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ORDINANCE NO. 3473

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTED PURSUANT TO RCW 35A.63.220; ADOPTING AN INTERIM ZONING REGULATION IMPOSING A MORATORIUM ON THE PROCESSING OF PERMIT AND LICENSE APPLICATIONS FOR THE ESTABLISHMENT OF OPIATE SUBSTITUTION TREATMENT SERVICE PROVIDER FACILITIES WITHIN THE CITY, ESTABLISHING A PUBLIC HEARING DATE WITHIN SIXTY DAYS OF THE ADOPTION OF THIS ORDINANCE; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the state Department of Health and Social Services (DSHS) is currently considering the certification and siting of Opiate Substitution Treatment Service Providers, as defined under Chapter 70.96A RCW, within Snohomish County; and

WHEREAS, the community impact of Opiate Substitution Treatment Service Providers has not been studied and considered by the City; and

WHEREAS, due to the potential impacts Opiate Substitution Treatment Service Providers upon the Edmonds community, the City Council deems it appropriate to establish a moratorium on the acceptance and processing of conditional use permit applications for such facilities until such time as this matter can be fully reviewed, in no event longer than six months without an extension thereof;

NOW, THEREFORE,

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

Section 1. The City Council of the City of Edmonds do find:

A. The proliferation of Opiate Substitution Treatment Service Providers may negatively impact the social, economic and environmental well-being of the Edmonds community.

B. The City is authorized pursuant to RCW 35A.63.220 and RCW 36.70A.390 to adopt moratoria regarding land use matters to preserve the status quo while new plans or development standards are considered, prepared and enacted.

C. The City Council desires to preserve the status quo in order to enable the City to study the probable community impact of Opiate Substitution Treatment Service Providers, to develop land use regulations as deemed necessary to minimize any negative social, economic and environmental effects of such facilities, and to formally adopt any such regulations.

Section 2. Based on the findings contained in Section 1 of this ordinance, the City Council do conclude:

A. The City possesses the legal authority to establish a moratorium on Opiate Substitution Treatment Service Providers as provided herein.

B. The City must adopt a moratorium on any necessary permits, licenses or other local approvals for Opiate Substitution Treatment Service Providers in order to (1) allow the City a sufficient opportunity to study the relevant issues implicated by the siting and community impacts of such facilities, (2) develop and adopt appropriate regulations governing Opiate Substitution Treatment Service Providers, and (3) prevent permit and license applicants from

potentially establishing vested rights contrary to and inconsistent with any regulatory revisions the City may adopt as a result of its study of this matter.

Section 3. A moratorium is hereby imposed on the initiation or operation of new Opiate Substitution Treatment Service Providers within the City of Edmonds. The City shall not accept or process any building permit application, land use application, or any other permit or approval for any new Opiate Substitution Treatment Service Provider, including but not limited to business license applications. This moratorium is hereby established as of the effective date of this ordinance and shall continue in full force and effect for a period not to exceed six months.

Section 4. Pursuant to the requirements of RCW 35A.63.220, a public hearing is hereby set on December 2, 2003 at 7:00 PM or as soon thereafter as this matter may be heard in the City Council Chambers of the City of Edmonds at 250 5th Avenue North, Edmonds, Washington.

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 HAAKENSEN

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:	10/31/2003
PASSED BY THE CITY COUNCIL:	11/03/2003
PUBLISHED:	11/09/2003
EFFECTIVE DATE:	11/14/2003
ORDINANCE NO. <u>3473</u>	

SUMMARY OF ORDINANCE NO. 3473

of the City of Edmonds, Washington

On the 3rd day of November, 2003, the City Council of the City of Edmonds, passed Ordinance No. 3473. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTED PURSUANT TO RCW 35A.63.220; ADOPTING AN INTERIM ZONING REGULATION IMPOSING A MORATORIUM ON THE PROCESSING OF PERMIT AND LICENSE APPLICATIONS FOR THE ESTABLISHMENT OF OPIATE SUBSTITUTION TREATMENT SERVICE PROVIDER FACILITIES WITHIN THE CITY, ESTABLISHING A PUBLIC HEARING DATE WITHIN SIXTY DAYS OF THE ADOPTION OF THIS ORDINANCE; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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

DATED this 4th day of November, 2003.

CITY CLERK, SANDRA S. CHASE