CITY OF DEER PARK
RESOLUTION NO. 2011-005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON, REAFFIRMING THAT, PURSUANT TO RCW SECTION 36.70A.130, THE CITY HAS DULY REVISITED THE CONTENTS OF ITS COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS PERTINENT THERETO, IN AN OPEN PUBLIC MEETING SETTING, TO ASCERTAIN WHAT NECESSITATES UPDATING, AND MAKING FINDINGS OF FACT AND CONCLUSIONS RELATED THERETO.

WHEREAS, the City of Deer Park, in 2005, entered into a financial grant contract with the State Office of Community, Trade and Economic Development (No. U06-63200-047) for the purpose of accomplishing the requirements of Revised Code of Washington (RCW) Section 36.70A.130; and

WHEREAS, RCW Section 36.70A.130 states the following, in part: "(4) The department shall establish a schedule for counties and cities to take action to review and, if needed, revise their comprehensive plans and development regulations to ensure that the plan and regulations are complying with the requirements of this chapter.....(c) On or before December 1, 2006, and every seven years thereafter, for.....Spokane.....counties and the cities within those counties"; and

WHEREAS, in 2005-2007, the City undertook Comprehensive Plan Amendment No. 2006-1 for the primary purpose of adding over 300 acres to the Urban Growth Area for protection of the existing municipal airport's approach zones and expansion of the City's spray irrigation system for recycled sewer water, which amendment also augmented goals and policies to enhance the airport's setting and long-term viability, and incorporated some minor updates to text and map components due to changed circumstances; and

WHEREAS, in connection with said Comprehensive Plan Amendment No. 2006-1, the City also made appropriate revisions to the Public/Quasi-Public Use Zone and the Airport Overlay Zone for the purpose of enhancing the Deer Park Airport's setting, usage, and environment; and

WHEREAS, excluding the aforementioned processing of Comprehensive Plan Amendment No. 2006-1 and its related regulation augmentations, the City undertook a systematic review of the various components of its Comprehensive Plan and those aspects of its Municipal Code's development regulations that directly pertain thereto, during the regular meeting schedules of the Planning Commission and City Council during 2006, in order to ensure compliance with RCW Chapter 36.70A and the specific provisions of Section 36.70A.130 thereof; and

WHEREAS, RCW Section 36.70A.130 states the following, in part: "(1)(c).....The review and evaluation required by this subsection shall include.....an analysis of the population allocated to the city or county from the most recent ten-year population forecast by the office of financial management" and "(3)(b) The county comprehensive plan designating urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period....."; and

WHEREAS, at the time the 1995-1996 20-year population allocation process was conducted, Deer Park anticipated that its population would increase by approximately 2,750 persons, and while actual growth has been more modest, it does not deter from Deer Park's assets regarding future growth; with a 2010 population of some 3,652 persons, Deer Park expects the City's 2031 population would be 2,750 more persons for planning purposes, or roughly 6402 persons; and while the County's adopted allocation of 2,540 persons within existing City limits is less than requested, it does not make any significant difference in Deer Park's future planning program; and

WHEREAS, the State Office of Financial Management's 1995 estimate of 2,750 persons was the "base year" for Deer Park's assessment of existing land use and population data that preceded its 1997 Comprehensive Plan adoption and the 1998 adoption of its updated development regulations under the GMA; and growth since that time frame has been more modest than anticipated, but nevertheless consistent with growth expectations in terms of types and locations; so the City remains confident that its adopted Plan and related development regulations remain applicable to the City's conditions and expectations (except as provided in the Comprehensive Plan Amendments and revisions to development regulations enacted subsequent to the initial 1997-1998 actions); and

WHEREAS, the 2005-2007 evaluation of the City's Comprehensive Plan components and its associated development regulations included reconsideration of the following subsequent voluntary and mandatory revisions to said 1997 Plan and 1998 development regulations:

1. Comprehensive Plan Amendment No. 1998-1, adopted on February 3, 1999, by Resolution No. 1999-003, reconfigured the Urban Growth Area and related parts of the Land Use and Transportation Elements in response to the State's plans to realign and widen State Highway 395 in the vicinity of Deer Park;

