ORDINANCE NO. 16-0479

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, EXTENDING FOR AN ADDITIONAL SIX MONTH PERIOD INTERIM ZONING AMENDMENTS TO CHAPTER 18.80 EMC PREVIOUSLY ADOPTED UNDER ORDINANCE NO. 15-0450 AND ORDINANCE NO. 16-0460; AMENDING THE CITY’S REGULATIONS CONCERNING - TOWN CENTER, COMMERCIAL, MIXED USE RESIDENTIAL AND BUSINESS PARK ZONING DISTRICTS - TABLE 2: DEVELOPMENT STANDARDS ON A TEMPORARY BASIS WHILE THE CITY CONTINUES TO FORMALLY STUDY AND EVALUATE POTENTIAL PERMANENT AMENDMENTS; REQUIRING RESIDENTIAL PROJECTS PROPOSED IN THE TOWN CENTER ZONE TO INCLUDE A MIX OF USES; SETTING FORTH ADDITIONAL SUPPORTIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by the enactment of Ordinance No. 15-0450, the Edgewood City Council adopted interim Chapter 18.80 EMC code amendments on October 27, 2015 with an effective date of November 3, 2015 and a sunset date of May 3, 2016; and

WHEREAS, Section 6 of Ordinance No. 15-0450 provides for renewal of said amendments for one or more six (6) month periods in accordance with state law; and

WHEREAS, the Edgewood City Council extended the interim zoning amendments for six (6) months to allow for additional study through Ordinance 16-0460 on April 19, 2016; and

WHEREAS, the Edgewood City Council requested Staff pursue data collection with hired help from Community Attributes Inc. (CAI) to help in determining retail opportunities in the City given current trends and to determine what code changes may be appropriate given the findings; and

WHEREAS, as a result of the City’s efforts, numerous Council and Planning Commission meetings the public has had opportunity to participate in the review process and all persons desiring to comment during these scheduled meetings were given a full and complete opportunity to be heard; and

WHEREAS, the City’s legislative process for enacting new, permanent regulations for the Town Center zone is ongoing and will extend beyond the current expiration date of Ordinance No. 15-0450 and Ordinance No. 16-0460; and

WHEREAS, the City Council desires to extend the effective duration of the interim development regulations set forth in Ordinance No. 15-0450 and Ordinance 16-0460 pertaining to mixed use regulations in the Town Center zoning district; and

WHEREAS, the City Council finds that the interim zoning amendments to the Edgewood Municipal Code set forth herein are consistent with and will implement the City’s Comprehensive Plan, and that renewing said interim regulations for an additional six-month
period will serve the public interest by, *inter alia*, ensuring that new development within the Town Center zone is consistent with the City's community vision, and by preventing applicants from vesting to permanent development regulations that the City intends to repeal and replace; and

**WHEREAS**, the City Council held a duly-noticed public hearing regarding said renewal on September 13, 2016; and

**WHEREAS**, a State Environmental Policy Act (SEPA) checklist was prepared and a Determination of Nonsignificance (DNS) was issued, a legal notice was published in the City's official newspaper on August 30, 2016, and no appeals were filed; and

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

**Section 1:**  **Findings.** The above recitals, together with Agenda Bill No. 16-0479 are hereby adopted by reference as legislative findings in support of this ordinance. The City Council further incorporates all findings set forth in or otherwise adopted by Ordinance No. 15-0450 and Ordinance 16-0460.

**Section 2:**  **Renewal of Ordinance No. 15-0450; Extension of Interim Amendments to EMC 18.80.080 EMC.** Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the interim zoning amendments set forth in Ordinance No. 15-0450 and Ordinance No. 16-0460 are hereby renewed for an additional six-month period.

**Section 3:**  **Transmittal to State.** Pursuant to RCW 36.70A.106, the City Clerk is directed to send a copy of this ordinance to the Washington State Department of Commerce for its files within ten (10) days after adoption of this Ordinance.

**Section 4:**  **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 5:**  **Effective Date: Sunset.** A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force as of October 20, 2016, simultaneously with the expiration of the original term of Ordinance No. 16-0460. This interim amendments set forth herein shall remain effective for a period of six months unless terminated earlier or subsequently extended by the City Council. PROVIDED, that the City Council may, in its sole discretion, renew said amendments for one or more six month periods in accordance with state law.

**ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 13, 2016**

[Signature]

Mayor Daryl Eidinger

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ATTEST/AUTHENTICATED:

Rachel Pitzel, City Clerk

APPROVED AS TO FORM:

J. Zachary Lell, City Attorney

Date of Publication: September 15, 2016
To take effect upon expiration of Ord. 16-0460, Date: October 20, 2016
LEGAL NOTICE

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 13\textsuperscript{th} of September, 2016, 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. 16-0479

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, EXTENDING FOR AN ADDITIONAL SIX MONTH PERIOD INTERIM ZONING AMENDMENTS TO CHAPTER 18.80 EMC PREVIOUSLY ADOPTED UNDER ORDINANCE NO. 15-0450 AND ORDINANCE NO. 16-0460; AMENDING THE CITY'S REGULATIONS CONCERNING - TOWN CENTER, COMMERCIAL, MIXED USE RESIDENTIAL AND BUSINESS PARK ZONING DISTRICTS - TABLE 2: DEVELOPMENT STANDARDS ON A TEMPORARY BASIS WHILE THE CITY CONTINUES TO FORMALLY STUDY AND EVALUATE POTENTIAL PERMANENT AMENDMENTS; REQUIRING RESIDENTIAL PROJECTS PROPOSED IN THE TOWN CENTER ZONE TO INCLUDE A MIX OF USES; SETTING FORTH ADDITIONAL SUPPORTIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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

\[signature\]
Rachel Pitzel, City Clerk

Date of Publication: September 15, 2016

To take effect upon expiration of Ord. 16-0460, Date: October 20, 2016