

ORDINANCE NO. 388

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING A MAJOR UPDATE TO THE COMPREHENSIVE PLAN TEXT TO MEET THE REQUIREMENTS SET FORTH IN RCW 36.70A.130(4)(a), ADOPTING THE 2004-2005 ANNUAL REVIEW AMENDMENTS TO THE COMPREHENSIVE PLAN, AND REPEALING SECTION 1 OF ORDINANCE NO. 178.

WHEREAS, the Growth Management Act of 1990 ("the GMA") mandates that the City of Shoreline adopt a comprehensive plan containing certain required elements; and

WHEREAS, the City of Shoreline's first Comprehensive Plan was adopted by Ordinance No. 178 on November 23, 1998; and

WHEREAS, the City has developed an annual Comprehensive Plan review process in accordance with the Washington State Growth Management Act (GMA) RCW36.70A.130 which states "Each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them"; and

WHEREAS, cities and counties fully planning under the GMA are to review their comprehensive plans and land use ordinances at least every seven years to see if their plans and regulations comply with the GMA, as established by RCW 36.70A.130 (4) (a), this has been called the "Major Update"; and

WHEREAS, in 2003 City Council directed staff to undertake the Major Update of the Comprehensive Plan, and in conjunction with this also directed staff to develop master plans for Parks Recreation and Open Space (PROS), Transportation, and Surface Water to take advantage of coordinated process and review; and

WHEREAS, an extensive public participation process was conducted to develop and review the Major Update; and

WHEREAS, a SEPA Determination of Non-significance was issued on September 14, 2004 for the adoption of the Major Update to the Comprehensive Plan; and

WHEREAS, the Planning Commission conducted a Public Hearing on the Major Update of the Comprehensive Plan, PROS Plan, Transportation Master Plan, and Surface Water Master Plan on September 28, 29, 30, 2004; and

WHEREAS, the Planning Commission unanimously recommended approval of the Major Update of the Comprehensive Plan, PROS Plan, Transportation Master Plan, and Surface Water Master Plan on November 4, 2004; and

WHEREAS, the City Council conducted public hearings on the Major Update of the Comprehensive Plan, PROS Plan, Transportation Master Plan, and Surface Water Master Plan on December 13, 2004, January 10, 2005, and February 14, 2005; and

WHEREAS, during the period from January to May 2005 the City Council has considered all public testimony and written comments on the plans and thoroughly reviewed each policy update to the Comprehensive Plan; and

WHEREAS, on March 28, 2005 the Council adopted Resolution 229 that combined the schedule for the 2003-2004 Comprehensive Plan Major Update with the 2004-2005 Annual Review of the Comprehensive Plan; and

WHEREAS, the Planning Commission conducted a Public Hearing on the 2004-2005 Annual Review Docket, which is comprised only of four site-specific land-use change requests, on March 3, 2005, and April 14, 2005; and

WHEREAS, the Planning Commission recommended approval of three of the four site specific land-use change requests in the 2004-2005 Annual Review Docket on April 21, 2005; and

WHEREAS, the City Council conducted a Public Hearing on the 2004-2005 Annual Review Docket on June 6, 2005; and

WHEREAS, the City Council does concur with the Findings and Recommendation of the Planning Commission, specifically that the land use reclassification of certain of properties, located at 19671 15th AVE NE (Parcel Number 3971701190 – Land Use Change from BASSA to HDR), 18511 Linden AVE N (Parcel Number 7283900303 – Land Use Change from HDR to Mixed Use), and 19250 Aurora AVE N (Parcel Number 2222900040– Land Use Change for a portion of the site from HDR to MU) are appropriate for these sites;

WHEREAS, on June 3, 2005 an addendum to the SEPA Determination of Non-significance, that was issued on September 14, 2004 for the adoption of the Major Update, was issued to reflect that the Major Update now includes the 2004-2005 Comprehensive Plan Annual Review docket of amendments of four site-specific land use change requests; and

WHEREAS, the proposed plan amendments were submitted to the State Department of Community, Trade and Economic Development (CTED) for comment in August 2003 and April 2005 pursuant WAC 365-195-820 and its comments have been received and are favorable; and

WHEREAS, the Council finds that this ordinance complies with the adoption requirements of the Growth Management Act, Chapter 36.70A. RCW; and

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

Section 1. Adoption of Findings and Conclusions. In support of adoption of the Comprehensive Plan, as provided in Section 2 below, the City Council adopts the Findings and Conclusions set forth in Exhibit I attached hereto and incorporated herein by this reference as if set forth in full.

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Section 2. Comprehensive Plan. That certain document entitled: "Comprehensive Plan - City Council Recommendation – June 3, 2005," as amended with exhibits filed with the City Clerk and given Clerk's Receiving Number 3457, is hereby adopted and incorporated herein by reference as if set forth in full. Said Plan and amendments shall constitute the City of Shoreline's Comprehensive Plan for purposes of the Growth Management Act, Chapter 36.70A RCW.


Section 3. Amendment to Land Use Map. The Official Land Use Map Tiles 429, 435, and 436 of the City of Shoreline (adopted by Ordinance 292), is hereby amended to change the land use designations of classification of three parcels, located at 19671 15th AVE NE (Parcel Number 3971701190 – Official Map Tile 429), 18511 Linden AVE N (Parcel Number 7283900303 – Official Map Tile 436), and 19250 Aurora AVE N (Parcel Number 2222900040– Official Map Tile 435) and further described and depicted in the maps in Exhibit II attached hereto.

Section 4. Repealer. Ordinance No. 178, Section 1 establishes the November 23, 1998 Comprehensive Plan, as the City's official Comprehensive Plan. Upon the effective date of this ordinance, that version of the Comprehensive Plan will no longer be necessary. Therefore, the November 23, 1998 Comprehensive Plan is hereby repealed in its entirety.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

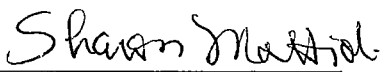
Section 6. Effective Date and Publication. A summary of this ordinance consisting of the title shall be published in the official newspaper and the ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON JUNE 13, 2005.



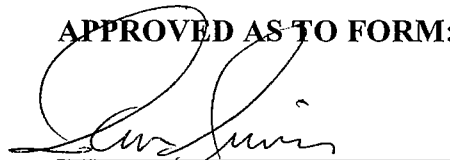
Mayor Ronald B. Hansen

ATTEST:



Sharon Mattioli, MMC
City Clerk

APPROVED AS TO FORM:



Ian Sievers
City Attorney

Date of publication: June 16, 2005
Effective date: June 21, 2005