

ORDINANCE NO. 005/2012

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON UPDATING CHAPTER 18 PLANNING AND ZONING OF THE MONROE MUNICIPAL CODE TO CREATE A MORE EFFICIENT AND EFFECTIVE PROCESS FOR DISCLOSURE NOTICES TO PROPERTY OWNERS WITHIN THE AIRPORT COMPATIBILITY ZONING OVERLAY DISTRICT, PROVIDING FOR SEVERABILITY AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the Monroe City Council would like to update Monroe Municipal Code Chapter 18.60 to improve notification procedures to property owners;

WHEREAS, on February 22, 2012 the regulations were submitted to the Washington State Department of Commerce and other state agencies for review; the Department of Commerce granted expedited review on DATE 2012; and

WHEREAS, on January 31, 2012 a State Environmental Protection Act Determination of Non-significance was issued; and

WHEREAS, the City provided notice of the proposed Zoning Code Amendment on the City's webpage and publication of hearing notices in the Monroe Monitor;

WHEREAS, numerous workshops and hearings were held on the proposed amendment;

WHEREAS, the Planning Commission held a duly advertised public hearing to consider the proposed Zoning Code Amendment on February 13, 2012;

WHEREAS, the Planning Commission forwarded recommendations for action to the Monroe City Council on the proposed amendment;

WHEREAS, the Monroe City Council, after considering all information received, has determined to adopt the amendments as provided in this ordinance;

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

Section 1. MMC 18.60.170.A.1 is hereby amended to provide as follows:

- a. Within ninety days of the effective date of the adopting ordinance for this chapter, and every five years after, the city of Monroe shall mail a disclosure notice to the property owners within the overlay area, which will include explanatory information regarding the designation and the associated land use restrictions. The notice shall include disclosure text stating:

Your property is within the Airport Compatibility Overlay, and you may be impacted by noise relating to activities at FirstAir Field, you may be required to provide FirstAir Field with an aviation easement, and are subject to the land use requirements of Chapter 18.60 (Airport Compatibility Overlay) MMC. For more information check the City website at [ current website address], contact City Hall at [contact number for current staff person] or copies are available for review at City Hall Monday through Friday from 8:00 a.m. to 5:00 p.m.

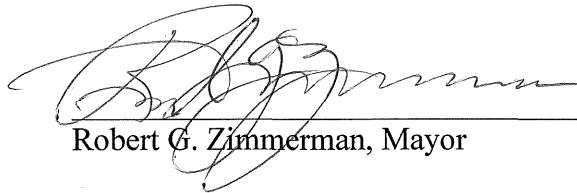
Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause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

Section 4. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 13<sup>th</sup> day of March 2012.

1st Reading: 03/06/2012  
2<sup>nd</sup> Reading: 03/13/2012  
Published: 03/20/2012  
Effective: 03/25/2012

CITY OF MONROE, WASHINGTON



Robert G. Zimmerman, Mayor

ATTEST/AUTHENTICATED:



Eadye Martinson, Deputy City Clerk

APPROVED AS TO FORM:



J. Zachary Lell, City Attorney