ORDINANCE NO. 18-0517

AN ORDINANCE OF THE CITY OF EGDWOOD, WASHINGTON RELATING TO LAND USE AND ZONING, AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING MAP IN ACCORDANCE WITH CHAPTER 18.60 OF THE EGDWOOD MUNICIPAL CODE (EMC) AND SECTION 36.70A.130 OF THE GROWTH MANAGEMENT ACT (GMA) UNDER THE REVISED CODE OF WASHINGTON (RCW) TO REVISE THE LAND USE DESIGNATION AND ZONING ON A SINGLE PARCEL LOCATED AT 12224- 48TH STREET E. IN EGDWOOD, FROM SF-3 AND PUBLIC TO PUBLIC

WHEREAS, RCW 36.70A.130 of the Growth Management Act generally allows cities and counties to consider comprehensive plan amendments no more frequently than once every year; and

WHEREAS, the City of Edgewood City Council has established a process and criteria for making modifications to the City’s Comprehensive Plan in EMC Chapter 18.60, including text and map amendments in accordance with the Growth Management Act and State Law; and

WHEREAS, the Community Development Department did receive an application for a Comprehensive Plan amendment from Mountain View Edgewood Water Company (MTVE) located at 12224 48th Street E, Edgewood, WA., to amend the existing Comprehensive Plan Land Use Designation for a property identified as Tax Parcel Number 0420236041 containing dual land use designations, “SF-3 and Public”, to a single land use designation, “Public”; as depicted in Exhibit A attached hereto and incorporated herein; and

WHEREAS, The Edgewood City Council held a public hearing on May 1, 2017 and set the comprehensive plan amendment docket to include the proposed Comprehensive Plan amendment.

WHEREAS, The Planning Commission discussed the proposed comprehensive plan amendment during two regularly scheduled meetings, respectively August 21 and October 16, 2017.

WHEREAS, in accordance with the State Environmental Protection Act (SEPA), the City’s responsible SEPA Official did issue a Determination of Non-significance (DNS) for the proposed amendment on November 9, 2017, and this threshold determination was not appealed; and

WHEREAS, this Ordinance was sent to the Washington Department of Commerce, as required by RCW 36.70A.106 on November 21, 2017; and
WHEREAS, the Planning Commission did hold a properly noticed public hearing on November 20, 2017 to consider the proposed amendment and following the public hearing, the Planning Commission did pass a motion recommending approval of the proposed comprehensive plan amendment to the Edgewood City Council; and

WHEREAS, the City Council considered this Ordinance during a regular City Council meeting on November 28, 2017; and

WHEREAS, the proposed amendment to the Edgewood Comprehensive Plan map is consistent with the City’s planning goals and objectives; and

WHEREAS, the comprehensive plan is implemented by the zoning map;

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

Section 1. Property. The subject property is located at 12224 - 48th Street E., Edgewood, WA, tax parcel No. 0420236041. The Comprehensive Land Use designations for the property are Single Family (SF-3) and Public. The Zoning Classifications for the property are Single Family SF-3 and Public. Request: The request is to amend the Comprehensive Plan Land Use Designation and Zoning Classifications for this property from those identified above, to a single Land Use Designation and Zoning Classification, Public.

Section 2. The City Council has reviewed the Comprehensive Plan amendment under EMC Section 18.60.220 and adopts the Findings and Recommendation from the Planning Commission attached hereto as Exhibit B, as well as the following:

A. The proposed amendment conforms to the Growth Management Act (GMA), Chapter 36.70A.RCW; the GMA planning goals include the efficient provision of public facilities and services within urban areas and the facilitation of fair, timely and predictable permit processing. The amendment supports these goals in that the parcel is owned by a public water purveyor who will need to expand infrastructure to provide adequate water to support growth in urban area. The dual land use designation on a single parcel is problematic for permit processing.

B. The proposed amendment is consistent with and implements the goals and policies of the City’s comprehensive plan; the single family moderate land use designation is intended to preserve and maintain established residential neighborhoods and allowed uses in this designation include uses single family detached dwelling units and compatible uses. The public designation is intended to permit activities related to the provision of necessary public services, including utility uses. Goal U.II of the Comprehensive Plan states, “Support the provision of quality utility services that are reliable, efficient and financially and environmentally sustainable”. Policy U.II.j states, “Work in collaboration with water utility providers to improve the efficiency and quality of services”. The subject parcel is owned by the Mountain View
Edgewood Water Company (MTVE). MTVE is already using the portion of the parcel that is designated as “Public” for water infrastructure and it will need to expand infrastructure onto the portion of the parcel that is designated for single family use. Amending the single-family use portion of the parcel to “Public” is consistent with the City’s Comprehensive Plan.

C. The subject parcel in the proposed amendment did not contain dual land use designations until after the City approved a Boundary Line Adjustment which expanded the parcel to include the area designated for single family use.

D. The June 2015 adoption of the City’s updated Comprehensive Plan map did not consider the need for expanding the Public land use designation around MTVE-owned property for the expansion of water utilities to support future growth.

E. The proposed amendment is consistent with the widely held values of the residents of the city as expressed in the City’s adopted Vision Statement to be fiscally sustainable and provide high quality public services. The action to correct the subject parcel dual land use designation allows MTVE to be more fiscally sustainable in the provision of public services because it allows for the utility to expand services more efficiently.

