ORDINANCE NO. 15-0437

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, AMENDING EDGEWOOD MUNICIPAL CODE (EMC) SECTION 18.95.040 BUILDING DESIGN; CLARIFYING THE LIST OF PROHIBITED EXTERIOR BUILDING MATERIALS SET FORTH IN THE CITY’S DESIGN STANDARDS; SETTING FORTH SUPPORTIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Edgewood Municipal Code Title 18 - Development Standards, regulates development standards in the City of Edgewood; and

WHEREAS, the City Council desires to amend EMC 18.95.040(G)(2)(h), clarifying the list of building materials not permitted under the City’s design standards; and

WHEREAS, the City Council on March 17, 2015, after reviewing recommendations by staff and the Planning Commission, directed Planning staff to prepare minor amendments to Title 18.95.040(G)(2)(h), consistent with the intent of the City’s design standards; and

WHEREAS, a Notice of Intent to Adopt was sent to the Washington State Department of Commerce on April 9, 2015 pursuant to RCW 36.70A.106 requesting expedited review; and

WHEREAS, pursuant to EMC Section 18.60.010(A)(1), the City Council has directed staff to notice a public hearing on the proposed amendments for April 28, 2015; and

WHEREAS, a SEPA checklist was prepared and a Determination of Non-Significance was issued by the City of Edgewood on April 10, 2015, and noticed for public review and comment in The Tacoma News Tribune newspaper on April 10, 2015; and

WHEREAS, notice of a public hearing was published in The Tacoma News Tribune newspaper on April 11, 2015; and

WHEREAS, the City Council scheduled a public hearing on April 28, 2015 to receive public testimony for and against the amendment; and

WHEREAS, the City Council finds that the amendment to Edgewood Municipal Code 18.95.040(G)(2)(h) is consistent with and will implement the City’s Comprehensive Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The above recitals, together with the Staff Report, and Agenda Bill No. 15-0437, are hereby adopted by reference as legislative findings in support of this ordinance. The City Council further enters the following additional findings:

A. The zoning code amendment set forth herein bears a substantial relation to the public health, safety and welfare.
B. The zoning code amendment set forth herein is in the best interest of City of Edgewood residents.

C. The zoning code amendment set forth herein satisfies all relevant criteria for approval and adoption, including but not limited to the standards codified in Title 18 EMC.

D. The zoning code amendment set forth herein has been processed, reviewed, considered and adopted in material compliance with all applicable state and local procedural requirements, including but not limited to the requirements codified in Title 18 EMC and Chapter 36.70A RCW.

E. All relevant procedural requirements of the State Environmental Policy Act have been satisfied with respect to this ordinance.

Section 2. Amendment of EMC 18.95.040(G)(2)(h). EMC subsection 18.95.040(G)(2)(h) is hereby amended in its entirety to read as follows:

Mirrored glass, corrugated fiberglass, T-111, and vinyl plank siding shall not be permitted.

Section 3. 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 ordinance.

Section 4: Transmittal to State. Pursuant to RCW 36.70A.106, a copy of this ordinance shall be submitted to the Washington State Department of Commerce, Growth Management Services.

Section 5. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

Presented to Council for First Reading on April 14, 2015
Presented to Council for Second Reading on April 28, 2015

ADOPTED BY THE CITY COUNCIL ON THE 28TH DAY OF APRIL, 2015

Mayor Daryl Eldinger

ATTEST/AUTHENTICATED:  APPROVED AS TO FORM:

Jane Montgomery      Zach Leil, City Attorney
Acting City Clerk

Date of Publication:  April 29, 2015
Effective Date:  May 4, 2015
LEGAL NOTICE

April 29, 2015

NOTICE OF ORDINANCE ADOPTED BY EDGEWOOD CITY COUNCIL

The following is a summary of an Ordinance adopted by the City of Edgewood City Council on the 28th day of April 2015, and shall take effect and be in full force five (5) days from the date of publication in the City’s official newspaper.

ORDINANCE NO. 15-0437

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, AMENDING EDGEWOOD MUNICIPAL CODE (EMC) SECTION 18.95.040 BUILDING DESIGN; CLARIFYING THE LIST OF PROHIBITED EXTERIOR BUILDING MATERIALS SET FORTH IN THE CITY’S DESIGN STANDARDS; SETTING FORTH SUPPORTIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

The full text of the Ordinance is available at the City Clerk’s office, Edgewood City Hall, 2224 104th Avenue East, Edgewood, WA 98372-1513 (253) 952-3299.

Jane Montgomery
Acting City Clerk

Published in the Tacoma News Tribune on April 29, 2015.