

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Public Hearing on Adoption of Ordinance No. 502 Extending Moratorium on Acceptance of Residential Development Applications in CB, RB and Industrial Land Use Districts in Proximity to Residential Neighborhoods
DEPARTMENT:	Planning and Development Services
PRESENTED BY:	Joe Tovar, Planning Director

PROBLEM/ISSUE STATEMENT:

On October 29, 2007, the City Council adopted Ordinance No. 484 establishing a six month moratorium on acceptance of applications for residential development of land in Community Business ("CB"), Residential Business ("RB") and Industrial ("I") land use districts in proximity to residential neighborhoods. That moratorium, as amended, expires on April 29, 2008.

The Planning Commission has recommended amended regulations to adopt transition area requirements for residential development in commercial zones adjacent to residential neighborhoods. These amended regulations are before the Council for adoption tonight (Ordinance No. 500). If adopted tonight, Ordinance No. 500 will not go into effect until May 6, 2008. If Council wants to continue prohibiting acceptance of applications for residential development in CB, RB and I zones in proximity to single family zones under the existing code amendments, Council needs to adopt a brief moratorium extension to cover the gap between the moratorium's current expiration date (April 29) and the effective date of the amended regulations set forth in Ordinance No. 500 (May 6).

ALTERNATIVES ANALYZED:

The alternative to adopting this two week moratorium is for Council to let the existing regulations go back into effect. In other words, if Council does not want to extend the moratorium for this brief gap in time, then the existing code regulations will apply between April 29 - May 6, until the new regulations take effect.

RECOMMENDATION

Staff recommends that Council conduct a public hearing and adopt Ordinance No. 502 approving a two week extension to the moratorium and interim controls for acceptance

of residential development applications in Community Business, Residential Business and Industrial land use districts in proximity to residential neighborhoods

Approved By:

City Manager 

City Attorney 

ATTACHMENTS

Attachment A: Ordinance No. 502

ORDINANCE NO. 502

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, EXTENDING UNTIL MAY 12, 2008 A MORATORIUM AND INTERIM CONTROL PURSUANT TO RCW 35A.63.220 PROHIBITING THE FILING OR ACCEPTANCE OF ANY APPLICATIONS FOR RESIDENTIAL DEVELOPMENT OF LAND WITHIN THE COMMUNITY BUSINESS, INDUSTRIAL OR REGIONAL BUSINESS LAND USE DISTRICTS IN PROXIMITY TO RESIDENTIAL NEIGHBORHOODS

WHEREAS, the Shoreline City Council found, pursuant to Ordinance No. 484, as amended, that acceptance of development applications proposing new residential development in Community Business, Regional Business and Industrial zoning districts utilizing current development standards and density may allow development that is incompatible with existing neighborhoods, leading to erosion of community character and harmony, and a decline in property values; and

WHEREAS, the City Council continues to find that the integrity of existing land uses may suffer irreparable harm unless a moratorium is adopted and that the potential adverse impacts upon the public safety, welfare, and peace, as outlined herein, continue to justify the declaration of an emergency; and

WHEREAS, the current moratorium expires April 29, 2008 unless extended or terminated before that date; and

WHEREAS, the City Council held a public hearing April 28, 2008 to consider extension of the moratorium until May 12, 2008; and

WHEREAS, an interim control until May 12, 2008 will allow the City to continue preserving planning options and preventing substantial change until the existing land areas so designated and the proposed amendments to the development standards applicable to residential development in these zones are adopted; NOW, THEREFORE,

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

Section 1. Findings of Fact. Based upon the public hearing held on the extension of Ordinance No. 484, as amended, the recitals set forth above are hereby adopted as findings of the City Council.

Section 2. Moratorium Extension Adopted. The Moratorium adopted by Ordinance No. 484, as amended, is extended until May 12, 2008.

Section 3. Emergency Declared and Effective Date. The City Council declares that an emergency exists requiring passage of this ordinance for the protection of public health, safety, welfare and peace based on the Findings set forth in Section 1 of

this ordinance. This ordinance shall take effect and be in full force immediately upon passage and shall expire fourteen days from its effective date unless extended or repealed according to law.

Section 3. Publication. A summary of this ordinance consisting of the title is approved for publication in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON APRIL 28, 2008.

Mayor Cindy Ryu

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication:

Effective Date: April 28, 2008