F. The proposed amendment does not adversely affect the City’s adopted level of service standards for transportation or other public facilities and services.

G. The proposed amendment will not result in probable adverse impacts to the City’s transportation network, capital facilities, utilities, parks or environmental features. A SEPA review was conducted which resulted in a Determination of Nonsignificance (DNS) on November 9, 2017.

H. The proposed amendment to change the single-family residence land use designation portion of the subject parcel is compatible with the existing and planned surrounding land use. The parcel is currently used for the provision of potable water for Edgewood residents and is therefore physically suitable for such use.

I. The proposed amendment will not create pressure to change the land use designation of other properties because the use of the subject property for a public water purveyor does not provide impetus for neighboring single-family residential properties to convert to a Public use designation.

J. The proposed amendment does not materially affect the City’s land use and population growth projections; the water purveyor is effectively planning to support the City’s population growth projections through its own capital facility planning efforts.

K. The proposed amendment is consistent with applicable county-wide policies because it ensures that the City is considering the need for public facilities needed to support service demands generated by growth.

Section 1. The Edgewood Comprehensive Plan Land Use Map is hereby amended to change the land use designation of the real property identified as Tax Parcel Number
0420236041 containing dual land use designations, “SF-3 and Public”, to a single land use designation, “Public” attached hereto as Exhibit A.

Section 2. The Edgewood Official Zoning Map is hereby amended to change the zoning on Tax Parcel Number 0420236041 from “SF-3” and “Public” to “Public”.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held 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 will take effect and be in full force five days after publication.

ADOPTED THIS 13TH DAY OF MARCH, 2018

Daryl Eidinger, Mayor

ATTEST:

Rachel Pitzel, City Clerk

APPROVED AS TO FORM:

Carol A. Morris, City Attorney

Date of Publication: March 15, 2018
Effective Date: March 20, 2018
Exhibit A
Comprehensive Plan Land Use Map Amendment

LEGEND
- SF-2  Single Family - Low
- SF-3  Single Family - Moderate
- Public

Mountain View Edgewood Water Company Parcel
Exhibit B
Findings and Recommendation from the Planning
EDGECWOOD PLANNING COMMISSION RECOMMENDATION:

RECOMMENDATION OF THE CITY OF EDGECWOOD PLANNING COMMISSION TO THE CITY OF EDGECWOOD CITY COUNCIL TO APPROVE THE 2016 COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF THE MOUNTAIN VIEW EDGECWOOD WATER COMPANY PROPERTY (PARCEL NUMBER 0420236041) FROM SINGLE FAMILY MODERATE TO PUBLIC (CITY OF EDGECWOOD FILE #5214); PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to the provisions of RCW Chapter 36.70A, the Edgewood City Council has adopted a Comprehensive Plan; and

WHEREAS, pursuant to the provisions of RCW Section 36.70A.130, the City may consider proposed amendments or revisions to the Comprehensive Plan no more frequently than once per year; and

WHEREAS, pursuant to the provisions of EMC Chapter 2.30 the Planning Commission has the duty of providing recommendations to the City Council for development and review of the Comprehensive Plan in compliance with RCW Chapter 36.70A; and

WHEREAS, between January 1, 2016 and December 31, 2016, the City received two applications for comprehensive plan amendments, one of which was withdrawn; and

WHEREAS, one of the applications for a comprehensive plan amendment was from the Mountain View Edgewood Water Company (hereafter referred to as “MTVE”) to amend the Comprehensive Plan to change the land use designation of a portion of parcel number 0420236041 from Single Family Moderate to Public per EMC Section 18.60.010(C)(2); and

WHEREAS, on May 1, 2017 the Planning Commission held an open public hearing to solicit public comments on the MTVE Comprehensive Plan Amendment; and

WHEREAS, on May 1, 2017 the Planning Commission recommended a Phase 2 review for the MTVE Comprehensive Plan Amendment proposal; and

WHEREAS, on June 27, 2017 the Edgewood City Council through Resolution Number 17-0377 authorized the Planning Commission to begin Phase II analysis of the proposed Comprehensive Plan Amendment to the Future Land Use Map, following the Commissions proposed timeline for completion and providing a recommendation on the proposed changes to the City Council; and

WHEREAS, City Staff and the City’s consulting planner presented information on the proposed MTVE Comprehensive Plan Amendment at the August 21 and October 16, 2017 Planning Commission meetings; and

WHEREAS, the Planning Commission held a public hearing to review and gather additional public comment on November 20, 2017, in advance of providing a recommendation to the proposed land use map change to the City Council; and
NOW, THEREFORE SHALL IT BE ADVISED by the Planning Commission that it hereby makes the following recommendation:

The Planning Commission hereby recommends that the Edgewood City Council amend the Edgewood Comprehensive Plan to designate parcel number 0420236041 as Public on the City's official Future Land Use Map in order to eliminate the current split designation of Single Family Moderate and Public. The City's Official Zoning Map shall also be amended to designate the entire parcel under the Public (P) zoning district.

THIS RECOMMENDATION WAS APPROVED BY THE CITY OF EDGEWOOD PLANNING COMMISSION ON THE 20th DAY OF NOVEMBER 2017.

[Signature]
Mike Stanzel, Planning Commission Chair

Attest by: [Signature]
Darren Groth, Community Development Director