

ORDINANCE NO. 2010-892

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, APPROVING THE ZONING MAP AMENDMENT COMMONLY KNOWN AS THE DEER PARK SCHOOL DISTRICT ZONING MAP AMENDMENT; CHANGING THE ZONING CLASSIFICATION OF REAL PROPERTY GENERALLY DESCRIBED AS SPOKANE COUNTY TAX PARCEL NOS. 28111.0038 AND 28111.0039 FROM RESIDENTIAL 3A TO PUBLIC / QUASI-PUBLIC; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the owner of the real property that is the subject of this rezone Ordinance petitioned the City for a rezone of the real property consistent with the City Comprehensive Plan and Future Land Use Plan Map which designates the property that is the subject of this Ordinance “Public and Quasi-Public”; and

WHEREAS, on August 9, 2010, following a Public Hearing concerning this matter, the City of Deer Park Planning Commission adopted Findings of Fact, Conclusions of Law, and Determination on City of Deer Park Change of Zone Application No. 2010-3 (hereinafter referred to as (“Findings of Fact, Conclusions and Determination”), which determination consisted of a recommendation of approval of the action set forth in this Ordinance; and

WHEREAS, the Findings of Fact, Conclusions, and Determination of the Planning Commission on City of Deer Park Change of Zone Application No. 2010-3, are hereby adopted and incorporated into this Ordinance by reference, and a copy is attached hereto and marked as Exhibit “A” to this Ordinance and made a part herein as if set forth in full; and

WHEREAS, the real property that is the subject of this rezone Ordinance is commonly known as the Deer Park School District property located on the west side of the Deer Park High

School Complex, and southwest of the future intersection of East H Street and S. Forrest Streets, and generally described as Spokane County Assessor's Parcel Nos. 28111.0038 and 28111.0039 and legally described in Section 4 of this Ordinance, and is depicted on the Map, Exhibit "B" to this Ordinance, which by this reference is made a part herein as if set forth in full; and

WHEREAS, the City Council finds that passage of this Ordinance is beneficial to the general welfare of the City, constitutes good zoning practice, and the actions taken as set forth in this Ordinance are otherwise in compliance with City Ordinances, the City Comprehensive Plan, and state law; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1: The real property commonly known as the Deer Park School District property located on the west side of the Deer Park High School Complex, and southwest of the future intersection of East H Street and S. Forrest Street, and generally described as consisting of Spokane County Assessor's Parcel Nos. 28111.0038 and 28111.0039 and legally described in Section 4 of this Ordinance, and as depicted on the Map, Exhibit B" to this Ordinance, should be and hereby is rezoned from Residential 3A to Public / Quasi-Public and the City Community Services Director is hereby directed to cause the official Zoning Map of the City to be revised to reflect this amendment.

Section 2: The decision of the City Council to rezone the properties that are the subject of this Ordinance is based upon the Findings of Fact, Conclusions and Determination as set forth in Exhibit "A" to this Ordinance and upon the material filed with the City under Change of Zone Application No. 2010-3.

Section 3: A State Environmental Policy Act (SEPA) Determination of Non-significance (DNS) was issued July 14, 2010 and subsequently published as required and concurrently distributed for comment to interested public agencies. This DNS is hereby affirmed and the Mayor is authorized to issue a SEPA Notice of Action.

Section 4: The real property that is the subject of this rezone ordinance is legally described as follows:

Parcel 28111:0038 The North ½ of the Northwest ¼ of the
Northeast ¼ of the Northeast ¼ of Section 11, Township 28 North,
Range 42 East of the Willamette Meridian;

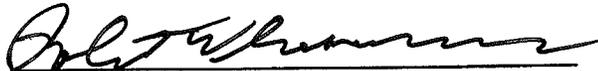
EXCEPT the East 264 feet thereof;
Situat in the County of Spokane, State of Washington.

Parcel 28111.0039 The East 264 feet of the North ½ of the
Northwest ¼ of the Northeast ¼ of the Northeast ¼ of Section 11,
Township 28 North, Range 42 East of the Willamette Meridian;
Situat in the County of Spokane, State of Washington.

Section 5: If any section, sentence, clause, or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or the constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 6: This Ordinance shall take effect and be in full force five (5) days after this Ordinance or a Summary thereof consisting of the title is published.

APPROVED:


MAYOR ROBERT WHISMAN

ATTEST/AUTHENTICATED:


DEBY CRAGUN, CITY CLERK

APPROVED AS TO FORM:


CHARLES D. ZIMMERMAN
CITY ATTORNEY

FILED WITH THE CITY CLERK	:	<u>8/10/2010</u>
FIRST READING	:	<u>8/18/2010</u>
SECOND READING	:	<u>9/1/2010</u>
THIRD READING AND ADOPTION	:	<u>9/15/10</u>
PUBLISHED	:	<u>9-18-10</u>
EFFECTIVE DATE	:	<u>9-24-10</u>
ORDINANCE NO.	:	<u>2010-892</u>

SUMMARY OF ORDINANCE NO. 2010-892

of the City of Deer Park, Washington

On the 15th day of September, 2010, the City Council of the City of Deer Park, Washington, passed Ordinance No. 2010-892. A summary of the content of said Ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, APPROVING THE ZONING MAP AMENDMENT COMMONLY KNOWN AS THE DEER PARK SCHOOL DISTRICT ZONING MAP AMENDMENT; CHANGING THE ZONING CLASSIFICATION OF REAL PROPERTY GENERALLY DESCRIBED AS SPOKANE COUNTY TAX PARCEL NOS. 28111.0038 AND 28111.0039 FROM RESIDENTIAL 3A TO PUBLIC / QUASI-PUBLIC; AND SETTING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 16th day of September, 2010.

DEBY CRAGUN, CITY CLERK