

00006.900000
WSS/amg
01/31/2006

ORDINANCE NO. 3582

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTING A ZONING MORATORIUM ON THE ISSUANCE OF DEVELOPMENT PERMITS FOR CERTAIN USES IN THE CG AND CG-2 ZONE, SETTING A DATE FOR A PUBLIC HEARING, PROVIDING FOR ITS EXPIRATION, DECLARING AN EMERGENCY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City Council adopted Ordinance No. 3558 on August 2, 2005, a zoning moratorium on the issuance of development permits for certain uses in the CG and CG-2 Zone, and

WHEREAS, Ordinance No. 3558 expired on February 2, 2006; and

WHEREAS, the Planning Board's Extended Agenda is such that they require additional time to conclude their work on this issue; and

WHEREAS, the City's Highway 99 Task Force has made its report to the City Council, and

WHEREAS, the report emphasizes that CG and CG-2 zones along Highway 99 provide an important revenue tax base for the City and should be the site of potential economic growth, and

WHEREAS, the commercial zones were designed with a minimum limitation on the uses allowed in order that the allocation of business uses would be determined by economic and market forces, and

WHEREAS, one unintended consequence of this action has been the proliferation of uses which do not provide sales tax and an adequate revenue base for the City but rather restricts it, such uses including mobile home parks, storage and mini-storage facilities and ground floor residential development, and

WHEREAS, such uses conflict with and limit the establishment of businesses which the City seeks to attract and thereby impair the City's economic development efforts and tax base, and

WHEREAS, the City Council acknowledges the limitations on its ability to eliminate manufactured housing communities or mobile home parks in accordance with RCW 35A.63.146, and

WHEREAS, the City Council finds that the current situation constitutes an emergency requiring immediate action in order to preserve prime commercial development property within the City, and

WHEREAS, pursuant to the authority granted by the Growth Management Act and RCW 35A.63.220, the City wishes to enact its own moratorium on the issuance of development permits for such uses in order to permit an opportunity for the Planning Board to consider and allocate these problematic uses to other appropriate zones within the City, NOW, THEREFORE,

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

Section 1. A zoning moratorium is hereby declared on applications for development permits, including but not limited to building permit, architectural design board and/or conditional use permits applications as well as applications for land clearing in advance of

such development permit applications, for the following proposed uses in the CG and CG-2 zones: storage, mini-storage, mobile home parks or manufactured housing communities and mixed use development applications which include ground floor residential uses.

Section 2. This moratorium is an enactment of an interim zoning measure or moratorium governed by the provisions of RCW 35A.63.220. In accordance with the requirements of this statute, a public hearing is hereby called for the 7th day of March, 2006, said date being not more than sixty (60) days following the enactment of this zoning moratorium.

Section 3. Unless extended following public hearing by an act of the City Council, this moratorium shall expire six (6) months after its effective date.

Section 4. Declaration of Emergency. The continuing erosion and limitation of the City's revenue tax base, as well as the severe financial constraints under which the City is operating, constitute the basis for the City Council's determination that enactment of this ordinance is and should be an emergency measure. Upon the vote of a super majority of the City Council, this ordinance shall be effective as provided in Section 5 below.

Section 5. Effective Date. This ordinance has been adopted as an emergency measure on the affirmative vote of a super majority of the City Council and shall be effective immediately upon and after its passage.

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:	02/03/2006
PASSED BY THE CITY COUNCIL:	02/07/2006
PUBLISHED:	02/12/2006
EFFECTIVE DATE:	02/07/2006 (Emergency measure effective immediately upon passage.)
ORDINANCE NO.	3582

SUMMARY OF ORDINANCE NO. 3582

of the City of Edmonds, Washington

On the 7th day of February, 2006, the City Council of the City of Edmonds, passed Ordinance No. 3582. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, ADOPTING A ZONING MORATORIUM ON THE ISSUANCE OF DEVELOPMENT PERMITS FOR CERTAIN USES IN THE CG AND CG-2 ZONE, SETTING A DATE FOR A PUBLIC HEARING, PROVIDING FOR ITS EXPIRATION, DECLARING AN EMERGENCY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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

DATED this 8th day of February, 2006.

CITY CLERK, SANDRA S. CHASE