

ORDINANCE NO. 425

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON,
MOVING THE TEMPORARY USE PERMIT CRITERIA FROM
THE INDEX OF SUPPLEMENTAL USE CRITERIA TO THE
REVIEW AND DECISION CRITERIA OF THE SHORELINE
MUNICIPAL CODE**

WHEREAS, the City Council passed Ordinance 406 amending sections of the Development Code on January 9, 2006;

WHEREAS, one of the technical amendments to the Development Code, moving the criteria for a temporary use permit from the index of supplemental use criteria to the review and decision criteria, was inadvertently omitted from Ordinance 406;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE,
WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. Repeal; Amendment. Shoreline Municipal Code section 20.40.540, *Temporary use*, is hereby repealed, and a new section, 20.30.295, *Temporary Use*, is hereby adopted to read as follows:

20.30.295 Temporary use.

A. A temporary use permit is a mechanism by which the City may permit a use to locate within the City (on private property or on the public rights-of-way) on an interim basis, without requiring full compliance with the Development Code standards or by which the City may permit seasonal or transient uses not otherwise permitted.

B. The Director may approve or modify and approve an application for a temporary use permit if:

1. The temporary use will not be materially detrimental to public health, safety, or welfare, nor injurious to property and improvements in the immediate vicinity of the subject temporary use; and
2. The temporary use is not incompatible in intensity and appearance with existing land uses in the immediate vicinity of the temporary use; and
3. Adequate parking is provided for the temporary use, and if applicable the temporary use does not create a parking shortage for the existing uses on the site; and
4. Hours of operation of the temporary use are specified; and
5. The temporary use will not create noise, light, or glare which would adversely impact surrounding uses and properties.

C. A temporary use permit is valid for up to 60 calendar days from the effective date of the permit, except that the Director may establish a shorter time frame or extend a temporary use permit for up to one year.

Section 2. Amendment. Shoreline Municipal Code section 20.40.110 is hereby amended to read as follows:

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20.40.110 Use tables.

- A. The land use tables in this subchapter determine whether a specific use is allowed in a zone. The zone designation is located on the top of each column and the specific use is located on the horizontal rows.
- B. If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that zone.
- C. If the letter “P” appears in the box at the intersection of the column and the row, the use is **permitted** in that zone.
- D. If the letter “C” appears in the box at the intersection of the column and row, the use is allowed subject to a **conditional use** permit.
- E. If the letter “S” appears in the box at the intersection of the column and the row, the use is allowed subject to a **special use** permit.
- F. If an “-i” appears in the box at the intersection of the column and the row, the use may be allowed subject to the appropriate review process indicated above (P, C or S), the requirements of this Code, and the specific conditions indicated in the **Index** of Supplemental Use Criteria (SMC 20.40.200 through 20.40.610) for that type of use.
- G. For the purposes of this Code, in most instances only broad use classifications, that share similar characteristics are listed in the use tables. Where separate regulations or permit process are necessary, uses are classified further. Some uses are identified with a detailed description provided in a referenced North American Industrial Classification System (NAICS) number. (This system classifies land uses by categories and provides sub-classification for more detailed associated uses.) In case of a question as to the inclusion or exclusion of a particular proposed use, which is not identified in these tables, the use shall not be permitted unless allowed through a Code interpretation applying the criteria for Unlisted Use found in the Index of Supplemental Use Criteria (SMC 20.40.200 through 20.40.610). Temporary uses are allowed under criteria listed in SMC 20.30.295, ~~in the Index~~.
- H. The Director is authorized to make reasonable accommodations to provisions of the Code that apply to dwellings occupied or to be occupied by disabled persons as defined by the Federal Fair Housing Act and Fair Housing Act Amendments, when such reasonable accommodations may be necessary in order to comply with such acts. All such accommodations shall be personal to the applicant and shall expire immediately if the disabled applicant terminates occupancy at the subject site.

Section 3. Effective date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City and the ordinance shall take effect and be in full force five (5) days after the publication date.

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ADOPTED BY THE CITY COUNCIL ON MAY 8, 2006




Robert L. Ransom, Mayor

ATTEST:



Scott Passey, CMC
City Clerk

APPROVED AS TO FORM:



Ian Sievers
City Attorney

Date of Publication: May 11, 2006

Effective Date: May 16, 2006