

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, RELATING TO REDUCING SETBACK REQUIREMENTS IN THE BN ZONE, ADOPTING AN INTERIM ZONING ORDINANCE, TO BE EFFECTIVE IMMEDIATELY, WHICH WOULD ALLOW SETBACKS IN THE BN ZONE TO BE REDUCED FROM TWENTY FEET TO FIVE FEET AS LONG AS CERTAIN DESIGN STANDARDS ARE MET, ESTABLISHING SIX MONTHS AS THE TENTATIVE EFFECTIVE PERIOD OF THE ORDINANCE, AND DECLARING AN EMERGENCY NECESSITATING IMMEDIATE ADOPTION OF AN INTERIM ZONING ORDINANCE; AMENDING EDMONDS COMMUNITY DEVELOPMENT CODE SECTION 16.45.020.

WHEREAS, the City of Edmonds is in the midst of developing a special district plan for the Westgate neighborhood; and

WHEREAS, the schedule for this planning effort calls for public hearings on the new special district plan and regulations to occur in June 2011; and

WHEREAS, it is anticipated that part of that special district plan will be to encourage the development of pedestrian-friendly structures and storefronts in the Westgate neighborhood; and

WHEREAS, the current development regulations in the BN zone would hinder the implementation of such a plan by requiring structures to be setback twenty feet from the property line; and

WHEREAS, there is a potential to frustrate the long-term planning effort for Westgate by allowing an application for a building permit to be submitted, thereby vesting to the twenty-foot setback; and

WHEREAS, the City Council of the City of Edmonds may adopt an interim zoning ordinance for a period of up to six months, as long as the City Council holds a public hearing on the proposed interim zoning ordinance within sixty days after adoption (RCW 35A.63.220, RCW 36.70A.390); and

WHEREAS, the City desires to adopt an interim zoning ordinance to be effective immediately, which will allow reduced setbacks in the BN zone as long as certain design standards are met; and

WHEREAS, the City’s interim zoning ordinance would amend Edmonds Community Development Code section 16.45.020; and

WHEREAS, during the six month period that this interim zoning ordinance is in effect, the Planning Board shall hold a public hearing, consider whether this interim zoning ordinance should be adopted for a period longer than six months, and transmit its recommendation to the City Council; NOW, THEREFORE,

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

Section 1. Interim Zoning Amendment. ECDC 16.45.020, entitled “Site development standards,” is hereby amended to read as follows (new text is shown in underline; deleted text is shown in strike-through):

16.45.020 Site development standards.

A. Table.

	Minimum Lot Area	Minimum Lot Width	Minimum Street Setback	Minimum Side Setback	Minimum Rear Setback	Maximum Height	Maximum Floor Area
BN	None	None	<u>205'</u> ²	None ¹	None ¹	25'	3 sq. ft. per sq. ft. of lot area

¹ Fifteen feet from lot lines adjacent to R zoned property.

² Site layout and building design shall be consistent with the Design Objectives for Site Design and Building Form contained in the Urban Design Element of the Comprehensive Plan, paying special attention to locating buildings near the street front and locating at least one building entry facing the street.

B. Signs, Parking and Design Review. See Chapters 17.50, 20.60 and 20.10 ECDC.

C. Screening. The required setback from R zoned property shall be permanently landscaped with trees and ground cover and permanently maintained by the owner of the BN lot. A six-foot minimum height fence, wall or solid hedge shall be provided at some point in the setback.

D. Satellite television antennas shall be regulated as set forth in ECDC 16.20.050, and reviewed by the architectural design board.

Section 2. Purpose. The purpose of the adoption of this interim zoning ordinance is to establish the development regulations that will govern setbacks in the BN zone while the Planning Board holds a public hearing, gains public input on this issue, provides a recommendation to Council, and the Council considers the final version of the ordinance on this subject. This may occur in conjunction with consideration of the Westgate special district plan.

Section 3. Emergency Declaration; Ordinance Effective Immediately. The City Council, in order to ensure that its long-term planning efforts are not frustrated by the vesting of a development application, declares an emergency and hereby adopts this Interim Zoning Ordinance effective immediately.

Section 4. Duration of Interim Zoning Ordinance. The City Council shall hold a public hearing on the Interim Zoning Ordinance within 60 days of adoption and shall adopt findings of fact justifying this Interim Zoning Ordinance no later than immediately after that hearing. This Ordinance shall be effective until six (6) months after the date of adoption.

Section 5. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

APPROVED:

MAYOR MIKE COOPER

ATTEST/AUTHENTICATED:

CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____
JEFFREY B. TARADAY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. _____

SUMMARY OF ORDINANCE NO. _____

of the City of Edmonds, Washington

On the ____ day of _____, 2011, the City Council of the City of Edmonds, passed Ordinance No. _____. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, RELATING TO REDUCING SETBACK REQUIREMENTS IN THE BN ZONE, ADOPTING AN INTERIM ZONING ORDINANCE, TO BE EFFECTIVE IMMEDIATELY, WHICH WOULD ALLOW SETBACKS IN THE BN ZONE TO BE REDUCED FROM TWENTY FEET TO FIVE FEET AS LONG AS CERTAIN DESIGN STANDARDS ARE MET, ESTABLISHING SIX MONTHS AS THE TENTATIVE EFFECTIVE PERIOD OF THE ORDINANCE, AND DECLARING AN EMERGENCY NECESSITATING IMMEDIATE ADOPTION OF AN INTERIM ZONING ORDINANCE; AMENDING EDMONDS COMMUNITY DEVELOPMENT CODE SECTION 16.45.020.

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

DATED this ____ day of _____, 2011.

CITY CLERK, SANDRA S. CHASE