

ORDINANCE NO. 2019-017

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON, DENYING THE TIC TOC LLC LAND USE MAP AMENDMENT AND CONCURRENT REZONE (PLN #523)

WHEREAS, the City of Arlington has the authority to regulate land uses within the City, and is in the process of its periodic annual review and update of the Comprehensive Plan; and

WHEREAS, included in the review of the Comprehensive Plan was a series of proposed amendments to the City of Arlington Comprehensive Plan and Zoning Map; and

WHEREAS, the City Planning Commission considered the proposed Tic Toc LLC Land Use Map amendment and Concurrent Rezone (PLN #523) and conducted an open record public hearing on May 21, 2019 and recommended denial to the City Council; and

WHEREAS, the City Council considered the same at a workshop held on May 28, 2019, and considered them along with the Planning Commission recommendations, at their public hearing conducted on June 3, 2019; and the City Council having determined denying said amendment was in the best interest of the City; and

WHEREAS, the City Council has considered the proposed Tic Toc LLC comprehensive plan amendment and concurrent rezone and finds it is not in the overall best interests of the citizens;

NOW, THEREFORE, the City Council of the City of Arlington do hereby ordain as follows:

Section 1. Findings. The City Council adopts the following findings:

- a. The subject property is already suitable for development in general conformance with existing land use and the surrounding development pattern, and with zoning standards under the existing zoning classifications.
- b. While the amendment may be consistent with certain provisions of the comprehensive plan, it is inconsistent with others.
- c. When weighing the proposed amendment, the following factors weigh most heavily in favor of denial of the proposed amendment at this time:
 - i. PL 7.1—" recommended changes in residential densities should be based on the following: a) The overall impact to surrounding properties".
 - ii. GL-8—" Preserve and promote the character, scale, and quality of existing neighborhoods as new development occurs".
- d. Following a balancing of the interests of the property owner, the neighboring property owners, and the citizens of Arlington, the City Council concludes that, at this point in time, the land use map amendment and concurrent rezone is not in the best interests of the citizens, and the property that is the subject of the amendment should not be rezoned; provided, however, this should not be viewed as preventing future consideration of a rezone at a later date or in

future updates of Arlington's comprehensive plan.

Section 2. The City Council denies the Tic Toc, LLC Land Use Map Amendment and Concurrent Rezone (PLN #523).

Section 3. Severability. If any provision, section, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective Date. The title of this Ordinance, which summarizes the contents of this ordinance, shall be published in the official newspaper of the City. The Ordinance shall take effect and be in full force five (5) days after the date of publication.

PASSED BY the City Council and APPROVED by the Mayor this 3rd day of June, 2019.


CITY OF ARLINGTON


Barbara Tolbert, Mayor

Attest:


Wendy Van Der Meersche, City Clerk

Approved as to form:


Steven J. Peiffle
City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2019-017 was approved at the June 3, 2019 City Council meeting.

ORDINANCE NO. 2019-017

“An Ordinance of the City of Arlington, Washington, Denying the Tic Toc LLC Land Use Map Amendment and Concurrent Rezone (PLN#523)”

A true and correct copy of the original ordinance is attached.

Dated this 5th day of June, 2019.



Wendy Van Der Meersche

Wendy Van Der Meersche
City Clerk for the City of Arlington