

ORIGINAL

ORDINANCE NO. 389

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING THE CITY'S ZONING MAP (TILE # 435) TO CHANGE THE ZONING FROM, RB, REGIONAL BUSINESS AND R-48, RESIDENTIAL, 48 UNITS PER ACRE, TO REGIONAL BUSINESS WITH CONTRACT ZONE #RB-CZ-05-01, SUBJECT TO RESTRICTIVE COVENANTS, FOR THE PROPERTY GENERALLY LOCATED AT THE SOUTH END OF ECHO LAKE, 19250 AURORA AVENUE NORTH, PARCEL #2222900040.

WHEREAS, the subject property, located generally at the northeast corner of Aurora Ave. N. and N. 192nd Street, west of the Interurban Trail and south of Echo Lake is split-zoned between RB, Regional Business and R-48, Residential 48 units per acre; and

WHEREAS, the owners have applied to rezone the entire property to Regional Business with a Concomitant Agreement called a Contract Zone; and

WHEREAS, Council has approved a Comprehensive Plan Map amendment to change that portion of the parcel that is designated High Density Residential to Mixed Use; and

WHEREAS, the Planning Commission considered the application for zone change at a public hearing on May 4 and 5, 2005, and has recommended approval, as subject to a concomitant zoning agreement as a covenant restricting the uses and setting conditions of development as specified in this Contract Zone and Concomitant Zoning Agreement #RB-CZ-05-01; and

WHEREAS, a Mitigated Determination of Non-Significance has been issued for the proposal pursuant to the State Environmental Policy Act; and

WHEREAS, the City Council concurs with the Findings and Recommendation of the Planning Commission and determines that the proposed Concomitant Zoning Agreement should be approved to accommodate a mix of residential and commercial development as consistent with the goals and policies of the City's Comprehensive Plan;

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

Section 1. Findings. The Planning Commission's Findings and Recommendation to approve the concomitant rezone of the parcel, more fully described and depicted in **Exhibit A**, attached hereto, are hereby adopted.

Section 2. Amendment to Zoning Map. The Official Zoning Map Tile 435 of the City of Shoreline adopted by Ordinance No. 292 is hereby amended to change the zoning classification of


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that certain property described and depicted in **Exhibit B** attached hereto, from RB, Regional Business, and R-48, Residential, 48 units per acre, to Regional Business with Contract Zone #RB-CZ-05-01 subject to the Concomitant Zoning Agreement attached hereto as **Exhibit C**, which covenant is incorporated herein as part of this ordinance by reference, and all uses of the property rezoned by this ordinance shall be in strict conformity with the provisions of the concomitant zoning agreement. Nothing in this ordinance or the concomitant zoning agreement attached hereto shall limit the Shoreline City Council from amending, modifying, or terminating the land use designation adopted by this ordinance.

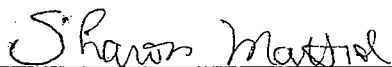
Section 3. Severability. If any provision of this ordinance or the application of a provision to any person or circumstance, is declared invalid, then the remainder of this Covenant, or the application of such provision to other persons or circumstances, shall not be affected.

Section 4. Effective Date and Reversion. This ordinance shall go into effect five days after passage, publication of the title as a summary of this ordinance and the proper execution and recording of the Concomitant Zoning Agreement attached hereto as **Exhibit C**; provided, that if such Agreement is not executed and recorded within thirty days from the date of final passage of this ordinance, this ordinance shall become void and not go into effect. If a complete building application for development of the property rezoned by this ordinance is not filed within three (3) years of the effective date of this ordinance, or owners of all interest in the property file a written request, the property shall revert to the original land use designations or such other default land use designation as may hereafter be adopted by the City Council.


PASSED BY THE CITY COUNCIL ON JUNE 13, 2005.


Ronald B. Hansen, Mayor

ATTEST:


Sharon Mattioli, MMC
City Clerk

APPROVED AS TO FORM:


Ian Sievers
City Attorney

Date of Publication: June ²³~~16~~, 2005 sm
Effective Date: June 21, 2005 sm
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