

## **Ordinance No. 4008**

### **An Interim Ordinance Extending Ordinance 3091, an Interim Ordinance to Facilitate the Development of Day Care Facilities in the R4 Zone**

**Whereas** the City Council adopted Interim Ordinance 3091 declaring Day Care II Facilities as a permitted use in the R4 Use Zone at its July 12, 2021, meeting;

**Whereas** the City Council adopted Resolution 3043 confirming Ordinance 3091 and adopting a work plan;

**Whereas** the COVID-19 pandemic resulted in the closure of childcare facilities as stay-at-home orders directly caused closures or caused under-enrollment;

**Whereas** our emergence from the COVID-19 pandemic has created an even greater need for childcare facilities;

**Whereas** the interim controls adopted by ordinance 3091 are set to expire January 12, 2022 if it is not extended prior to that date.

**Whereas** the work plan adopted in Resolution 3043 has been interrupted by the current COVID Pandemic;

**Whereas** the City Council now finds that additional time is required to complete the actions in the work plan adopted by Resolution 3043;

**Whereas** RCW 35A.63.220 and AMC 19.16.110 authorize 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;

**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:**

Section 1. The City Council finds that:

- a. an immediate and urgent need for childcare facilities exists in the City of Anacortes;
- b. the cost, delay, and uncertainty of the conditional use permit process reduces the likelihood that new childcare facilities will be established;
- c. the design and performance standards in the Unified Development Code for non-residential and multifamily buildings effectively mitigate the impacts of childcare facilities on neighboring uses in the R4 zone;

- d. the R4 zone, as a high-density residential zone that is intended by the Comprehensive Plan to serve as a transition from high intensity uses such as commercial or industrial development, to lower intensity residential areas, is ideal for new childcare facilities;
- e. a day care II facility in the R-4 zone will not create more impact than some of the other high-intensity uses already allowed in the R-4 zone as permitted uses;
- f. the Type 4 Conditional Use Permit process is unnecessary for day care II facilities in the R4 zone.

Section 2. Table 19.41.040 in AMC 19.41.040 is amended to make “day care II facilities” a permitted use in the R4 zone.

Section 3. The Department of Planning, Community, and Economic Development is directed to revise the work plan adopted under Resolution 3043 to identify other needed mitigation measures for day care II facilities in the R4 zone, including parking minimums and circulation standards for drop-off and pickup.

Section 4. Per RCW 36.70A.390, the City Council will hold a public hearing on this interim ordinance within 60 days of adoption.

Section 5. Per RCW 36.70A.390, this interim ordinance is effective for six months, and may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

Section 6. This ordinance takes effect on January 12, 2022.

**PASSED and APPROVED this 10<sup>th</sup> day of January, 2022.**

**APPROVED:**



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Matt Miller, Mayor

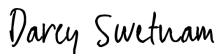
**Attest:**



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Steve Hoglund, City Clerk-Treasurer

**Approved as to Form:**



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Darcy Swetnam, City Attorney

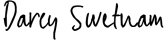
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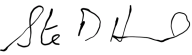
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Matt Miller mattm@cityofanacortes.org Security Level: Email, Account Authentication (None)		Sent: 1/11/2022 2:31:08 PM Viewed: 1/11/2022 2:41:12 PM Signed: 1/11/2022 2:41:27 PM
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PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
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