

ORDINANCE NO. 2025-006

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.32 OF THE ARLINGTON MUNICIPAL CODE REGARDING NONCONFORMING SITUATIONS UNDER CITY PLANNING NO. PLN 1293

WHEREAS, the city has proposed an update to the Nonconforming Situation regulations to the City zoning code; and

WHEREAS, the Arlington Planning Commission considered the revisions on May 6, 2025 and at a public hearing conducted on May 20, 2025; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the same at a workshop held on June 9, 2025, a meeting on June 16, 2025, and considered them along with the Planning Commission recommendations; and the City Council having determined approving said amendment was in the best interest of the City; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, the City Council has considered the proposed amendment to the municipal code and finds it to be consistent with city and state law and in the best interests of the citizens; and

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. A new Arlington Municipal Code section 20.32.080 is hereby adopted to read as follows:

20.32.080 Nonconforming Uses in the Commercial Corridor Zone.

The intent of this section refers to uses within the Commercial Corridor zone along Smokey Point Boulevard from 174th Street south to the city limits. This exception is due to the nature of the existing commercial uses in this area.

- (a) An existing commercial use is allowed to change the use within the building or property to an allowed commercial retail use within the Highway Commercial zone permissible use table, as long as no building additions or major exterior changes are made to the building or the site. In this case “major exterior changes” means changes to 50% or more of exterior building façade and/or site.
- (b) The applicant may choose to change the use on the property to comply with a commercial use portion that is allowed under the subject Transect per AMC Chapter 20.110 Mixed-Use

Development Regulations. Building additions and exterior changes can be made to the building or the site if following AMC Chapter 20.110 for site plan, building placement, and architectural design.

- (c) Either option (a) or (b) above, may be utilized without providing the required residential use within the Commercial Corridor zone.
- (d) This section shall remain in place until this area begins to redevelop with additional pedestrian friendly development. At which time the city will remove this section from the chapter and all future development shall comply with the Commercial Corridor zoning as provided within AMC Chapter 20.110 Mixed-Use Development Regulations.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 16th day of June, 2025.

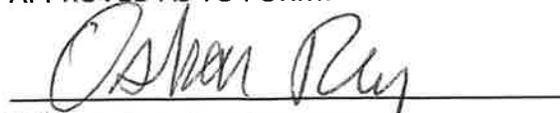
CITY OF ARLINGTON


Don E. Vanney, Mayor

ATTEST:


Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:


Oskar E. Rey, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2025-006 was approved at the June 16, 2025 City Council meeting.

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CHAPTER 20.32 OF THE ARLINGTON MUNICIPAL CODE REGARDING
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A true and correct copy of the original ordinance is attached.

Dated this 17th day of June, 2025




Wendy Van Der Meersche
City Clerk for the City of Arlington