

ORDINANCE NO. 884

AN ORDINANCE OF THE CITY OF CARNATION, WASHINGTON, ADOPTED PURSUANT TO RCW 35A.63.220 AND RCW 36.70A.390; IMPOSING A SIX MONTH MORATORIUM UPON THE RECEIPT AND PROCESSING OF BUILDING PERMIT AND OTHER LAND USE DEVELOPMENT APPLICATIONS WITHIN THE RESIDENTIAL 6 (R6) ZONE; SETTING FORTH FINDINGS AND CONCLUSIONS IN SUPPORT OF SAID MORATORIUM; ENUMERATING LIMITED EXCEPTIONS; SETTING A PUBLIC HEARING DATE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Carnation experienced stymied growth between 1999 and 2008 due to lack of a sanitary sewer system; and

WHEREAS, the City completed construction of a sanitary sewer system in 2008; and

WHEREAS, soon after the sanitary sewer system was completed, the City was affected by the great recession of 2009 through approximately 2012; and

WHEREAS, after nearly two decades of stymied growth, the City has experienced a tremendous development boom over the last few years which has resulted in the creation of approximately 147 new single family residential housing lots in the City since 2014, which is more than a 20% increase; and

WHEREAS, the City Council is concerned about the effect of the rapid increase of single-family residences in the City and wishes to assess whether the City is growing in a manner that is consistent with the adopted goals of preserving Carnation's historic small town character and encouraging residential development that strengthens Carnation's rural city identity, within

the context of the City's planning requirements and population targets under the Growth Management Act; and

WHEREAS, the City Council needs time to adequately evaluate recent development and currently vested projects to determine if the City's current zoning regulations are producing a result that meets the community's housing needs and is consistent with the Council's vision; and

WHEREAS, these concerns are particularly acute with respect to the City's Residential 6 (R6) zoning district, which encompasses the original Tolt Townsite and which serves as a highly visible and symbolic reminder of the City's historic community character; and

WHEREAS, the City desires to impose a moratorium on the receipt and processing of most building and other land use permit applications in the R6 zone until the City's current development regulations are reviewed, evaluated and revised as necessary; NOW, THEREFORE,

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

Section 1. Findings. The Carnation City Council hereby makes the following findings in support of the moratorium imposed by this ordinance:

A. The Carnation City Council hereby adopts as findings of fact the recitals set forth above, which are incorporated by reference.

B. The City is authorized pursuant to RCW 35A.63.220 and RCW 36.70A.390 to adopt development moratoria for the purpose of preserving the *status quo* while development standards are considered, prepared and enacted.

C. Imposing a temporary moratorium on the receipt and processing of building and other land use permit applications will serve the public interest.

D. The exceptions and interim regulations established under Section 4 of this ordinance will not materially undercut the effectiveness or underlying purposes of the moratorium imposed herein.

Section 2. Conclusions. Based upon the findings enumerated in Section 1, the City Council hereby concludes as follows:

A. The City possesses the legal authority to impose a moratorium on the receipt and processing of building and other land use permit applications as provided herein.

B. The City must adopt a moratorium on the receipt and processing of building and other land use permit applications in order to (1) preserve the *status quo* while the City reviews and revises, as appropriate, its current development regulations governing design, density, and dimensional standards, (2) ensure that any new construction within the R6 zone comports with the City's revised development regulations, and (3) prevent permit applicants from potentially establishing vested rights inconsistent with the City's future regulatory framework.

Section 3. Moratorium Imposed. The City hereby imposes a moratorium upon the receipt and processing of building permit applications, land use applications, and any other permit and/or approval application for the development or improvement of real property within the City's Residential 6 (R6) zone. The term "land use applications" as used in this ordinance specifically includes without limitation any application for subdivision of land.

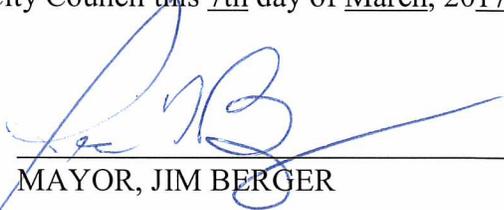
Section 4. Exceptions. The moratorium imposed under Section 3 shall not apply to (a) permit applications for the repair, restoration or refurbishment of existing single-family and multi-family residences, (b) permit applications for the repair of existing commercial buildings, or (c) permit applications for on-premises signs and fences pursuant to Chapter 15.68 CMC.

Section 5. Public Hearing. The City Clerk is hereby authorized and directed to schedule a public hearing on the moratorium imposed under Section 3 in this ordinance and to provide notice of said hearing in accordance with applicable standards and procedures. Said hearing shall be held no later than 60 days after the date of adoption hereof. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the City Council may adopt additional legislative findings in support of this ordinance at the conclusion of said hearing.

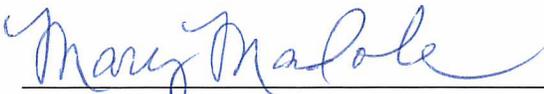
Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

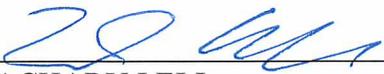
APPROVED by the Carnation City Council this 7th day of March, 2017.


MAYOR, JIM BERGER

ATTEST/AUTHENTICATED:


CITY CLERK, MARY MADOLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
J. ZACHARY LELL

FILED WITH THE CITY CLERK:02/21/2017
PASSED BY THE CITY COUNCIL:03/07/2017
PUBLISHED:03/15/2017
EFFECTIVE DATE:03/20/2017
ORDINANCE NO.884