

Resolution No. 2001-10

[Council Meeting Minutes 01/03/05](#)

RESOLUTION NO. 2001-10

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 commercial or industrial development in selected areas 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 noted an excess of property zoned for and available for commercial and industrial development; and

WHEREAS, many of the properties so zoned and classified are located in well established residential neighborhoods currently not compatible with commercial and industrial uses; and,

WHEREAS, conflicts have arisen in the use of such properties for commercial and industrial development; and.

WHEREAS, the City has performed an initial land use analysis of current development patterns which shows that certain affected areas are inappropriately zoned for commercial and industrial development at this time; and,

WHEREAS, the land use analysis shows that continued commercialization and industrialization of such lands would have a deleterious impact on property values, the neighborhood and residential character of the properties, and 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 in the neighborhoods affected would be appropriate; and,

WHEREAS, a prior moratorium was implemented to accomplish the goals addressed herein, via Resolution No. 1997-37, and a prior Ordinance (Ordinance No. 159) was adopted providing for temporary neighborhood protections, which temporary neighborhood protections have expired; and,

WHEREAS, it is therefore appropriate to re-adopt a moratorium along the lines of Resolution No. 1997-37; 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 commercial or industrial development, other than renewal of existing business licenses, in the areas 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 "A", with those areas of the

City to which the moratorium applies being shown in shading:

¼ Section Section Township Range (East of Willamette Meridian)

NE 31 20 3

NW 31 20 3

NW 1 19 2

SW 1 19 2

NW 12 19 2

SE 2 19 2

NE 2 19 2

NE 11 19 2

SW 35 20 2

SE 35 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 final (not interim) zoning code and 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 commercial or industrial development, other than renewal of existing business licenses, in the areas of the City identified and shown on the attached Exhibit "A", is hereby set for 7:00 p.m., or as soon thereafter as the matter can be heard, at the Regular Meeting on the 19th day of March, 2001, 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 5th day of March, 2001.

CITY OF LAKEWOOD

Bill Harrison, Mayor

Attest:

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Daniel B. Heid, City Attorney

.....