

# Resolution No. 2009-17

[City Council meeting minutes of July 6 2009](#)

## RESOLUTION NO. 2009-17

A Resolution of the City Council of the City of Lakewood, Washington, setting a public hearing on July 20, 2009, regarding a system of Interim Zoning Controls on Eating and Drinking Establishments, as established in Ordinance 472 and previously extended through Ordinance 477 and Ordinance 486.

WHEREAS, on March 17, 2008, the City Council for the City of Lakewood enacted Ordinance 472, establishing Interim Zoning Controls on Eating and Drinking Establishments; and,

WHEREAS, the moratorium established by Ordinance 472 was extended for an additional six-month period through Ordinance 477 as enacted on September 2, 2008, after an appropriate public hearing was held and findings of fact were made; and

WHEREAS, a duly noticed public hearing was held on January 20, 2009, at which time this set of interim zoning controls was studied and discussed; and,

WHEREAS, based upon the above-noted public hearing, on February 2, 2009, the City Council for the City of Lakewood adopted Ordinance 486, making findings of fact and directing that the system of interim controls be extended for an additional six-month term; and,

WHEREAS, pursuant to RCW 35A.63.220 and RCW 36.70A.390, the interim zoning controls adopted in Ordinance 472 and extended in Ordinance 477 and Ordinance 486 may be extended for additional six-month periods only if a public hearing is held and renewal of the controls is based upon findings of fact.

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

WASHINGTON, DO RESOLVE AS FOLLOWS:

Section 1. Public Hearing Set. A public hearing shall be held regarding Ordinances 472, 477 and 486, and this hearing is hereby set for Monday, July 20, 2009, at 7:00 p.m. in the City of Lakewood City Council Chambers.

Section 2. Purpose of Public Hearing. The public hearing will be held for the purpose of determining whether facts exist that support an additional six-month extension of the interim controls created in Ordinance 472 and previously extended through Ordinance 477 and Ordinance 486.

Section 3. Severability. If any sections, sentence, clause or phrase of this Resolution 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 Resolution or its application to any other person, property or circumstance.

Section 4. This Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 6th day of July, 2009.

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Douglas G. Richardson, Mayor

Attest:

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Alice M. Bush, MMC, City Clerk

Approved as to Form:

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Heidi Ann Wachter, City Attorney