

ORDINANCE NO. 508

An Ordinance of the City Council of the City of Lakewood, Washington, extending for an additional six-month term a system of Interim Zoning Controls on Eating and Drinking Establishments as enacted under Ordinance No. 472 and previously extended through Ordinance Nos. 477 486 and 496

WHEREAS, on March 17, 2008, the City Council for the City of Lakewood enacted Ordinance No. 472, establishing Interim Zoning Controls on Eating and Drinking Establishments; and,

WHEREAS, this system of Interim Zoning Controls was continued for additional six month periods through Ordinance No. 477 on September 2, 2008, Ordinance No. 486 on February 2, 2009 and Ordinance No. 496 on July 20, 2009 and,

WHEREAS, pursuant to Revised Code of Washington sections 35A.63.220 and 36.70A.390, interim zoning controls may be extended for additional six-month periods if a subsequent public hearing is held and facts are found that support such an extension; and,

WHEREAS, to determine whether these Interim Controls should be extended, a public hearing was held before the City Council on January 19, 2010, and at that public hearing the City Council heard and discussed testimony regarding these temporary zoning controls; and,

WHEREAS, based upon this public hearing, the City Council does now make findings of fact in support of extending the interim zoning controls and does direct that these interim controls remain in effect for an additional six months to allow for the interim zoning controls to be incorporated into the zoning and land use regulations of City.

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

Section 1. Findings of Fact. The City Council does find that sufficient facts exist, as were found at a public hearing held on July 20, 2009, to continue the Interim Zoning Controls on Eating and Drinking Establishments for an additional six month period. The findings of fact from the July 20, 2009, public hearing are attached hereto, marked as "Exhibit A," and incorporated herein by this reference.

Section 2. Extension of Interim Zoning Controls. Based upon the facts shown in "Exhibit A" hereto, the City Council does extend the system of Interim Zoning

Controls on Eating and Drinking Establishments as commenced in Ordinance No. 472 and previously continued through Ordinance Nos. 477 and 486 for an additional six-month term from the effective date of this Ordinance.

Section 3. Severability. If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not effect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

Section 4. Effective Date. That this Ordinance shall be in full force and effect upon passage and signatures hereon.

ADOPTED by the City Council this ____ day of _____, 2010.

CITY OF LAKEWOOD

Douglas G. Richardson, Mayor

Attest:

Alice M. Bush, MMC, City Clerk

Approved as to Form:

Heidi Ann Wachter
Heidi Wachter, City Attorney

FAILED 1-19-10