

0006.90000
WSS/gjz
12/11/09

ORDINANCE NO. 3768

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, APPROVING THE REZONE OF CERTAIN REAL PROPERTY IN AN APPLICATION KNOWN AS THE UNDERHILL REZONE, DEPICTED IN FILE NO. PLN-2009-0019 AND LOCATED ALONG A PORTION OF 215th STREET SOUTHWEST FROM MULTIPLE RESIDENTIAL (RM-2.4) TO SINGLE-FAMILY RESIDENTIAL (RS-8), AUTHORIZING AMENDMENT OF THE ZONING MAP, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, certain real property located along 215th Street Southwest east of 76th Avenue West, shown on the attached Exhibit A and consisting of nineteen parcels has been the subject of a request for rezone from Multiple Residential (RM-2.4) to Single-Family Residential (RS-8); and

WHEREAS, the Comprehensive Plan was amended in 2008 to designate the nineteen parcels Single-Family - Urban 1; and

WHEREAS, the application has been considered by the City's Planning Board which recommended denial of the proposed rezone and reconsideration of the Comprehensive Plan designation; and

WHEREAS, the nineteen parcels comprising the rezone application are approximately one-quarter acre in size and were developed into single-family homes during the 1950s and 1960s; are located within a Multi-Residential (RM-2.4) zone and are situated near Highway 99 on the east, Stevens Hospital to the south, Edmonds Woodway High School to the west and Multi-Family to the north; and

WHEREAS, the rezone area represents an island of stable single-family residential property and affordable housing within a primarily multi-family or commercial area; and

WHEREAS, the owner of the one of the properties located on the corner of 76th Avenue West and 215th Street Southwest opposed the rezone, testifying that she purchased the property knowing it was in a multi-use zone, noting the existence of heavy traffic on 76th Avenue West on which her property fronts, noting the proximity of Stevens Hospital and a condominium complex, and asserting that her home's value would be reduced and become more difficult to sell if rezoned to Single-Family zoning; and

WHEREAS, ECDC 20.40.010 lists six factors which should be considered in reviewing a proposed rezone, none of which is conclusive but all of which are relevant; and

WHEREAS, the City Council finds that the rezone as proposed is consistent with the Comprehensive Plan and the general purposes of the zoning ordinance, and provides affordable housing in a stable residential neighborhood; and

WHEREAS, the City Council finds that the property is an island of stable single-family residences but is surrounded by multi-family and commercial uses; and

WHEREAS, while the bulk of the properties which were proposed to be rezoned are economically and physically suitable for single-family use, but, those houses which border on 76th Avenue West represent a transition from the single-family area to more dense residential and commercial areas and could suffer economic loss or detriment that would not be outweighed by the relative gain to the public health, safety and welfare; and

WHEREAS, The City Council finds and concludes that seventeen of the properties were shown in File No. PLN-2009-0019 are suitable for rezoning to a Single-Family

site but that the two properties located on opposing corners of 76th Avenue West and 215th Street Southwest should be excluded from the rezone, thereby serving as a transitional buffer from the Single-Family rezoned area to the denser zoning on 76th Avenue West and surrounding the rezone area, NOW, THEREFORE,

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

Section 1. Seventeen of the nineteen properties shown in File No. PLN 2009-0019 are hereby approved for rezone from Multi-Family Residential (RM.2.4) to Single-Family Residential (RS-8), excluding the two properties shown in the rezone application on opposing corners of 76th Avenue West and 215th Street Southwest which rezone shall remain RM-2.4.

Section 2. The staff is hereby authorized to effectuate this amendment by making appropriate changes to the City's zoning map.

Section 3. 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:



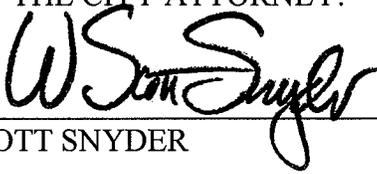
MAYOR GARY HAAKENSON

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:	12-11-09
PASSED BY THE CITY COUNCIL:	12-15-09
PUBLISHED:	12-23-09
EFFECTIVE DATE:	12-28-09
ORDINANCE NO. <u>3768</u>	

SUMMARY OF ORDINANCE NO. 3768

of the City of Edmonds, Washington

On the 15th day of December, 2009, the City Council of the City of Edmonds, passed Ordinance No. 3768. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, APPROVING THE REZONE OF CERTAIN REAL PROPERTY IN AN APPLICATION KNOWN AS THE UNDERHILL REZONE, DEPICTED IN FILE NO. PLN-2009-0019 AND LOCATED ALONG A PORTION OF 215th STREET SOUTHWEST FROM MULTIPLE RESIDENTIAL (RM-2.4) TO SINGLE-FAMILY RESIDENTIAL (RS-8), AUTHORIZING AMENDMENT OF THE ZONING MAP, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

