

ORDINANCE NO. 2022-1008

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, APPROVING THE ZONING MAP AMENDMENT COMMONLY KNOWN AS LIFESTYLE HOMES, LLC-SIMONSON 2022-2 ZONING MAP AMENDMENT; CHANGING THE ZONING CLASSIFICATION OF REAL PROPERTY GENERALLY DESCRIBED AS A PORTION OF SPOKANE COUNTY TAX PARCEL NO. 28112.0103 FROM RESIDENTIAL 2A TO RESIDENTIAL 3A; 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 “Single Family Residential”; and

WHEREAS, on July 25, 2022, 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. 2022-2 hereinafter referred to as (“Findings of Fact, Conclusions, and Determination”), which 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. 2022-2, 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 Lifestyle Homes, LLC-Simonson property located on the south side of E. H Street and west of S. Colville Avenue, and generally described as a portion of Spokane County Assessor Parcel No. 28112.0103 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 Lifestyle Homes, LLC- Simonson property, located on the south side of E. H Street, and west of S. Colville Avenue, and generally described as consisting a portion of Spokane County Assessor Parcel No. 28112.0103 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 2A to Residential 3A 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 property that is 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. 2022-2.

Section 3. A State Environmental Policy Act (SEPA) Determination of Non-significance (DNS) was issued June 6, 2022 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 on page 2 of the Findings of Fact, Conclusions of Law, and Determination, Exhibit “A” to this Ordinance.

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 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 by the City Council of the City
of Deer Park, Washington, at an Open Public
Meeting the _____ day of _____, 2022.

MAYOR TIMOTHY VERZAL

ATTEST/AUTHENTICATED:

DEBY CRAGUN, CITY CLERK/TREASURER

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

CHARLES D. ZIMMERMAN

FILED WITH THE CITY CLERK	:	_____
FIRST READING	:	_____
SECOND READING	:	_____
THIRD AND FINAL READING	:	_____
PASSED BY THE CITY COUNCIL	:	_____
PUBLISHED	:	_____
EFFECTIVE DATE	:	_____
ORDINANCE NO.	:	<u>2022-</u> _____

SUMMARY OF ORDINANCE NO. 2022-_____

of the City of Deer Park, Washington

On the _____ day of _____ 2022, the City Council of the City of Deer Park, Washington, passed Ordinance No. 2022-_____. 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 LIFESTYLE HOMES, LLC-SIMONSON 2022-2 ZONING MAP AMENDMENT; CHANGING THE ZONING CLASSIFICATION OF REAL PROPERTY GENERALLY DESCRIBED AS A PORTION OF SPOKANE COUNTY TAX PARCEL NO. 28112.0103 FROM RESIDENTIAL 2A TO RESIDENTIAL 3A; AND SETTING AN EFFECTIVE DATE.

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

DATED this _____ day of _____, 2022.

CITY CLERK/TREASURER, DEBY CRAGUN