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WSS/amg
09/26/02

ORDINANCE NO. 3422

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, APPROVING THE REZONE OF PROPERTY LOCATED EAST OF 515-5TH AVENUE SOUTH, PURSUANT TO FILE NO. R-2002-101, AUTHORIZING AMENDMENT OF THE CITY ZONING MAP, APPROVING AND ACCEPTING A CONCOMITANT ZONING AGREEMENT AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, A.D. Shapiro Architects has applied to rezone certain vacant and real property located east of 515-5th Avenue South and fronting on Holly Drive from residential (RS-6) to business commercial (BC) pursuant to File No. R-2002-101; and

WHEREAS, the City's Planning Board recommended approval of such rezone application in Findings, Conclusions and Recommendations dated July 26, 2002; and

WHEREAS, the Applicant has voluntarily submitted a Contract Rezone Agreement to limit the uses under which the property may be developed pursuant to such a rezone and, after hearing Council comment, offered to clarify document to the City Council; and

WHEREAS, the City Council finds the rezone as limited by the Agreement to be in the public interest and consistent with its Comprehensive Plan and the rezone criteria contained in the Edmonds Community Development Code; and

WHEREAS, as the basis for its conclusions, the City Council adopts the recommendations of its Planning Board, incorporating by reference as fully as if herein set forth, the Planning Board's Findings, Conclusions and Recommendations of July 26, 2002, NOW, THEREFORE,

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

Section 1. Certain real property located east of 515-5th Avenue South on Holly Drive within the City of Edmonds containing approximately 6,000 square feet is hereby rezoned from Single Family Residential (RS-6) to Community Business (BC). This approval is expressly subject to the adoption and acceptance of a Contract Rezone Agreement. The planning director is hereby authorized to amend the City's zoning map to reflect such change. The legal description of the property is described in the file and in the Contract Rezone Agreement approved in Paragraph 2 hereof.

Section 2. A concomitant rezone agreement, entitled Contract Rezone Agreement, attached hereto as Exhibit A and incorporated in full as fully as if herein set forth, is hereby adopted and approved for acceptance and recording by the city clerk. The approval set forth in Section 1 of this ordinance is expressly conditioned upon the execution and submittal of the signed Contract Rezone Agreement in the form set forth in Exhibit A and binding the property described as Parcel A therein.

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 HAAKENSEN

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:	09/27/2002
PASSED BY THE CITY COUNCIL:	10/01/2002
PUBLISHED:	10/06/2002
EFFECTIVE DATE:	10/11/2002
ORDINANCE NO. <u>3422</u>	

SUMMARY OF ORDINANCE NO. 3422

of the City of Edmonds, Washington

On the 1st day of October, 2002, the City Council of the City of Edmonds, passed Ordinance No. 3422. 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 PROPERTY LOCATED EAST OF 515-5TH AVENUE SOUTH, PURSUANT TO FILE NO. R-2002-101, AUTHORIZING AMENDMENT OF THE CITY ZONING MAP, APPROVING AND ACCEPTING A CONCOMITANT ZONING AGREEMENT AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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

DATED this 2nd day of October, 2004.

CITY CLERK, SANDRA S. CHASE