	P	P	P	P	P	
Beer, wine, and liquor stores	445310					P	P	P	P	P	P	
Boat dealer	441222							P	C			
Bookstores	451211				A	P	P	P	P	P	P	
Car washes	811192						P	P	P			
Apparel, jewelry, luggage, and leather goods stores	448110, 448120, 448130, 448140,					C	P	P	P	P	P	

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
	448150, 448190, 448210, 448310, 448320											
Convenience stores	445120				A ^[12]	P	P	P	P	P	P	
Child care centers and preschools	624410				C	P	P	P	P			P
Department store, warehouse clubs, and supercenters	452111, 452112, 452910, and 452990						P	P	P			
Dry cleaning	812320					P	P	P	P	P	P	
Electric vehicle charging stations – Level 1 and 2	N/A	P	P	P	P	P	P	P	P	P	P	P
Electric vehicle charging stations – Level 3	N/A	C	C	C	C	P	P	P	P	P	P	P
Florists	453110				A ^[12]	P	P	P	P	P	P	
Food markets, delicatessen and specialty food stores	445210, 445220, 445230, 445291, 445292, and 445299				A ^[12]	P	P	P	P	P	P	
Furniture and small household appliance repair	811412 and 811420						P	P	P			
Grocery stores	445110				A ^[12]	C	P	P	P	P	P	
Hardware stores	444120 and 444130						P	P	P	P	P	

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Lawn and garden equipment and supplies	444210 and 444220						P ^[18]	P ^[18]	P ^[18]	P	P	
Health and personal care stores	446110, 446120, 446130, 446191, and 446199					P	P	P	P	P	P	
Home centers, lumber yards, and building material stores	444110 and 444190						P ^[18]	P ^[18]	P ^[18]			
Home furnishing, electronic, and appliance stores	442110, 442210, 442291, 442299, 443141, and 443142						P	P	P	P	P	
Itinerant vendors	N/A	P	P	P	P	P	P	P	P	P	P	P
Kennels	812910	C		C	C	A	A	P	A			
Laundromats	812310					P	P	P	P			
Locksmiths and security alarm shops	561621 and 561622					P	P	P	P			
Massage therapy, day spas, nail salons, and tanning salons	812199					P	P	P	P	P	P	
Novelty, art, and souvenir stores	453220, 453920, and 453998					C	P	P	P	P	P	A ^[13]
Office supply stores	453210						P	P	P	P	P	

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Parking garages	812930						C	P	C	C		
Personal and household goods repair	811490					P	P	P	P	P	P	
Pet shop, grooming and supplies	453910 and 812910					P	P	P	P	P	P	
Photographic processing and supply	812921 and 812922						P	P	P	P	P	
Rental stores	532210, 532220, 532230, 532291, 532292, 532299, and 532310						P	P	P			
Recreational vehicle, motorcycle, ATV, and trailer dealers.	441210 and 441228							P	C			
Shoe repair	811430					P	P	P	P	P	P	
Skating rink							P	P	P			
Sporting, hobby, music and game stores	451110, 451120, 451130, and 451140					C	P	P	P	P	P	
Stables and riding schools		P										P
Tobacco store	453991					P	P	P	P	P	P	
Vehicle rental	532111, 532112, and 532120							P	P			

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Health Care												
Ambulance service	621910						C	P	C			
Hospitals	622110 and 622310						P	P	P			C
Offices of physicians	621111 and 621112				A ^[12]	P	P	P	P	P	P	
Offices of dentists	621210				A ^[12]	P	P	P	P	P	P	
Offices of health practitioners	621310, 621320, 621330, 621340, 621391, and 621399				A ^[12]	P	P	P	P	P	P	
Other health care services	621991 and 621999						P	P	P			
Outpatient care centers	621410, 621491, 621492, 621493, and 621498						P	P	P			
Medical and diagnostic laboratories	621511 and 621512						P	P	P			
Nursing and residential care facilities	623110, 623311, and 623312						C	P	P	P	P	
Finance, Insurance, Real Estate, and Professional Services												

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Accounting and booking services	541211, 541213, 541214, and 541219						P	P	P	P	P	
Architectural, engineering, and related services	541310, 541320, 541330, 541340, 541350, 541360, 541370, and 541380						P	P	P	P	P	
Brokerage and investment offices	523110, 523120, 523140, 523910, 523920, 523930, 523991, and 523999						P	P	P	P	P	
Computer services	541511, 541512, 541513, and 541519						P	P	P	P	P	
Design services	541410, 541420, 541430, and 541490						P	P	P	P	P	

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Financial institutions	522110, 522120, and 522130				A ^[11] [12]	P ^[11]	P	P	P	P ^[11]	P ^[11]	
Insurance services	524210, 524291, 524292, and 524298						P	P	P	P	P	
Legal services	541110, 541120, 541191, and 541199						P	P	P	P	P	
Management and consulting services	541611, 541612, 541613, 541614, 541618, 541620, and 541690						P	P	P	P	P	
Mini-storage facilities	531130						C	P	€			
Mortgage and financial services	522220, 522291, 522292, 522293, 522310, and 522390						P	P	P	P	P	
Music studios	512210, 512220, 512230,						P	P	P	P	P	

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
	512240, and 512290											
Printing, copying and mailing services	561431 and 561439						P	P	P	P	P	
Photography studios	541921 and 541922						P	P	P	P	P	
Property management	531110, 531120, 531190, 531311, and 531312						P	P	P	P	P	
Real estate agents, brokers, and appraisers	531210, 531320, and 531390						P	P	P	P	P	
Veterinary clinics, animal hospitals ^[19]	541940						P	P	P	P	P	
Essential Public Facilities												
Airports	481111, 481112, 481211, 481212, and 481219							C				
Public colleges and universities	611210 and 611310						P	P	P	P	P	P
State transportation facilities ^[20]	N/A							P	P	P	P	P

Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
Transit facilities	485111, 485112, 485113, 485119		C	C	P	P	P	P	P	P	P	P
Correctional institutions	922140							C				C
Solid waste handling facilities	562111, 562112, 562119, 562211, 562212, 562213, and 562219							C				
Psychiatric and substance abuse facilities	622210, 623220, and 621420							C	C			
Group homes ^[21]	N/A	P	P	P								
Secure community transition facilities ^[22]	N/A							C				

The paragraphs listed below contain specific limitations that correspond with the bracketed [] superscript note numbers from land use matrix:


- [1] Subject to compliance with BLMC 18.22.090.
- [2] Subject to compliance with Chapter 18.31 BLMC, Commercial Development Standards.
- [3] A conditional use permit is required if residential units are located on the first floor of the building.
- [4] Subject to compliance with BLMC 18.22.010.
- [5] Subject to compliance with Chapter 15.08 BLMC, Manufactured Homes.
- [6] Provided, that the park was in existence at the time of annexation into the city.
- [7] Subject to compliance with BLMC Title 16, Division III, Shoreline Code.
- [8] Limited to stables and riding schools in association with a single-family home.
- [9] Subject to compliance with Chapter 18.32 BLMC, Adult Entertainment Facilities.
- [10] Subject to compliance with BLMC 18.22.030.
- [11] Drive-through facilities, services, or windows are prohibited.

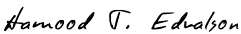
Zone Use	NAICS Code(s)	RC-5	R-1	R-2	R-3	C-1	C-2	E	MC	DC	DM	PF
<p>[12] Subject to compliance with BLMC 18.31.040.</p> <p>[13] Business can be open for no more than 150 days per year unless it is within the building with a permitted use.</p> <p>[14] Subject to compliance with BLMC 18.29.040.</p> <p>[15] Subject to compliance with BLMC 18.22.060.</p> <p>[16] Subject to the requirements of BLMC 18.22.050.</p> <p>[17] Subject to the provisions of Chapter 18.40 BLMC, Electric Vehicle Infrastructure.</p> <p>[18] Outdoor storage and sale of building materials and nursery stock is allowed as an accessory use.</p> <p>[19] Outdoor kennel space and/or dog runs are prohibited.</p> <p>[20] State transportation facilities are defined in RCW 47.06.140</p> <p>[21] As required to comply with the Federal Fair Housing Act Amendments of 1988 (42 U.S.C. § 3601 et seq.) and RCW 35A.63.240.</p> <p>[22] Secure community transition facilities are defined in RCW 71.09.020</p>												

Section 3. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 4. Effective Date. This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication, as required by law.

PASSED BY THE CITY COUNCIL this 16th day of March, 2021

DocuSigned by:

 20583FB9C281400...
 Neil Johnson, Jr., Mayor

AUTHENTICATED:
 DocuSigned by:

 F46A10AD298844...
 Harwood T. Edvalson, City Clerk

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Public Services Department Jason Sullivan – Planning & Building Supervisor	Meeting/Workshop Date: March 16, 2021	Agenda Bill Number: AB21-23
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D21-23	Sponsor:

Agenda Subject: Midtown Core Permitted Uses

Full Title/Motion: An Ordinance of the City of Bonney Lake, Washington, amending section 18.08.020 of the Bonney Lake Municipal Code and the corresponding portions of ordinance numbers 1644, 1584, 1568, 1533, 1520, 1483, and 1416 related to permitted uses in the Midtown Core zoning.

Administrative Recommendation: Approve

Background Summary: Ordinance D21-23 will amend the permitted uses for the Midtown Core zoning district codified in BLMC 18.08.020 in order to preserve the portion of the Midtown Center along State Route 410 East between 192nd Avenue East and 214th Avenue East for future commercial development and maintain Midtown as a regional commercial destination. The proposed amendments explicitly enacts Policy M-2.1 from the Centers Plan, which provides that the City should “reserve the core area between 192nd Avenue East and 214th Avenue East for future commercial development to maintain Midtown as a regional commercial destination.”

Attachments: Ordinance D21-25; Findings of Fact; Staff Report, Notice of Public Hearing, Planning Commission Recommendation, Department of Commerce Acknowledge Letter, Department of Commerce Expedited Review Approval

BUDGET INFORMATION			
Budget Amount	Current Balance	Required Expenditure	Budget Balance
Budget Explanation:			

COMMITTEE, BOARD & COMMISSION REVIEW											
Council Committee Review:	CDC Date: March 2, 2021	Approvals: Chair/Councilmember Dan Swatman Councilmember Michelle Keith Councilmember Tom Watson	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <th style="width: 50%;">Yes</th> <th style="width: 50%;">No</th> </tr> <tr> <td style="text-align: center;">X</td> <td style="text-align: center;"></td> </tr> <tr> <td style="text-align: center;">X</td> <td style="text-align: center;"></td> </tr> <tr> <td style="text-align: center;">X</td> <td style="text-align: center;"></td> </tr> </table>	Yes	No	X		X		X	
Yes	No										
X											
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	Forward to:	Consent Agenda:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
Commission/Board Review:	February 3, 2021 and February 17, 2021										
Hearing Examiner Review:											

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s):	Tabled to Date:

APPROVALS		
Director: <i>Ryan Johnstone, P.E.</i>	Mayor: <i>Neil Johnson Jr.</i>	Date Reviewed by City Attorney: (if applicable):