CITY OF EDGEWOOD, WASHINGTON
ORDINANCE NO. 17-0498


WHEREAS, Section 36.70A.390 of the Revised Code of Washington authorizes the City Council to adopt an interim zoning ordinance, to be effective for a period of up to six months provided that a public hearing is held within at least sixty days of its adoption; and

WHEREAS, on February 28, 2017, the City Council adopted Ordinance No. 17-0494, which repealed section 18.40.110 of the Edgewood Municipal Code and adopted new regulations to address quasi-judicial rezone applications using the procedure for interim zoning ordinances; and

WHEREAS, on March 10, 2017, the City performed a SEPA review of the proposal and determined that the Interim Ordinance was Categorically exempt pursuant to WAC 197-11-800(19)(a); and

WHEREAS, the City Council established March 28, 2017 as the date for the 60 day public hearing on whether the City would continue the interim zoning ordinance for the six month period; and

WHEREAS, on March 28, 2017, the City Council held a public hearing during its regular City Council meeting;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDGEWOOD DOES ORDAIN AS FOLLOWS:
**Section 1.** Purpose of Interim Zoning Ordinance. The purpose of the Interim Zoning Ordinance adopted in Ordinance No. 17-0494 is to allow the City to consider and process applications for Quasi-Judicial Map Amendments during the six month period until the City drafts and considers a new “permanent” or interim zoning ordinance adopting “permanent” regulations on the same subject. The City will consider adoption and enforcement of such an ordinance during the next six months, while Interim Zoning Ordinance No. 17-0494 is in effect.

**Section 2.** Public Hearing. During the public hearing required by RCW 36.70A.390, the following occurred:

A. Community Development Director Kevin Stender described the need for the public hearing and identified the subject of the public hearing.

B. No one wished to present any verbal testimony. No written comments have been received by the City.

**Section 3.** Need for Interim Zoning Ordinance. Without an interim zoning ordinance in place, property owners would not be able to submit permit applications for quasi-judicial rezones. The City Council desires to maintain a procedure for property owners to utilize while the City is crafting new development regulations. Otherwise, property owners might be subject to the inconvenience of a moratorium, which would not provide any certainty with regard to the development regulations applicable to their properties or when property owners would be able to submit applications under such development regulations. The Council therefore has voted to maintain Ordinance 17-0494 in place for a period of six months after February 28, 2017.

**Section 4.** Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful 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.** Publication. This Ordinance shall be in effect five days after it is published by an approved summary consisting of the title.

PASSED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD
THIS 11TH DAY OF APRIL, 2017.

Mayor Daryl Eidinger
AUTHENTICATED:

Rachel Pitzel, City Clerk

APPROVED AS TO FORM:

City Attorney, Carol Morris