

**CITY OF STANWOOD
WASHINGTON**

ORDINANCE NO. 1493A

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, ADOPTING INTERIM DEVELOPMENT REGULATIONS AMENDING TITLE 17 OF THE STANWOOD MUNICIPAL CODE TO PROHIBIT THE FILING OF APPLICATIONS FOR LICENSES, PERMITS AND APPROVALS FOR ANY ENHANCED SERVICES FACILITY OR COMPARABLE BUSINESS IN THE CITY, SETTING A PUBLIC HEARING, THEREFORE, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, chapter 70.97 RCW provides for the licensing, operations and management of Enhanced Service Facilities in the State of Washington; and

WHEREAS, according to section 70.97.010 RCW, Enhanced Service Facilities is defined as a facility that provides support and services to persons for whom acute inpatient treatment is not medically necessary; and

WHEREAS, the City Council understands that Enhanced Service Facilities are needed throughout the State of Washington, however without proper zoning controls, permitting of such a facility in the City of Stanwood could result in potential negative impacts on the community;

WHEREAS, on October 15, 2020 the Stanwood City Council adopted Ordinance 1493 prohibiting Enhanced Service Facilities in the City of Stanwood for six-months and setting the date of December 10, 2020 for the public hearing on the interim regulations; and

WHEREAS, the City Council held a public hearing on December 10, 2020 and after taking public testimony, continued the interim regulations prohibiting Enhanced Service Facilities in the City and directed the Planning Commission and City staff to evaluate and provide recommendations on appropriate regulations for siting of Enhanced Services Facilities and comparable businesses within the City.

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

Section 1. Findings of Fact. The Stanwood City Council hereby adopts the Findings of Fact and Conclusions as provided in Exhibit A and attached as if fully set forth herein.

Section 2. Duration. Ordinance 1493, Enhanced Service Facilities Interim Zoning Regulations, shall remain in full force and effect as adopted on October 15, 2020 and

shall remain in effect until April 15, 2021, unless repealed, extended or modified by the City Council after subsequent public hearing pursuant to RCW 35A.63.220 of 36.70A.390.

Section 3. Severability - Construction. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction; such decision shall not affect the validity of the remaining portions of this ordinance. If the provisions of this ordinance are found to be inconsistent with other provisions of the Stanwood Municipal Code, the provisions of this ordinance shall control.

Section 4. Effective Date. This ordinance 1493A adopts Findings of Fact as was required when the Council approved Ordinance 1493 which took full force and effective immediately upon passage as it was approved by a majority plus one of the entire membership of the City Council, as required by RCW 35A.12.130.

PASSED AND APPROVED by the Stanwood City Council this 10th day of December, 2020.

CITY OF STANWOOD

Elizabeth Callaghan

Elizabeth Callaghan (Dec 11, 2020 11:40 PST)

Elizabeth Callaghan, Mayor

ATTEST:

By: *Jennifer Ferguson*
Jennifer Ferguson (Dec 11, 2020 16:06 PST)
Jennifer Ferguson
City Administrator / City Clerk

APPROVED AS TO FORM:

By: *Brett Vinson*
Brett Vinson (Dec 16, 2020 17:49 PST)
Brett Vinson, City Attorney

Date of Publication: December 22, 2020

Effective Date: December 27, 2020