

CITY OF SNOHOMISH
Snohomish, Washington

ORDINANCE 2094

AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, AMENDING THE CITY'S DEVELOPMENT CODE, AS SET FORTH IN TITLE 14 OF THE SNOHOMISH MUNICIPAL CODE, BY AMENDING SMC 14.235.150 RELATING TO VEHICULAR ACCESS TO ONSITE PARKING FOR SINGLE FAMILY RESIDENTIAL PROPERTIES.

WHEREAS, SMC 14.235.150 requires that vehicular access to a single family residential property be from the alley if an alley exists, and

WHEREAS, there exists one or more locations within the City where access solely from an alley for an existing dwelling is infeasible due to special circumstances related to that property, and

WHEREAS, SMC 14.235.150 as currently written provides the City Planner no authority to allow vehicular access from a street in instances where special circumstances make access solely from an alley infeasible, and

WHEREAS, on September 21, 2005 the City Council directed Administration to prepare an amendment to Title 14 SMC that would provide the City Planner authority to approve access from a street in limited instances where special circumstances make access solely from an alley infeasible, and

WHEREAS, on September 29, 2005 the City Planner issued a determination of non-significance pursuant to the State Environmental Policy Act, Ch. 43.21C RCW, related to the adoption of this amendment to the City's Development Code, and

WHEREAS, public notice of the determination of non-significance and the public hearings was provided as required by law, and

WHEREAS, on October 19, 2005 the City Planning Commission conducted a public hearing regarding the provisions of this Ordinance and all persons wishing to be heard were heard, and

WHEREAS, on November 1, 2005 the City Council considered this Ordinance and the recommendations of the Planning Commission and Administration in a public meeting, and

WHEREAS, the City Council finds that it is in the public interest to enact the amendment to the Development Code as set forth herein.

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

Section 1. Chapter 14.235 of the Snohomish Municipal Code is hereby amended by amending SMC 14.235.150 to read as follows:

14.235.150 Access to Parking from Alleys

Wherever a property designated Single Family Residential abuts an alley, access to on-site parking shall be exclusively from the alley, unless an administrative determination is made by the City Planner that such access for an existing dwelling is not feasible due to special circumstances relating to the size, shape, topography, or surroundings of the property. The administrative determination of the City Planner may be appealed by an aggrieved person to the Hearing Examiner pursuant to SMC Chapters 2.33, 14.75, and 14.95.

Section 2. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such a decision or preemption shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other persons or circumstances.

Section 3. Effective Date. This ordinance shall be effective five days after adoption and publication by summary.

PASSED by the City Council and APPROVED by the Mayor this 1st day of November, 2005.

CITY OF SNOHOMISH

By _____
Liz Loomis, Mayor

Attest:

By _____
Torchie Corey, City Clerk

Approved as to form:

By _____
Grant K. Weed, City Attorney