ORDINANCE NO. 1987

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING SECTION 12.14.020 (H)(3)(e) OF THE EDMONDS CITY CODE AND ESTABLISHING REGULATIONS FOR THE DESIGN OF SCREENING AND LANDSCAPING DEVICES; AMENDING SECTION 12.14.040 OF THE EDMONDS CITY CODE AND ESTABLISHING GENERAL REQUIREMENTS FOR FENCES AND HEDGES; AND REPEALING SECTION 12.13.030(3) OF THE EDMONDS CITY CODE, AND MODIFYING PLANNING COMMISSION RESOLUTION 577A

WHEREAS, pursuant to Planning Commission Resolution No. 577A the City Council of the City of Edmonds, Washington, called a public hearing and during this hearing having determined it to be in the best interest of the public health, safety and general welfare to amend the Edmonds Zoning Ordinance as set forth below and having determined that there will be no significant adverse environmental impacts, and that Planning Commission Resolution No. 577A, should be modified, now, therefore,

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

Section 1. Section 12.14.020 H(3)(e) of the Edmonds City Code is hereby amended to read as follows:

"e. Design of Screening and Landscaping Devices.

1. Perimeter Screening: When a parking area abutts a front, side or rear property line, a screening device shall be installed along the property line. A screening device may be a fence, plantings or combination thereof.

2. Depth and Mature Height of Landscape Screening: All plantings shall be spaced during installation so that they form a solid, sight obscuring screen within a reasonable period of time as determined by the Amenities Design Board. The Amenities Design Board shall also establish the minimum installed height and the maximum

height of plantings, necessary to accomplish the desired screening without blocking views, sunlight or creating a safety or traffic hazard.

3. Waiver of Screening Device: The Director of Community Development may waive the requirements for screening devices if

(a) the abutting property is higher than the subject site and contains a slope of 45° or more and a difference in elevation of six feet or more, or

(b) there is an existing Amenities Design Board approved screening device along the property line of the abutting property.

Such waiver shall be reduced to writing, dated, signed by the Director and placed in the appropriate building division or planning division file. The waiver shall contain a statement of reason or reasons why it was granted.

Section 2. Section 12.14.040 of the Edmonds City Code is hereby amended to read as follows:

"12.14.040 General Requirements For Fences and Hedges.

1. Height: Unless authorized by the ADB pursuant to Section 12.14.020 of the Edmonds City Code, or by the Board of Adjustment, fences and hedges shall be no higher than six feet. Sight obscuring fences or hedges within ten (10) feet of any right of way or access easement shall be no higher than three feet. Height shall be measured from the finished grade elevation of the soil on which the fence or hedge is located.

2. Corner Lots: Fences and hedges shall be no higher than three feet when located within the corner setbacks as shown on Figure 2, "Corner Setbacks".

3. Deviations: The Director of Community Development is authorized to grant deviations from the three foot height limit within the ten (10) foot setback area or corner setback area, to a maximum of six feet, if the Director finds that the fence or hedge will not constitute a traffic or safety hazard.

4. Hazardous Fences: Notwithstanding any other provision contained in this chapter, no fence or hedge shall be constructed or maintained

if it constitutes a hazard to adjoining properties, the public right of way or the use of the public right of way.

5. Conditional Use Permit: The six foot height limitation may be exceeded, subject to the grant of a conditional use permit by the Board of Adjustment. The Board of Adjustment shall approve an application to exceed the six foot limitation only if it finds the following:

(a) the fence or hedge will not substantially impair the views from neighboring properties,

(b) the fence or hedge will not create a hazard to the public health, safety or welfare.

Section 3. That certain diagram labeled "Figure 2, Corner Setbacks" and attached hereto, is hereby incorporated in full by this reference and shall be placed in the Edmonds City Code immediately following Section 12.14.040.

Section 4. Section 12.13.030(3) of the Edmonds City Code is hereby repealed.

APPROVED:

H. H. Harrison
MAYOR, H. H. Harrison

ATTEST/AUTHENTICATED:

Irene Varney Moran
CITY CLERK, Irene Varney Moran

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

By John D. Wallace

FILED WITH THE CITY CLERK: March 23, 1978
PASSED BY THE CITY COUNCIL: March 28, 1978
POSTED: March 29, 1978
EFFECTIVE DATE: April 3, 1978

