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**CITY OF FIRCREST
ORDINANCE NO. 1692**

**AN ORDINANCE OF THE CITY OF FIRCREST, WASHINGTON,
AMENDING ORDINANCE NO. 1272, SECTION 8, FMC 22.64.027
USABLE OPEN SPACES, INCLUDING THE FIRCREST FORM-
BASED CODE, PROVIDING FOR SEVERABILITY, AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the Fircrest City Council may adopt any amendment to its development regulations that is consistent with the goals, objectives and policies of the comprehensive plan, in compliance with the Growth Management Act, and is not contrary to the public health, safety, and welfare; and

WHEREAS, the City of Fircrest submitted a *Notice of Intent to Adopt Amendment* to development regulations to the Washington State Department of Commerce on July 31, 2022, which was issued to state agencies for a 60-day comment period as required pursuant to RCW 36.70A; and

WHEREAS, the City of Fircrest reviewed the Environmental Checklist and issued a Determination of Nonsignificance for the development regulation amendments on July 28, 2022. An environmental determination for the development regulation amendments was issued with a 14-day comment/appeal period ending on August 10, 2022, and no comments or appeal were received; and

WHEREAS, the Planning Commission conducted a public hearing on September 6, 2022, to accept public testimony and comment; and

WHEREAS, the Planning Commission voted unanimously on September 20, 2022, to recommend approval of amendments to Fircrest Form-Based Code and to the City's design guidelines; and

WHEREAS, the City Council conducted a public hearing on October 25, 2022, to accept public testimony and comment on the proposed amendments; and

WHEREAS, Fircrest Municipal Code Section 22.57.005, adopted via Ordinance 1667, § 18, has adopted by reference the Fircrest Form-Based Code; and

WHEREAS, the City Council has determined it is in the interest of the City of Fircrest's public health, safety, and welfare to amend Section 8 of Ordinance 1272, Fircrest Municipal Code Section 22.64.027, and the Fircrest Form-Based Code;

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

Section 1. Amendment. Ordinance 1272, §8, and FMC 22.64.027 are hereby amended as set forth in Exhibit No. A attached, which is hereby incorporated by reference.

Section 2. Form-Based Code Amended. The adopted Form-Based Code is hereby amended as set forth in Exhibit No. B attached, which is hereby incorporated by reference.

Section 3. Severability. If any section, sentence, clause, or phrase of this title shall 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 title.

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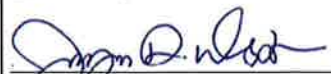
Section 4. Publication and Effective Date. A summary of this ordinance's title shall be published in the City's official newspaper. This ordinance shall be effective five (5) days after such publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF FIRCREST, WASHINGTON, at a regular meeting thereof this 8th day of November 2022.


APPROVED:


Brett L. Wittner, Mayor

ATTEST:


Jayne Westman, City Clerk

APPROVED AS TO FORM:


Hillary J. Evans, City Attorney

DATE OF PUBLICATION:
EFFECTIVE DATE: