ORDINANCE NO. 19-0557

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON RELATING TO LAND USE AND ZONING, AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING MAP IN ACCORDANCE WITH CHAPTER 18.60 OF THE EDGEWOOD MUNICIPAL CODE (EMC) AND SECTION 36.70A.130 OF THE GROWTH MANAGEMENT ACT (GMA) UNDER THE REVISED CODE OF WASHINGTON (RCW)

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, except in special circumstances (RCW 36.70A.130(2)(a)), the City may consider amendments to the City’s Comprehensive Plan once a 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 City received applications for two comprehensive plan amendments and rezones, one entitled “Uchida Farms” (received December 27, 2017) and another entitled “Lake Chalet” (received December 27, 2017); and

WHEREAS, in accordance with the State Environmental Policy Act (SEPA), the City’s responsible SEPA Official issued a Determination of Nonsignificance (DNS) on September 27, 2018, and this threshold determination was not appealed; and

WHEREAS, the City held a neighborhood meeting on the proposed comprehensive plan amendments and rezones on September 25, 2018; and

WHEREAS, on November 8, 2018, the Planning Commission held a public hearing on the proposed comprehensive plan amendments and rezones, and recommended approval of both applications; and

WHEREAS, pursuant to RCW 36.70A.106, the City sent its notice of intent to adopt the proposed comprehensive plan amendments and rezones to Department of Commerce on November 7, 2018, which is at least sixty (60) days prior to the adoption date of this Ordinance; and

WHEREAS, the City Council considered the proposed comprehensive plan amendments and rezones in their regular study session meeting held on November 20, 2018; and

WHEREAS, the City Council held a public hearing on the proposed comprehensive plan amendments during their regular meeting held on November 27, 2018; and

WHEREAS, the City Council considered the proposed comprehensive plan amendments and rezones in their regular study session meeting held on December 4, 2018 and directed City staff to pursue an option, possibly and probably a development agreement, to ensure all of the concerns expressed in the public hearing would be alleviated with any proposed development; and
WHEREAS, City staff and the City’s consultant planning firm AHBL have pursued since, December 4, 2018, Development Agreements with each applicant; and

WHEREAS, during the process of negotiations for the respective Development Agreements, City staff, AHBL, and the applicants found the existing City Codes and standards addressed the majority of citizen concerns and any project specific proposal would have to coincide with the City performing a project specific SEPA analysis; and

WHEREAS, the results of the negotiations and discussions between City staff, AHBL, and the applicants concluded with the plan to reissue a revised SEPA checklist and new threshold determination, which was issued on August 23, 2019, and present an update to City Council during their study session on September 3, 2019; and

WHEREAS, the proposed amendments to the Edgewood Comprehensive Plan Land Use map are consistent with the City’s planning goals and objectives; and

WHEREAS, the Comprehensive Plan is implemented by the rezones;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGECWOOD, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Adoption Comprehensive Plan Land Use Map Amendments and Zoning Map Amendments. The City Council evaluated the applications and reviewed them under the criteria in EMC Section 18.60.220, in support of their decision. The findings and conclusions related to the applications are included in the September 6, 2019 Staff Report prepared by AHBL and included as an attachment to the agenda bill item for the City Council’s Regular Council Meeting dated September 10, 2019. These findings and conclusions are adopted by the City Council and the proposed amendments to the Comprehensive Plan Land Use Map and Zoning Map are approved. The amendments are adopted as provided in the attached and incorporated as Exhibits A-F.

Section 2. 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 3. Effective Date. This Ordinance will take effect five days after publication as required by law.

PASSED BY THE EDGECWOOD CITY COUNCIL ON THIS 10TH DAY OF SEPTEMBER, 2019.

Daryl Eidinger, Mayor

ATTEST:

[Signature]
Rachel Pitzel, CMC
City Clerk

APPROVED AS TO FORM:

[Signature]
Ann Marie Soto, Interim City Attorney

Date of Publication: September 12, 2019
Effective Date: September 17, 2019
EXHIBIT B
Site Specific Request #1 - Uchida Farms Property

Future Land Use Map
EXHIBIT C
Site Specific Request #1 - Uchida Farms Property

Current Zoning Map
EXHIBIT E
Site Specific Request #2 - Lake Chalet Property

Future Land Use Map

Existing Lake Chalet Apartments

City Hall

24th Street East

104th Avenue East

0420107031

106th Avenue East

103rd Avenue Ct East

Lake Chalet

FutureLUDesignation

- Single Family Low
- Single Family Moderate
- Single Family High
- Commercial
- Mixed Residential Low
- Mixed Residential Moderate
- Mixed Use Residential
- Town Center
- Business Park
- Industrial
- Public
- Economic Study Overlay
EXHIBIT F
Site Specific Request #2 - Lake Chalet Property

Current Zoning Map

Zoning:
- Single Family 2
- Single Family 3
- Single Family 5
- Commercial
- Mixed Residential 1
- Mixed Residential 2
- Mixed Use Residential
- Town Center
- Business Park
- Industrial
- Public