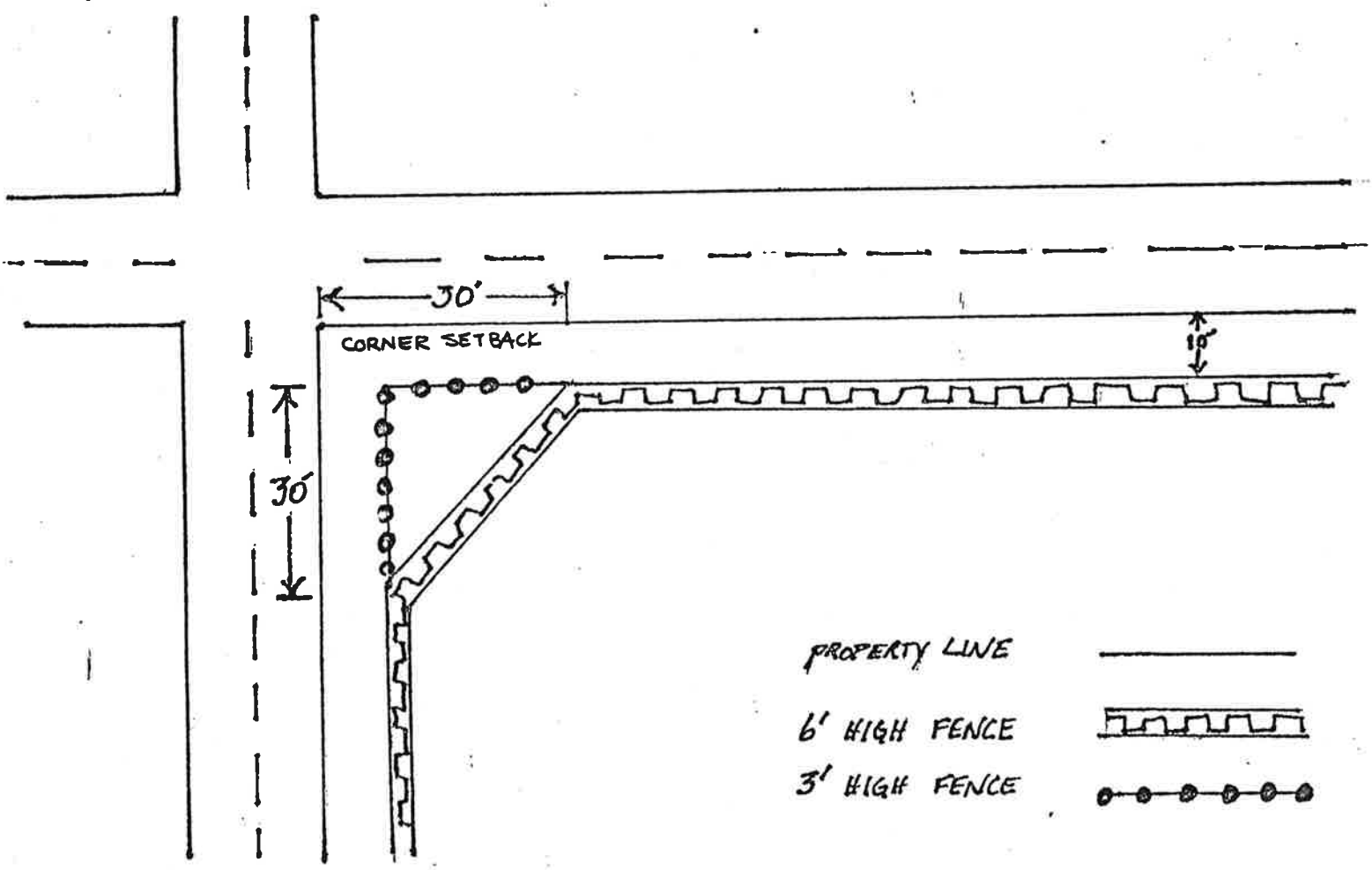

FIGURE 2, CORNER SETBACKS

AFFIDAVIT OF POSTING ORDINANCE

STATE OF WASHINGTON)
) ss:
COUNTY OF SNOHOMISH)

Irene Varney Moran, being first duly sworn on oath deposes and says that s he is over the age of eighteen (18) years and is competent to testify as to the matter stated herein.

On the 29 day of March, 1978, affiant posted true and correct copies of the attached Ordinance No. 1987, passed by the City Council on the 28 day of March, 1978, at the three official posting places for City notices which are the public bulletin boards at the following locations:

Edmonds Civic Center
250 Fifth Avenue North
Edmonds, Washington 98020

Edmonds Public Library
Civic Center
250 Fifth Avenue North
Edmonds, Washington 98020

Edmond Branch of the
United States Post Office
201 Main Street
Edmonds, Washington 98020

DATED this 29 day of March, 1978.

Irene Varney Moran

SUBSCRIBED AND SWORN to before me this 29th day of March, 1978.

Jacqueline G. Parrett
Notary Public in and for the
State of Washington, residing
at Edmonds.