



## Ordinance No. 3076

### **An Interim Ordinance Extending Ordinance 3054 and Ordinance 3069, a Moratorium on the Acceptance of Certain Land Use Applications in the R4 Zone**

**Whereas** the City of Anacortes adopted new development regulations (Ordinance 3040) that, among other things, created new regulations governing the height limit in the R4 zone;

**Whereas** the bonus height provisions of AMC 19.42.050., which allow for an additional 10 feet of height over the standard height limit of 40 feet, have been the subject of community concerns and comments;

**Whereas** the City Council desires to review the maximum building height in the R4 zone;

**Whereas** the City Council adopted Ordinance 3054 on October 21, 2019, declaring a moratorium on the acceptance of land use applications in the R4 Zone that seek to allow the height bonus provided in Section 19.42.050 AMC; and

**Whereas** the City Council adopted Resolution 2068 on December 2, 2019, which affirmed the moratorium and adopted a work plan for evaluating bonus height provisions in the R4 Zone west of the Commercial Zone; and

**Whereas** the City Council adopted Ordinance 3069 on April 20, 2020, which affirmed the moratorium and extended it for an additional six months, through October 21, 2020; and

**Whereas** RCW 35A.63.220 and AMC 19.16.110 authorize the City Council to renew moratoriums, interim zoning ordinances, and interim official controls as a recognized technique to preserve the status quo while new plans and regulations are developed; and

**Whereas** the work plan adopted in Resolution 2068 has been interrupted by the current COVID 19 emergency; and

**Whereas** the moratorium extension adopted in Ordinance 3069 is set to expire on October 21, 2020, if it is not extended prior to that date; and

**Whereas** the City Council now finds that additional time is required to complete the actions in the work plan adopted by Resolution 2068; and

**Whereas**, as an interim ordinance, pursuant to WAC 197-11-880, the adoption of this ordinance is not subject to review under the State Environmental Policy Act;

**Now, therefore, the City Council of the City of Anacortes does ordain as follows and adopts the following as findings of fact:**

- Section 1. The above recitals are adopted as findings of fact.
- Section 2. The City Council finds that an emergency exists under RCW 35A.12.130 and this ordinance is necessary for the protection of public health, public safety, public property or the public peace, and with adoption by a majority plus one of the entire membership of the City Council (i.e., 5 members) is effective immediately.
- Section 3. The moratorium declared by Ordinance 3054 and extended by Ordinance 3069 is hereby renewed for an additional six months on the acceptance of any land use or building permit application within the R4 zone west of Commercial Avenue that proposes to utilize the bonus height provisions of AMC 19.42.050.C.
- Section 4. Pursuant to RCW 36.70A.390, the City Council held a public hearing on this interim ordinance extension on October 12, 2020 by accepting both in-person participation via the Zoom video platform and written comment due to the COVID 19 emergency.
- Section 5. This moratorium is effective through April 21, 2021, but may be renewed for an additional six-month period if a subsequent public hearing is held and findings of fact are made prior to renewal.
- Section 6. The City Council supports review and consideration of alternatives to the bonus height provisions of AMC 19.42.050 in the R4 Use Zone west of Commercial Use Zone.

**PASSED and APPROVED this 12<sup>th</sup> day of October, 2020.**

**APPROVED:**

*Laurie Gere*

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Laurie Gere, Mayor

**Attest:**

*Steven D. Hoglund*

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Steve Hoglund, City Clerk-Treasurer

**Approved as to Form:**

*Darcy Swetnam*

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Darcy Swetnam, City Attorney


## Certificate Of Completion

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	cityclerk@cityofanacortes.org
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## Record Tracking

Status: Original	Holder: City Clerk	Location: DocuSign
10/12/2020 7:12:58 PM	cityclerk@cityofanacortes.org	

## Signer Events

Signer Events	Signature	Timestamp
Darcy Swetnam darcys@cityofanacortes.org Security Level: Email, Account Authentication (None)	  Signature Adoption: Pre-selected Style Using IP Address: 23.90.91.2	Sent: 10/12/2020 7:14:07 PM Viewed: 10/13/2020 8:45:06 AM Signed: 10/13/2020 8:45:22 AM

**Electronic Record and Signature Disclosure:**  
Accepted: 10/13/2020 8:45:06 AM  
ID: 831d9203-2b2f-4418-a9ee-4e5f012e0a59

Steven D. Hoglund steveh@cityofanacortes.org City Clerk/Treasurer City of Anacortes Security Level: Email, Account Authentication (None)	  Signature Adoption: Pre-selected Style Using IP Address: 23.90.91.2	Sent: 10/12/2020 7:14:07 PM Viewed: 10/13/2020 8:16:35 AM Signed: 10/13/2020 8:16:43 AM
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**Electronic Record and Signature Disclosure:**  
Accepted: 1/8/2019 2:26:27 PM  
ID: 9b1630a8-aa5f-4ac5-93eb-5700d104d979

Laurie Gere laurieg@cityofanacortes.org Security Level: Email, Account Authentication (None)	  Signature Adoption: Pre-selected Style Using IP Address: 23.90.91.2	Sent: 10/12/2020 7:14:08 PM Viewed: 10/13/2020 9:27:18 AM Signed: 10/13/2020 9:27:33 AM
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**Electronic Record and Signature Disclosure:**  
Accepted: 10/13/2020 9:27:18 AM  
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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp

<b>Certified Delivery Events</b>	<b>Status</b>	<b>Timestamp</b>
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<b>Carbon Copy Events</b>	<b>Status</b>	<b>Timestamp</b>
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<b>Witness Events</b>	<b>Signature</b>	<b>Timestamp</b>
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<b>Notary Events</b>	<b>Signature</b>	<b>Timestamp</b>
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<b>Electronic Record and Signature Disclosure</b>
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