

**CITY OF MONROE
ORDINANCE NO. 004/2022**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, ADOPTING INTERIM ZONING AMENDMENTS TO CHAPTER 22.16 MMC SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS; DESIGNATING COMMUNITY FOOD SERVICES AS A CONDITIONAL USE IN THE R7 ZONING DISTRICT; SETTING FORTH SUPPORTIVE FINDINGS; PROVIDING FOR SEVERABILITY; DECLARING A PUBLIC EMERGENCY; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City adopted the Unified Development Regulations (UDR) in 2019, to enact the goals and policies of the 2015 Comprehensive Plan; and

WHEREAS, the UDR currently does not allow for community food services facilities (commonly known as “food banks”) in the Residential 7 Units Per Acre (R7) zoning district, which effectively renders the City’s only community food services facility as a legal nonconforming use and prohibits most expansions of the facility; and

WHEREAS, the City supports and encourages the ongoing efforts of community food services facilities and the valuable support they provide the public during this time of increased need caused by the economic impacts of the current COVID -19 pandemic; and

WHEREAS, the City Council desires to immediately amend Chapter 22.16 MMC, on an interim basis, in order to designate community food services as conditional uses in the R7 zoning district while the City prepares, studies and processes potential permanent zoning amendments addressing such uses throughout the City’s zoning code; and

WHEREAS, the City is authorized by state law, including without limitation RCW 35A.63.220 and RCW 36.70A.390, to adopt interim zoning amendments; and

WHEREAS, the City Council has considered, and the interim zoning amendments set forth in this ordinance satisfy, the criteria for UDR amendments enumerated at MMC 22.72.040(E)(1) – (6); and

WHEREAS, an interim ordinance was approved on October 27, 2020 but has since expired;

WHEREAS, on February 8, 2022, the City Council conducted a duly-noticed public hearing on the interim amendments set forth in this ordinance;

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

Section 1. Findings. The City Council hereby adopts the above recitals, together with the content of Agenda Bill No. 22-018 as findings in support of this ordinance. The City Council also finds that adoption of this ordinance is necessary in order to ensure that community food services facilities may locate and appropriately expand, consistent with applicable City regulations, within the City’s R7 zoning district. As such, a public emergency exists requiring that this ordinance take effect immediately upon passage.

Section 2. Amendment of MMC 22.16.030. Subsection (2) of Table 22.16.030, Land Use in the Single-Family Residential Zoning Districts, is hereby amended to provide in its entirety as follows:

Table 22.16.030. Land Use in the Single-Family Residential Zoning Districts

Conforming Use	Single-Family Residential – 4 Units per Acre (R4)	Single-Family Residential – 7 Units per Acre (R7)	Single-Family Residential – 15 Units per Acre (R15)
2. SERVICE LAND USES			
Day Care Services			
• Adult Day Services	A	A	A
• Family Child Care Services	A	A	A
Social Services			
• Community Food Services		<u>C</u>	C
• Community Housing Services			C
• Emergency and Relief Services			C

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Declaration of Emergency; Effective Date; Sunset. Based upon the findings set forth above, the City Council hereby declares a public emergency requiring this ordinance to take effect immediately. This ordinance shall accordingly be in full force and effect immediately upon passage, and shall remain effective for a period of six months unless terminated earlier or subsequently extended by the City Council. PROVIDED, that the City Council may, in its sole discretion, renew the interim zoning regulations set forth herein for one or more six month periods in accordance with state law.

ADOPTED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this _____ day of _____, 2022.

First Reading: February 8, 2022
Adoption: February 8, 2022
Published: February 11, 2022
Effective: February 8, 2022

CITY OF MONROE, WASHINGTON:

Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:

Jodi Wycoff, City Clerk

J. Zachary Lell, City Attorney