2. Comprehensive Plan Amendment No. 2000-1, adopted on January 17, 2001, by Resolution No. 2001-002, added a Parks, Recreation and Conservation Element to the Comprehensive Plan in an effort to better serve existing and future populations of the community;

3. Comprehensive Plan Amendment No. 2002-1, adopted on October 2, 2002, by Resolution No. 2002-010, updated the Essential Public Facilities Element (and the Zoning Title of the Municipal Code) in order to include an updated and refined "regional siting process for essential public facilities of statewide or region/countywide significance" in the Plan and a reference to compliance therewith in the Municipal Code, as dictated by the Department of Social and Health Service's inclusion of "secure community transition facilities", which undertaking was completed, through a County-wide coordinated effort (thereafter an Interlocal Agreement and Procedural Attachment pertaining to the same, also developed through County-wide cooperation, were adopted);

4. Comprehensive Plan Amendment No. 2003-1, adopted on June 4, 2003, by Resolution No. 2003-007, updated the Economic Development Element in order to ensure that the State Department of Transportation's realignment and widening of State Highway 395 would compliment the City's economic setting and local access to and from this important highway route;

5. Resource Lands and Critical Areas Regulations update (DPMC Chapter 18.70), adopted on October 1, 2003, by Ordinance No. 802, incorporated suitable changes, based upon the State's "model ordinance for designating and protecting critical areas", to ensure that local regulations met the intent of State guidelines;

6. Transportation Concurrency Management Study and addition of Traffic Impact Mitigation regulations to the Municipal Code (DPMC Chapter 10.28), adopted on September 1, 2004, by Ordinance No. 812, established regulations for mitigation of traffic impacts due to property development (companion Resolution No. 2004-008 established traffic impact mitigation fees); and

WHEREAS, the population allocation and land quantity analysis updates undertaken in connection with the 2005-2007 planning program followed established County-wide procedures and were adopted by the City of Deer Park and Spokane County, and were accepted by the State; and

WHEREAS, the City has evaluated new construction since the 2005-2007 planning program was undertaken and has found the changes to be consistent with projections and not significant enough to necessitate any further update of the land quantity analysis at this time; and

WHEREAS, the Comprehensive Plan Amendments and/or zone changes undertaken since the 2005-2007 time frame have been modest and remain consistent with the City's overall Growth Management Act Implementation Program; and

WHEREAS, the City of Deer Park's current review of its Comprehensive Plan Elements and its related Municipal Code provisions have not discovered any facets of its Growth Management Act compliance documentation that require updating at this time;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Deer Park, Spokane County, Washington, as follows:

1. While the City's demographics and land use characteristics have changed since 1997-1998 when most of its Comprehensive Plan Elements and associated development regulations were implemented pursuant to GMA requirements, the changes that have occurred have not, for the most part, warranted modifications to the existing Plan and development regulations.

2. The City's review of its Comprehensive Plan Elements and associated development regulations, adopted in the 1997-98 time frame, indicates that most Plan and development regulation components remain duly applicable to the City and its circumstances at this time.

3. The aforementioned voluntary and mandatory updates of the Plan and municipal development regulations that took place between 1999 and 2010, ensured that the Comprehensive Plan and municipal development regulations remained then (and still remain now) "current" and applicable to the City's conditions.

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4. The City Council's 2006 affirmation, by Resolution No. 2006-009, of the City's continued compliance with the criteria of RCW 36.70A.130, and the continued applicability of the Comprehensive Plan's components and development regulations in the Deer Park Municipal Code, is reaffirmed by passage of this resolution.

Adopted this 20th day of April, 2011.

Robert Whisman, Mayor

ATTEST:

Deby Cragun, City Clerk/Treasurer

STATE OF WASHINGTON)
SS.
COUNTY OF SPOKANE)

I, Deby Cragun, City Clerk/Treasurer of the City of Deer Park, certify that the foregoing resolution was adopted by the City Council of the City of Deer Park, Washington, by a vote of a majority of the members thereof, at a regular meeting held on the 20th day of April, 2011.

Deby Cragun, City Clerk/Treasurer