

ORDINANCE NO. 868

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON IMPOSING A MORATORIUM ON THE FILING, ACCEPTANCE, AND APPROVAL OF APPLICATIONS FOR MASTER DEVELOPMENT PLANS AND ESSENTIAL PUBLIC FACILITIES SPECIAL USE PERMITS WITHIN THE CITY OF SHORELINE FOR SIX MONTHS.

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Chapter 36.70A RCW; and

WHEREAS, Shoreline Municipal Code (SMC) 20.50.046(C) requires that all development within campus zones shall be governed by a master development plan reviewed pursuant to SMC 20.30.060 and 20.30.353; SMC 20.30.353 further states that a master development plan is to define development of essential public facilities; and

WHEREAS, SMC 20.30.330 states that a special use permit may be used to locate a regional land use, including essential public facilities, when not specifically allowed by the zoning of the location; and

WHEREAS, the Master Development Plan permit and Special Use Permit decision criteria adopted in 2008 and 2000 respectively, may be outdated and not reflective of Shoreline's current goals and policies; and

WHEREAS, the City Council has significant concerns about development in the City under the current Master Development Plan and essential public facilities special use permit regulations in the context of the visions and goals of the City's Comprehensive Plan, and is discussing how to best accommodate growth and development in both general and specific ways so as not to frustrate the City Council's vision; and

WHEREAS, allowing the submittal of applications for master development plans and essential public facilities special use permits before the City can conduct a comprehensive analysis, may result in applications being approved that could not only violate the goals and policies of the City's Comprehensive Plan but also result in adverse impacts to the character of the City and its citizens; and

WHEREAS, the City Council requires time to review regulations and policies related to these types of applications and the uses permitted to ensure that the visions and goals of the City's Comprehensive Plan are being met to the Council's satisfaction; and

WHEREAS, a moratorium will allow time for the City Council to gather information, perform an analysis, engage the community, and to adopt development regulations addressing the comprehensive long-term planning that is associated with master development plans and special use permits so as to ensure consistency with the City's Comprehensive Plan, the development regulations, and to ensure consistency and conformity with the surrounding community while maintaining the status quo; and

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WHEREAS, the master development plan process does not address sites with multiple property owners with diverging interests; the need for compact site planning to make the best use of the limited, remaining under-utilized property within the City; the possibility of portions of a site being removed from the campus designation; and the social justice implications of concentrations of institutional and essential public facility uses; and

WHEREAS, existing uses defined in the SMC may be too broadly defined to ensure adequate process and procedures to appropriately site these essential public facilities; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the Shoreline City Council to adopt moratoriums, interim zoning ordinances, and interim official controls as methods to preserve the status quo while comprehensive analysis is being conducted and regulations are being developed PROVIDED that the City hold a public hearing on the proposed moratorium within sixty days of adoption; and

WHEREAS, at its October 7, 2019 regular meeting, the City Council held a public hearing on the proposed moratorium; and

WHEREAS, the City Council desires to impose a six (6) month moratorium on the filing, acceptance, and approval of applications for master development plans and essential public facilities special use permits within all zoning districts of the City;

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

Section 1. Findings of Fact. The City Council hereby adopts the above Recitals as findings of fact to support the adoption of this Ordinance.

Section 2. Moratorium. The City Council hereby imposes a six (6) month moratorium on the filing, acceptance, and approval of all applications for master development plans and essential public facilities special use permits within all zoning districts of the City of Shoreline. All such applications shall be rejected and returned to the applicant.

Section 3. Definitions. For the purpose of this moratorium, the terms “master development plan” and “special use permit” have the same meaning as provided in SMC Chapter 20.20 Definitions and the term “essential public facilities” has the same meaning as provided in Comprehensive Plan Policies LU63 and RCW 36.70A.200.

Section 4. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to any person or situation.

Section 5. Transmittal to the Department of Commerce. Pursuant to RCW 36.70A.106, a copy of this Ordinance shall be transmitted to the Washington State Department of Commerce.

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Section 6. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication. This Ordinance does not affect any existing vested rights for any complete application for a master development plan or essential public facility special use permit submitted or approved prior to the effective date.

PASSED BY THE CITY COUNCIL ON OCTOBER 7, 2019




Mayor Will Hall

ATTEST:

APPROVED AS TO FORM:



Jessica Simulcik Smith
City Clerk



Margaret King
City Attorney

Date of Publication: October 10, 2019
Effective Date: October 15, 2019