

**ORDINANCE NO. 3679**

AN INTERIM ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE DEFINITION OF LOCAL PUBLIC FACILITIES IN ECDC 21.55.007, SETTING A PUBLIC HEARING, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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WHEREAS, the current definition of local public facilities in ECDC 21.55.007 may include private community facilities; and

WHEREAS, the City Council finds it to be in the public interest to adopt an interim ordinance more clearly defining what constitutes local public facilities for purposes of the Edmonds Community Development Code pending a public hearing in order to preserve the character of residential neighborhoods while final definition of the term is determined; NOW, THEREFORE,

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

Section 1. Findings. The City Council hereby makes the following findings in support of this interim Ordinance:

- a) The current definition of local public facilities in ECDC 21.55.007 does not preclude private and or for profit community facilities from being considered local public facilities.
- b) Under the current code, local public facilities are a permitted conditional use in Single-Family Residential (RS) zones.
- c) Development of private and or for profit community facilities in RS zones is inconsistent with the intended character of the City's RS zones.
- d) The City is authorized pursuant to RCW 35A.63.220 and RCW 36.70A.390 to adopt interim zoning control for the purpose of preserving the status quo while new development standards are considered, prepared and enacted.

- e) It is necessary to adopt this ordinance as an immediately-effective interim zoning control in order to prevent development rights from vesting to the City's current regulations.
- f) The interim amendment set forth herein will serve and is necessary to protect the public health, safety and welfare.

Section 2. Amended. ECDC 21.55.007, Local public facilities. is hereby amended to read as follows:

Local public facilities mean any community facilities operated by a unit of local, state or federal government (or by a third party on behalf of a unit of local, state or federal government), primarily sited, designed, constructed, and operated for the purpose of providing public health, safety and welfare services to the immediate area or neighborhood in which they are sited. Local public facilities include, but are not limited to: police stations, fire stations, branch libraries, bus stop shelters, electrical substations, water pump stations, community club houses, parks and recreation special use areas, branch governmental and administrative offices, service clubs, storage and associated maintenance buildings and yards.

Section 3. Public Hearing. As required by RCW 35A.63.220, this interim Ordinance shall expire six months from the date of adoption, unless sooner repealed or subsequently extended by act of the City Council. In the meantime, as further required by RCW 35A.63.220, the City Clerk is directed to schedule a public hearing on this ordinance within sixty (60) days of its adoption. The City Council may in its discretion adopt additional findings in support of this interim Ordinance at the conclusion of the public hearing. The Planning Board is required to make a recommendation on the final version of this ordinance to be adopted by the City Council prior to its expiration.

Section 4. Declaration of Emergency. The basis for the City Council's determination that the enactment of this interim Ordinance is and should be an emergency measure is the preservation of the character of residential neighborhoods in the City of Edmonds

pending the final definition and determination of what constitutes local public facilities. Upon the vote of a majority plus one of the City Council, this ordinance shall be effective as provided in Section 7 below.

Section 5. Ordinance to be Transmitted to Department. Pursuant to RCW 36.70A.106, this interim Ordinance shall be transmitted to the Washington Department of Community, Trade, and Economic Development as required by law.

Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this interim Ordinance.

Section 7. Effective Date. This interim Ordinance has been adopted as an emergency measure on the affirmative vote of a majority plus one of the City Council and shall be effective immediately upon and after its passage.

APPROVED:

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MAYOR GARY HAAKENSEN

ATTEST/AUTHENTICATED:

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CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_  
W. SCOTT SNYDER

FILED WITH THE CITY CLERK: 02/01/2008  
PASSED BY THE CITY COUNCIL: 02/05/2008  
PUBLISHED: 02/10/2008  
EFFECTIVE DATE: 02/05/2008 (Effective upon passage; expires 08/05/2008)  
ORDINANCE NO. 3679

**SUMMARY OF ORDINANCE NO. 3679**

of the City of Edmonds, Washington

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On the 5th day of February, 2008, the City Council of the City of Edmonds, passed Ordinance No. 3679. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN INTERIM ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE DEFINITION OF LOCAL PUBLIC FACILITIES IN ECDC 21.55.007, SETTING A PUBLIC HEARING, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

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

DATED this 6th day of February, 2008.

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CITY CLERK, SANDRA S. CHASE