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10/22/04

ORDINANCE NO. 3522

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ENACTING AN INTERIM ZONING ORDINANCE AMENDING THE DEFINITIONS OF SIDE SETBACK ECDC 21.90.050, STREET SETBACK ECDC 21.90.140, REAR SETBACK ECDC 21.85.020, PROVIDING FOR A PUBLIC HEARING, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the City Council has in a separate quasi judicial decision determined that provisions of the Edmonds Community Development Code regarding setback are ambiguous, and

WHEREAS, the City Council wishes to establish a definition of setback which comports with the City's prior administration, while exempting minor structures from its regulation, and forwarding the issue of exemptions to the Planning Board for public input, and

WHEREAS, the maintenance of front, rear and side yard setbacks is critical to the residential character of the neighborhoods of the City and provides for privacy, the passage of light and air, and a uniform and neighborhood-friendly environment, and, NOW, THEREFORE,

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

Section 1. Pursuant to the authorization of RCW 36.70A.390, the following interim zoning ordinance amending the provisions of Edmonds Community Development Code Sections 21.90.050, 21.90.140 and 21.85.020 is hereby enacted.

Section 2. ECDC 21.90.050 Side Setback is hereby amended to read as follows:

21.90.050 Side Setback.

Side setback is the minimum distance required by this code for a building or structure to be set back from a side lot line.

Section 3. ECDC 21.90.140 Street Setback is hereby amended to read as follows:

21.90.140 Street Setback.

Street setback means the minimum distance required by this code for a building or structure to be set back from the street lot line.

Section 4. ECDC 21.85.020 Rear Setback is hereby amended to read as follows:

21.85.020 Rear Setback.

Rear setback means the minimum distance required by this code for a building or structure to be set back from the rear lot line.

Section 5. Pursuant to RCW 36.70A.390, public hearing on this interim zoning ordinance shall be held on the 7th day of December, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard by the City Council. The City Clerk is authorized to provide notice of this hearing.

Section 6. The Edmonds Planning Board is hereby charged with the evaluation of this interim zoning ordinance for adoption, and particularly is requested to advise the Council regarding any exceptions or exclusions which should be made for minor structures such as birdhouses, play structures, tree houses, trash containers, front yard light poles, mailboxes, and other similar minor structures greater than three (3) feet in height but which are common to residential neighborhoods and do not impose inappropriate burdens on neighboring properties.

Section 7. 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:	10/29/2004
PASSED BY THE CITY COUNCIL:	11/01/2004
PUBLISHED:	11/07/2004
EFFECTIVE DATE:	11/12/2004
ORDINANCE NO. <u>3522</u>	

SUMMARY OF ORDINANCE NO. 3522

of the City of Edmonds, Washington

On the 1st day of November, 2004, the City Council of the City of Edmonds, passed Ordinance No. 3522. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ENACTING AN INTERIM ZONING ORDINANCE AMENDING THE DEFINITIONS OF SIDE SETBACK ECDC 21.90.050, STREET SETBACK ECDC 21.90.140, REAR SETBACK ECDC 21.85.020, PROVIDING FOR A PUBLIC HEARING, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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

DATED this 2nd day of November, 2004.

CITY CLERK, SANDRA S. CHASE