## **ORDINANCE NO. 681**

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING TITLE 19, ZONING, CHAPTER 19.90, AMENDMENTS, OF THE UNIVERSITY PLACE MUNICIPAL CODE TO INTEGRATE THE PROCESS OF AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING MAP TO ALLOW A LEGISLATIVE COMPREHENSIVE PLAN MAP AMENDMENT AND QUASI-JUDICIAL REZONE TO BE CONDUCTED CONCURRENTLY

WHEREAS, in enacting the Growth Management Act (Chapter 36.70A RCW, hereafter GMA) the Legislature found that "uncoordinated and unplanned growth, together with a lack of common goals expressing the public's interest in the conservation and the wise use of our lands, pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state"; and

WHEREAS, the GMA requires that local governments meeting certain criteria, including the City of University Place, adopt development regulations to guide development subject to state regulations, multi-county and countywide planning policies, and comprehensive plan goals and policies; and

WHEREAS, the City Council established and appointed the Planning Commission to advise the City Council on the following topics: growth management; general land use and transportation planning; long range capital improvement plans; and other matters as directed by the City Council; and

WHEREAS, the Planning Commission is charged with holding hearings on and preparing development regulations for the City and making recommendations to the City Council on amendments to these regulations; and

WHEREAS, on October 15, 2015, the Council requested the Planning Commission review and make recommendations regarding modification of land use designations used in the City's Comprehensive Plan to be categories of uses within which several specific zoning districts could be located, rather than having a particular land use designation linked to each zoning district as it is today; and

WHEREAS, on June 15, 2016 and August 3, 2016 the Planning Commission held public meetings to review the City Council's request. As an interim measure, the Planning Commission recommended the City Council integrate the legislative comprehensive plan amendment and quasi-judicial rezone and reduce the application fee when the amendments are submitted jointly; and

WHEREAS, the City Council conducted a public review of the recommended amendments at a meeting held on February 13, 2017; and

WHEREAS, on March 2, 2017, the City submitted a set of draft amendments to the Department of Commerce to initiate an expedited state agency review period; and

WHEREAS, the state agency review period ended on March 16, 2017 and no agency comments were received; and

WHEREAS, in accordance with WAC 197-11-800(19)(a) procedural amendments are categorically exempt from SEPA; and

WHEREAS, the City Council has considered the approval criteria listed in UPMC 19.90.030 and adopted the following findings in support of the amendments:

1. That the proposed amendment is consistent with the goals, objectives and policies of the Comprehensive Plan;

- 2. That the proposed amendments are in the best interests of the citizens and property owners of the City;
- 3. The proposed amendments will enhance the public health, safety, comfort, convenience or general welfare.

## NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

- Section 1. <u>University Place Municipal Code Title 19 Zoning Chapter 19.90 Amendments Adopted.</u>
  The City of University Place Municipal Code is hereby amended as indicated in Exhibit "A" attached.
- Section 2. <u>Severability</u>. 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.
- Section 3. <u>Publication and Effective Date</u>. A summary of this ordinance, consisting of its title, shall be published in the official newspaper of the City. This ordinance shall be effective five (5) days after its publication.

PASSED BY THE CITY COUNCIL ON MARCH 20, 2017.

Javier H. Figueroa, Mayor

ATTEST:

Emelita Genetia, City Clerk

APPROVED AS TO FORM:

Steve Victor, City Attorney

Published: 03/22/17 Effective Date: 03/27/17

## Exhibit A

Amend Section 19.90.020(B) as follows:

Rezones versus Reclassifications Redesignations. A rezone shall mean the change of a zone designation classification on the City's zoning map and is subject to the provisions of this chapter. A reclassification redesignation is a change of a Comprehensive Plan land use designation and is subject to the provisions contained in UPMC Title 16. When a proposal requires both a reclassification redesignation and a rezone, the following shall apply:

- 1. A reclassification redesignation and legislative rezone may be conducted in phases or concurrently, provided final action is first taken on the reclassification redesignation.
- 2. A reclassification redesignation and a quasi-judicial rezone may shall be conducted in phases, or they may be conducted concurrently provided final action is first taken on the reclassification redesignation and further provided the applicant submits a written waiver of the deadline for issuance of a final decision of the rezone, which is 120 days from the City making a determination that a project permit application is complete, with the reclassification occurring first in time.