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4/23/04

ORDINANCE NO. 3498

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTING FINDINGS OF FACT AND CONCLUSIONS OF LAW, REZONING CERTAIN PROPERTY LOCATED AT 23904 EDMONDS WAY FROM SINGLE-FAMILY RESIDENTIAL (RS-8) TO COMMUNITY BUSINESS (BC), AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, certain real property located at 23904 Edmonds Way has applied to be rezoned from Single-Family Residential (RS-8) to Community Business (BC), and

WHEREAS, the City Council has received the favorable recommendation of its Planning Board, and

WHEREAS, following closed record review of the Planning Board's recommendation on April 20, 2004, the City Council finds it to be in the public interest to approve said rezone, NOW, THEREFORE,

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

Section 1. The City Council hereby adopts the following findings of fact and conclusions of law:

1.1 The subject property is located at 23904 Edmonds Way. It consists of approximately 9,148 square feet fronting on Edmonds Way. The property is developed as an auto repair shop and is considered to be and has been operating as a legal non-conforming use for over 30 years. The site is currently zoned RS-8.

1.2 Edmonds Way in the vicinity of the project consists of RM-1.5 zoned properties, interspersed with occasional commercially zoned properties. Two properties zoned BC are located within

approximately 800 feet of the subject site north of 238th Street SW. Other properties along Edmonds Way are generally developed with multi-family residential units with an occasional small-scale commercial use.

1.3 Properties to the west and south are generally zoned RM-1.5 and consist of single-family and multi-family residential units.

1.4 The properties east of the subject site are mostly zoned RS-8 and developed in single-family residences with a large church.

1.5 A business has been located at the subject site since 1963 and the City Council finds that the property does not contribute significantly to the high volume of traffic already utilizing Edmonds Way. The property is also adequately buffered from surrounding uses.

1.6 The City Council specifically finds that the proposal is consistent with the Comprehensive Plan and zoning ordinance. While normally either the BP or BN zones would be available as alternatives for this property, neither zone would permit the existing auto repair use and the City Council finds that the small size of the site coupled with its ability to be buffered from adjoining residential properties lessens any impacts on the surrounding neighborhood and thereby makes the rezone consistent with the general nature of Edmonds Way and compatible with the surrounding area. The property is specifically economically and physically suitable for use which has been in operation on the site for over 30 years. The Comprehensive Plan provides for a mix of uses including small-scale commercial uses which do not significantly contribute to the traffic congestion along the Edmonds Way corridor. Such owner use is consistent with the policies which presume a public benefit and an avoidance of negative impacts on the surrounding properties.

Section 2. Property located at 23904 Edmonds Way, Edmonds, Washington consisting of 9,148 square feet and legally described in both the attached Exhibit A and File No. R-03-189 is hereby approved to be rezoned from RS-8 Single-Family Residential to Community Business (BC).

Section 3. The Development Services Director or his designee is hereby authorized to amend the City's official zoning map to show this change in zoning.

Section 4. 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 HAAKENSON

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:	04/30/2004
PASSED BY THE CITY COUNCIL:	05/04/2004
PUBLISHED:	05/09/2004
EFFECTIVE DATE:	05/14/2004
ORDINANCE NO. <u>3498</u>	

SUMMARY OF ORDINANCE NO. 3498

of the City of Edmonds, Washington

On the 4th day of May, 2004, the City Council of the City of Edmonds, passed Ordinance No. 3498. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTING FINDINGS OF FACT AND CONCLUSIONS OF LAW, REZONING CERTAIN PROPERTY LOCATED AT 23904 EDMONDS WAY FROM SINGLE-FAMILY RESIDENTIAL (RS-8) TO COMMUNITY BUSINESS (BC), AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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

DATED this 5th day of May, 2004.

CITY CLERK, SANDRA S. CHASE