

ORDINANCE NO. 516

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, RENEWING THE INTERIM ZONING CONTROLS FOR THE TOWN CENTER ZONE TO ENSURE NEW DEVELOPMENT AND REDEVELOPMENT IS CONSISTENT WITH THE CITY'S ADOPTED VISION, COMPREHENSIVE PLAN, AND TOWN CENTER PLAN; PROVIDING THE RENEWED INTERIM ZONING CONTROLS SHALL BE IN EFFECT UNTIL SEPTEMBER 5, 2008; DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City's adopted vision, comprehensive plan, Town Center plan and the economic development strategic action plan all call for the establishment of a high quality pedestrian-oriented Town Center Zone between 35th Street West and 44th Street West along Bridgeport Way; and

WHEREAS, the City Council has directed the Planning Commission to evaluate the City's design standards that apply in commercial zones including the Town Center Zone; and

WHEREAS, the Planning Commission reviewed the existing design standards and purpose of the Town Center Zone and found that the existing purpose statement needs more specificity to determine if existing design standards are achieving the intended outcome; and

WHEREAS, the Planning Commission directed staff to embark on a public outreach program involving property owners, business owners and other stakeholders to assist in forming a more specific purpose statement for the Town Center Zone and to recommend implementing design standards and more time is needed to complete the evaluation; and

WHEREAS, on April 16, 2007 the City Council appointed the UP Town Subcommittee consisting of three members of the Planning Commission and three members of the City's Economic Development Committee and directed the subcommittee to provide a recommendation to the Planning Commission; and

WHEREAS, the UP Town Subcommittee has been meeting regularly and is very close to recommending proposed changes to the Planning Commission; and

WHEREAS, further development or redevelopment of properties within the Town Center Zone may be inconsistent with pending or proposed zoning changes; and

WHEREAS, the City needs additional time to conduct its public outreach program, develop a more specific description of the Town Center Zone, and promulgate appropriate design standards to more adequately protect the public health, safety, and welfare, and to further the goals and policies of the City's comprehensive plan for a pedestrian-friendly Town Center; and

WHEREAS, the City adopted Ordinance 479, with interim zoning controls, on September 5, 2006, in order to prevent the vesting of applications for development or redevelopment in the Town Center Zone until such time as the Planning Commission and Council can consider more permanent regulations that serve to meet the City's vision, comprehensive plan, Town Center plan, and economic development strategic action plan; and

WHEREAS, the City adopted Ordinance 491, renewing the interim zoning controls, on March 5, 2007, for a period of six months, in accordance with RCW 36.70A.390. The renewed interim zoning controls expired on September 5, 2007; and

WHEREAS, the City adopted Ordinance 508, renewing the interim zoning controls, on August 6, 2007, for a period of six months, in accordance with RCW 36.70A.390. The renewed interim zoning controls expired on March 5, 2008; and

WHEREAS, the City Council believes that it is urgent to renew the interim zoning controls so that they are effectively immediately, with no lapse in effective dates.

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Effective Period of Interim Zoning Controls. The interim zoning controls adopted by Ordinance No. 479 on September 5, 2006, and renewed in Ordinance No. 491 on March 5, 2007 and again in Ordinance No. 508 on August 6, 2007, shall remain in effect through September 5, 2008. These interim zoning controls may be extended as provided in RCW 36.70A.390 and RCW 35A.63.220.

Section 2. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be 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 3. Effective Date and Declaration of Emergency. This Ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to Matson v. Clark County Board of Commissioners, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the "WHEREAS" clauses, above, all of which are adopted by reference as findings of fact as if fully set forth herein. This ordinance shall become effective immediately upon passage. The City Clerk is directed to publish a summary of this ordinance, consisting of the title, at the earliest possible publication date.

PASSED BY THE CITY COUNCIL ON FEBRUARY 19, 2008.



Linda Bird, Mayor

ATTEST:



Emelita Genelia, City Clerk

APPROVED AS TO FORM:



Janean Parker, City Attorney

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Effective Date: 02/19/08