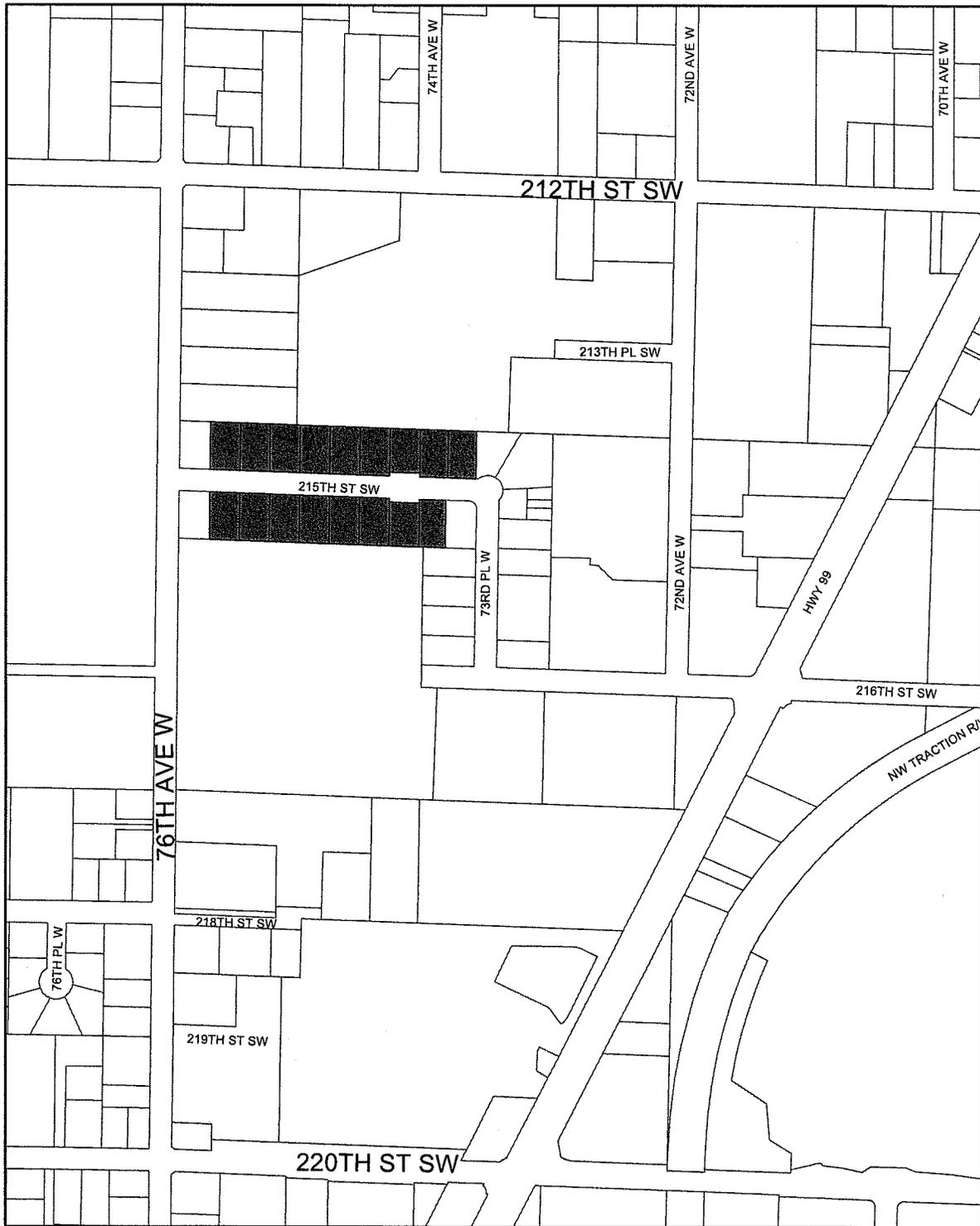
The full text of this Ordinance will be mailed upon request.

DATED this 16th day of December, 2009.



CITY CLERK, SANDRA S. CHASE

Exhibit A



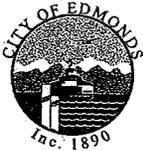
Legend

 Properties to be rezoned from RM-2.4 to RS-8

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.



SUMMARY OF ORDINANCE NO. 3768
of the City of Edmonds, Washington

On the 15th day of December, 2009, the City Council of the City of Edmonds, passed Ordinance No. 3768. A summary of the content of said ordinance, consisting of the title, provides as follows: AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, APPROVING THE REZONE OF CERTAIN REAL PROPERTY IN AN APPLICATION KNOWN AS THE UNDERHILL REZONE, DEPICTED IN FILE NO. PLN-2009-0019 AND LOCATED ALONG A PORTION OF 215th STREET SOUTHWEST FROM MULTIPLE RESIDENTIAL (RM-2.4) TO SINGLE-FAMILY RESIDENTIAL (RS-8), AUTHORIZING AMENDMENT OF THE ZONING MAP, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.
DATED this 16th day of December, 2009.

CITY CLERK, SANDRA S. CHASE

Published: December 23, 2009.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance

No. 3768

Approving Rezone of Certain Real Property

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

December 23, 2009

and that said newspaper was regularly distributed to its subscribers during all of said period.

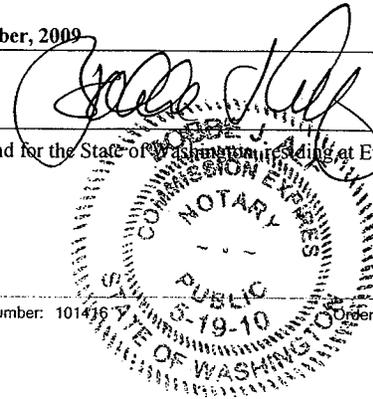
Jody Inghl

Principal Clerk

Subscribed and sworn to before me this 23rd

day of December, 2009

Notary Public in and for the State of Washington, Acting at Everett, Snohomish County.



RECEIVED

DEC 31 2009

EDMONDS CITY CLERK