



AGENDA BILL APPROVAL FORM

Agenda Subject: Resolution No. 4269, extending a moratorium on the placement or installation of used manufactured homes in the City of Auburn.	Date: December 3, 2007
Department: Planning, Building and Community.	Attachments: Resolution No. 4269
Budget Impact: none	

Administrative Recommendation:
City Council adopt Resolution No. 4269.

Background Summary:

On December 18, 2006, the Auburn City Council approved Resolution NO. 4128, establishing a six month moratorium on the filing of licenses and permits related to the placement of used manufactured homes within the City of Auburn, other than in mobile home parks. The purpose of the moratorium was to give staff time to thoroughly review the issue, provide Council with recommended measures, and process any needed code amendments through the adoption process. Staff determined additional time was needed to address this issue. As such, Resolution 4194 was adopted by Council on June 4 2007 granting a six-month extension to this moratorium. This extension is set to expire on December 17, 2007.

RCW 35.21.684 requires that all jurisdictions treat manufactured housing no differently than site-built housing. However, that law does allow communities to restrict or prohibit the location or placement of used manufactured homes. Current city regulations place no restriction on the location or placement of manufactured homes.

Staff is in the process of preparing a draft ordinance that incorporates language contained in state law that regulates the placement of manufactured housing within single family residential zones. Therefore, this should be the last extension requested for this moratorium.

Extending the moratorium would not affect the placement of used manufactured homes within mobile home parks.

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O3.4.2.1.2

Reviewed by Council & Committees: <input type="checkbox"/> Arts Commission <input type="checkbox"/> Airport <input type="checkbox"/> Hearing Examiner <input type="checkbox"/> Human Services <input type="checkbox"/> Park Board <input type="checkbox"/> Planning Comm.	COUNCIL COMMITTEES: <input type="checkbox"/> Finance <input type="checkbox"/> Municipal Serv. <input checked="" type="checkbox"/> Planning & CD <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other _____	Reviewed by Departments & Divisions: <input checked="" type="checkbox"/> Building <input type="checkbox"/> Cemetery <input type="checkbox"/> Finance <input type="checkbox"/> Fire <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Public Works <input type="checkbox"/> Information Services <input type="checkbox"/> M&O <input type="checkbox"/> Mayor <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input type="checkbox"/> Human Resources
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Action:

Committee Approval: Yes No

Council Approval: Yes No Call for Public Hearing ___/___/___

Referred to _____ Until ___/___/___

Tabled _____ Until ___/___/___

Councilmember: Norman	Staff: Baker
Meeting Date: December 17, 2007	Item Number: VIII.B.1

RESOLUTION NO. 4 2 6 9

A RESOLUTION of the City Council of the City of Auburn Washington renewing for an additional six (6) months the moratorium initially established on December 18, 2006, by Resolution No. 4128, on the filing of applications for licenses permits and approvals for the siting, placement or installation of used manufactured homes within the City of Auburn, other than in mobile home parks

WHEREAS the City of Auburn currently permits the location or siting of any manufactured home in all locations within the City zoned for residential use; and

WHEREAS the placement of used manufactured homes in new or established neighborhoods within the city can have a negative impact, either real or perceived, on the values of site-built homes or new manufactured homes; and

WHEREAS new manufactured homes are built to higher design and construction standards than many used manufactured homes; and

WHEREAS the City of Auburn desires to consider limiting or prohibiting the location of used manufactured homes within the City, as provided in RCW 35.21.684; and

WHEREAS pursuant to RCW 35A.63.220 the City Council may establish a moratorium for initial periods of six months or more provided that a subsequent public hearing is held on the moratorium within at least sixty days of its adoption at which time findings of fact could be made; and

WHEREAS, City Council of the City of Auburn, Washington initially established a moratorium on December 18, 2006, by Resolution No. 4128, on the filing of applications

for licenses permits and approvals for the siting, placement or installation of used manufactured homes within the City of Auburn; and

WHEREAS, the City Council held a public hearing on December 17, 2007, on the proposal to extend the moratorium an additional six months; and

WHEREAS, the City Council finds it appropriate to extend the moratorium as the issues needing to be addressed have not been concluded at this time; and

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF AUBURN WASHINGTON HEREBY RESOLVES as follows:

Section 1. Extension of Moratorium. The City Council hereby renews the moratorium initially established on December 18, 2006, by Resolution No. 4128, on the siting, placement or installation of used manufactured homes within the City of Auburn, other than in mobile home parks.

Section 2. Term of Moratorium Extension. The moratorium extension extended by this Resolution shall become effective on the 17th day of December, 2007 and shall continue in effect for a period of six (6) months through the 17th day of June, 2008 unless repealed, extended or modified by the City Council after subsequent public hearing and entry of appropriate findings of fact pursuant to RCW 35A.63.220. It is provided, however, that the moratorium shall automatically expire on the effective date of an ordinance regulating the siting, placement or installation of used manufactured homes within the City, as provided in RCW 35.21.684, and in accordance with the purposes of the moratorium.

Section 3. Severability. If any sections sentence clause or phrase of this Resolution shall be held to be invalid or unconstitutional by a court of component jurisdiction or its application held inapplicable to any person property or circumstance

such invalidity or unconstitutionality or inapplicability shall not effect the validity or constitutionality of any other section sentence clause or phrase of this Resolution or its application to any other person property or circumstance.

Section 4. Effective Date. That this Resolution shall be in full force and effect upon passage and signatures hereon and as provided herein.

PASSED by the City Council this _____ day of _____ 2007.

Peter B. Lewis, Mayor

Attest:

Danielle Daskam, City Clerk

Approved as to Form:



Daniel B. Heid, City Attorney