



CARNATION CITY COUNCIL AGENDA Special Meeting

Mayor Jim Ribail, Deputy Mayor Adair Hawkins, Brodie Nelson, Ryan Burrell, Jessica Merizan

DATE: August 13, 2024

TIME: 6:00 P.M.

JOIN ONLINE VIA ZOOM: [Click here for Zoom!](#)

Meeting ID: 896 9465 1606

Passcode: 796579

Dial by location: (253) 205- 0468

For inquiries and/or assistance regarding how to use the City's online meeting format please email clerk@carnationwa.gov, or call (425) 333-4192.

1) CALL TO ORDER: Mayor Jim Ribail

2) ROLL CALL: City Clerk Lora Wilmes

3) APPROVAL OF AGENDA: Council of the Whole

4) PUBLIC COMMENT & REQUESTS: *Public comment on meeting items or other issues of note or concern. Comments may be submitted in advance by writing or e-mailing clerk@carnationwa.gov or made in person, or by telephone or computer connection at the time of the meeting. Individual comments shall be limited to three minutes. Group comments shall be limited to five minutes.*

5) PUBLIC HEARING:

a) Carnation City Council will hold a public hearing to receive and consider public comments regarding a motion to extend the Residential Development Moratorium (Ordinance 24-985) affecting six units or more until September 30, 2024 unless terminated earlier.

6) AGENDA BILLS:

a) AB24-76: A motion to accept ordinance 24-993 to extend the six (6) month moratorium adopted by Ordinance No. 24-985 until September 30, 2024 unless terminated earlier.

7) EXECUTIVE SESSION:

(g) To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee. However, subject to RCW [42.30.140](#)(4), discussion by a governing body of salaries, wages, and other conditions of employment to be generally applied within the agency shall occur in a meeting open to the public, and when a governing body elects to take final action hiring, setting the salary of an individual employee or class of employees, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;

8) ADJOURNMENT: Mayor Jim Ribail



**CARNATION CITY COUNCIL
A G E N D A B I L L**

TITLE: A motion to accept ordinance 24-993 to extend the six (6) month moratorium adopted by Ordinance No. 24-985 until September 30, 2024 unless terminated earlier.	Agenda Bill No.:	AB24-76
	Type of Action:	ORDINANCE
	Origin: (Council/Manager)	Interim City Manager
	Agenda Bill Author:	Interim City Manager
EXHIBITS: <ul style="list-style-type: none"> Proposed Ordinance 	Date Submitted:	08/13/2024
	For Agenda of:	08/13/2024
	Expenditure Required:	\$0
	Amount Budgeted:	N/A
	Appropriation Required:	N/A

SUMMARY STATEMENT AND DISCUSSION:

An Ordinance of the City of Carnation, Washington, adopted pursuant to RCW 35a.63.220 and 36.70a.390; extending the six (6) month moratorium adopted by Ordinance No. 24-985 upon the receipt and processing of project permit applications for certain development; setting forth findings of fact in support of said moratorium; providing for exclusions; stating the effect on vested rights; authorizing official interpretations by the City of Carnation Interim City Manager; providing for severability; and establishing a termination date.

RECOMMENDED ACTION: I move to accept ordinance 24-993 to extend the six (6) month moratorium adopted by Ordinance No. 24-985 until September 30, 2024 unless terminated earlier.

LEGISLATIVE HISTORY:

ACTION TAKEN					
MOTION AS PROPOSED			MOTION AS AMENDED		
Motion made by:			Motion made by:		
Second by:			Second by:		
	YES Vote	NO Vote		YES Vote	NO Vote
Hawkins			Hawkins		
Ribail			Ribail		
Nelson			Nelson		
Burrell			Burrell		
Merizan			Merizan		
Passed/Failed			Passed/Failed		
Ordinance/Resolution No.:			Ordinance/Resolution No.:		

Ordinance No. 24-993

**CITY OF CARNATION
Carnation, Washington**

AN ORDINANCE OF THE CITY OF CARNATION, WASHINGTON, ADOPTED PURSUANT TO RCW 35A.63.220 AND 36.70A.390; EXTENDING THE SIX (6) MONTH MORATORIUM ADOPTED BY ORDINANCE NO. 24-985 UPON THE RECEIPT AND PROCESSING OF PROJECT PERMIT APPLICATIONS FOR CERTAIN DEVELOPMENT; SETTING FORTH FINDINGS OF FACT IN SUPPORT OF SAID MORATORIUM; PROVIDING FOR EXCLUSIONS; STATING THE EFFECT ON VESTED RIGHTS; AUTHORIZING OFFICIAL INTERPRETATIONS BY THE CITY OF CARNATION INTERIM CITY MANAGER; PROVIDING FOR SEVERABILITY; AND ESTABLISHING A TERMINATION DATE.

WHEREAS, the City of Carnation experienced significant growth as a result of past Council's legislative priorities and direction; and

WHEREAS, two major construction projects and several mid-sized construction projects have been permitted and will produce close to 250 housing units; and

WHEREAS, these developments reflect a growth approach needed to support major investment in the city infrastructure, and

WHEREAS, the policy direction at the time of these developments lacked a cohesive operational plan of coordinated standards and the City of Carnation Municipal Code; and

WHEREAS, the City of Carnation needed to provide street, landscape and engineering standards that can accommodate future growth; and

WHEREAS, City staff identified several issues such as architectural fit within the community, urban design element, vertical mixed use, affordable housing, parking, standards, public safety, green principles, and tribal ancestral lands that needed to be addressed in a strategic, deliberate, data-driven manner; and

WHEREAS, the City needed additional time to consider major revisions to its operational framework in light of the updates to the Comprehensive Plan; and

WHEREAS, a six-month moratorium was enacted via Ordinance No. 24-985 to enable the City to develop code revisions and deliver recommended alternatives to the City Council for design standards, Landscaping Standards, Street Standards, plan for Green infrastructure, and propose housing actions consistent with the Comprehensive plan before more development decisions that do not reflect the City Council's vision are made; and

WHEREAS, City Council recently adopted a Green Tree Ordinance and Policy; and

WHEREAS, while significant work has been done to create Landscaping Standards that are consistent with the City Council’s vision, the updated Standards are not yet adopted; and

WHEREAS, a draft of updated Design Standards has been completed, but is not yet adopted by City Council; and

WHEREAS, public hearings for the draft Landscaping Standards and Design Standards are scheduled for August 20, 2024; and

WHEREAS, additional time is necessary to complete the work plan previously identified in Ordinance No. 24-985; and

WHEREAS, vested projects that are currently under construction or have already filed complete permit applications as well as specifically identified excluded projects may proceed with development during the moratorium period; and

WHEREAS, the moratorium extension imposed herein promotes the public good and is necessary for the protection of public health, safety, property, and welfare.

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

Section 1. Findings. The City of Carnation adopts the recitals as Findings of Fact in support of the continuation of the moratorium imposed by this ordinance.

Section 2. Moratorium Extended. Unless expressly excluded under Sections 3 and 4 of this ordinance, the City hereby elects to extend the temporary moratorium, as described in Section 2, for those properties requesting the following permit applications:

Residential Building permit applications or residential land use applications for projects over 5 units (limited to Administrative Site Development Permits, Site Development Permits, plats, and short plats).

Section 3. Effect Upon Vested Rights. The moratorium imposed under Section 2 of this ordinance shall apply prospectively only, and shall operate to prevent acceptance and processing of any Permit Applications submitted after the effective date hereof. Nothing in this ordinance shall be construed to extinguish, limit, or otherwise infringe upon any permit applicant’s vested development rights – as defined by Washington State law and City of Carnation regulations – provided such permit applicant has filed a complete Permit Application before the effective date hereof.

Section 4. Exclusions. The provisions of this extended moratorium shall not apply to any projects that are vested via contract; or, are not in conflict with the topics requiring additional

consideration as identified in this ordinance. These exclusions, unless modified by the City Council, are specifically limited to:

- A. Those properties covered by approved Development Agreements;
- B. Transit Oriented Development projects;
- C. Essential public facilities such as fire stations and hospitals;
- D. Publicly-funded Schools;
- E. Projects that involve the sale and development of land currently owned by the City of Carnation and public Capital Projects;
- F. Remodels and Tenant Improvements;
- G. Single-family homes, on lots already vested through platting approvals;
- H. Affordable Housing Projects with affordable units representing at least forty percent (40%) of the total proposed number of units; and
- I. Emergency repairs or construction necessitated by a natural disaster such as fire, flooding, earthquake, or other similar cause.

Section 5. Public Hearing. Pursuant to RCW 35A.63.220 and 36.70A.390, a public hearing on the extended moratorium imposed under Section 2 of this ordinance has been held on August 13, 2024 at 6:00 p.m., in the City Council Chambers of Carnation City Hall.

Section 6. Interpretative Authority. The City of Carnation Interim City Manager, or designee, is hereby authorized to issue official interpretations arising under or otherwise necessitated by this ordinance.

Section 7. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 8. Effective Date; Duration. The moratorium in effect shall remain effective until September 30, 2024, unless terminated earlier by the City Council. PROVIDED, that the City Council may, in its sole discretion, renew said moratorium for one (1) or more six (6) month periods in accordance with Washington State law. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City of Carnation.

ADOPTED by the City Council and **APPROVED** by the City Council this 13th day of August, 2024.

CITY OF CARNATION

By _____
Jim Ribail, Mayor

ATTEST:

By _____
Lora Wilmes, City Clerk

APPROVED AS TO FORM:

By _____
Nikki Thompson, City Attorney