

Resolution No. 1997-38

[\(Council Minutes 97/11/17\)](#)

RESOLUTION NO. 1997-38

A RESOLUTION of the City Council of the City of Lakewood, Washington, establishing a moratorium on the filing of applications for licenses, permits and approvals for development within the Flett Creek area of the City, and setting a Public Hearing therefor

WHEREAS, the City of Lakewood became incorporated on February 28, 1996; and,

WHEREAS, in an attempt to address zoning and land use regulations in the City, the City Council adopted interim zoning and land development regulations patterned after those of Pierce County to operate until the City developed and adopted its permanent zoning regulations; and,

WHEREAS, in reviewing and applying these interim zoning and land development regulations, the City recognized that there are limited properties in the City that have an open space character, and that some of these properties are zoned for and available for development; and,

WHEREAS, the development of such open space lands would have a deleterious impact on the community as a whole and on the general health, safety and welfare of the residents of the City; and,

WHEREAS, in order to address the concerns identified above, a moratorium on such development would be appropriate; and,

WHEREAS, Section 35A.63.220 of the Revised Code of Washington authorizes the City Council to establish moratoriums on interim zoning regulations; and,

WHEREAS, pursuant to the statute, a public hearing would need be held within sixty (60) days after the establishment of the moratorium; and,

WHEREAS, it is appropriate to set a public hearing to consider the moratorium.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD,

WASHINGTON, HEREBY RESOLVES as Follows:

Section 1. Moratorium established.

That a moratorium is hereby imposed on the filing with the City or the Courts of any applications for licenses, permits and approvals for development of any development, other than renewal of existing business licenses or minor re-models or repairs that do not add any additional square footage to existing structures, within the within the Flett Creek area of the City identified and shown on the attached pages of the official zoning maps of the City of Lakewood, for the Quarter-sections, Sections, Townships and Ranges set forth below, cumulatively marked as Exhibit AA@, with those areas of the City to which the moratorium applies being shown in shading:

AA@, with those areas of the City to which the moratorium applies being shown in shading:3 section Section Township Range
(East of Willamette Meridian)

SE 26 20 2

NE 35 20 2

NW 35 20 2

SW 26 20 2

Section 2. Term of Moratorium.

The extension of the moratorium imposed by this Ordinance shall become effective on the date hereof, and shall continue in effect for a period of six (6) months, unless repealed, extended or modified by the City Council after subsequent public hearing pursuant to RCW 35A.63.220, provided that the moratorium shall automatically expire upon the effective date of a final (not interim) comprehensive plan and a final (not interim) zoning code and final (not interim) land use regulations adopted by the City Council.

Section 3. Setting Public Hearing.

That a public hearing on proposal to establish a moratorium on the filing with the City or the Courts of any applications for licenses, permits and approvals for development of any development in the area of the City identified and shown on the attached Exhibit AA, @ other than renewal of existing business licenses or minor re-models or repairs that do not add any additional square footage to existing structures, is hereby set for 7:00 p.m., or as soon thereafter as the matter can be heard, at the Special Meeting on the 12th day of January, 1998, at the City of Lakewood City Council Chambers, 10510 Gravelly Lake Drive S.W., Lakewood, Washington.

Section 4. Severability.

If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of component 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 5. Effective Date.

That this Resolution and the moratorium provided for herein shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 17th day of November, 1997.

CITY OF LAKEWOOD

Attest: Bill Harrison, Mayor

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

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