

**ORDINANCE NO. 2022- 1005**

**AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, APPROVING THE ZONING MAP AMENDMENT COMMONLY KNOWN AS THE STORAGE SOLUTIONS DEER PARK, LLC ZONING MAP AMENDMENT; CHANGING THE ZONING CLASSIFICATION OF REAL PROPERTY GENERALLY DESCRIBED AS A PORTION OF SPOKANE COUNTY TAX PARCEL NO. 28014.0079 FROM BUSINESS PARK TO DIVERSIFIED COMMERCIAL; AND SETTING AN EFFECTIVE DATE.**

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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 “Commercial/Industrial Business Park”; and

WHEREAS, on December 13, 2021, 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. 2021-7 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. 2021-7, 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 STORAGE SOLUTIONS DEER PARK, LLC property located on the South side of E. Crawford Avenue and West of S. Aspen Street, and generally described as a portion of Spokane County Assessor Parcel No. 28014.0079 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 Storage Solutions Deer Park, LLC property located on the south side of E. Crawford Avenue, and west of S. Aspen Street and generally described as consisting a portion of Spokane County Assessor Parcel No. 28014.0079 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 Business Park to Diversified Commercial 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. 2021-7.

**Section 3.** A State Environmental Policy Act (SEPA) Determination of Non-significance (DNS) was issued October 19, 2021 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.** Contemporaneous with the effective date of this Ordinance, City staff will complete the pending administrative boundary line adjustment process so the real property that is the subject of this rezone Ordinance will be added to Spokane County Assessor Parcel No. 28013.0037.

**Section 6.** 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 7.** 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.

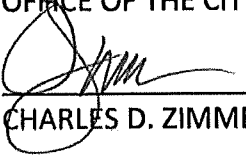
Approved by the City Council of the City  
of Deer Park, Washington, at an Open Public  
Meeting the 2nd day of February, 2022.

  
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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	:	<u>12/30/2021</u>
FIRST READING	:	<u>1/05/2022</u>
SECOND READING	:	<u>1/19/2022</u>
THIRD AND FINAL READING	:	<u>2/02/2022</u>
PASSED BY THE CITY COUNCIL	:	<u>2/02/2022</u>
PUBLISHED	:	<u>2/04/2022</u>
EFFECTIVE DATE	:	<u>2/11/2022</u>
ORDINANCE NO.	:	<u>2022- 1005</u>

**SUMMARY OF ORDINANCE NO. 2022-1005**

of the City of Deer Park, Washington

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On the 2<sup>nd</sup> day of February, 2022, the City Council of the City of Deer Park, Washington, passed Ordinance No. 2022-1005. 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 STORAGE SOLUTIONS DEER PARK, LLC ZONING MAP AMENDMENT; CHANGING THE ZONING CLASSIFICATION OF REAL PROPERTY GENERALLY DESCRIBED AS A PORTION OF SPOKANE COUNTY TAX PARCEL NO. 28014.0079 FROM BUSINESS PARK TO DIVERSIFIED COMMERCIAL; AND SETTING AN EFFECTIVE DATE.**

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

DATED this 3<sup>rd</sup> day of February, 2022.

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CITY CLERK/TREASURER, DEBY CRAGUN

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND DETERMINATION**

**CITY OF DEER PARK  
CHANGE OF ZONE APPLICATION NO. 2021-07**

In regards to the findings requirements of Chapter 18.100 of the Deer Park Municipal Code, the Planning Commission of the City of Deer Park hereby finds and concludes the following with respect to Change of Zone Application No. 2021-07:

1. The Comprehensive Plan for the City of Deer Park embodies the following "Future Land Use Plan Map" designation for the property in question as Commercial / Industrial and Business Park.
2. The change of zone requested does comport with the intent of said Comprehensive Plan's "Future Land Use Plan Map" designation in that the proposed zoning would allow for Commercial development.
3. The change of zone does constitute good zoning practice in that the proposed zoning classification is consistent with zoning classification of adjacent parcels, and the current and potential development of commercial and business park development and uses in the area, and the further potential development of lands to the South and across Crawford Avenue to the North.
4. A more restrictive zoning classification than requested and/or a change of zone of less land than requested would not be in the public interest in that the change of use encourages full utilization and development of the parcel.
5. The change of zone is of public necessity in the interest of the City's general welfare in that the proposed reclassification of zone provides for potential development of the parcel to comply with various goals and policy provisions for development as listed in the Comprehensive Plan.

The Planning Commission of the City of Deer Park does hereby determine the following based upon the aforementioned findings and conclusions:

The Planning Commission recommends to the City Council approval of the Change of Zone Application No. 2021-7 as submitted, and further recommends that the City Council adopt an ordinance to remove the following described real property from the Business Park (BP) Zone, as set forth in DPMC Chapter 18.50, and place it in the Diversified Commercial Zone, as set forth in DPMC Chapter 18.40, and amending the Official Zoning Map of the City initially adopted September 15, 1999, with ordinance 1999-723, and further amended with subsequent amendments, the latest being on May 19, 2019, with ordinance 2019-985:

A PORTION OF LOT B, AS SHOWN ON SHORT PLAT SP 2006-5, RECORDED AT BOOK 21 OF SHORT PLATS, PAGES 92-93, AFN 5443391, RECORDS OF SPOKANE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT B;

THENCE N87°39'59"E, ALONG THE NORTH BOUNDARY LINE OF SAID LOT B, A DISTANCE OF 89.08 FEET;

THENCE S3°19'31"E, A DISTANCE OF 69.63 FEET;

THENCE N88°07'12"E, A DISTANCE OF 54.81 FEET;

THENCE S2°08'32"E, A DISTANCE OF 109.77 FEET;

THENCE S47°08'32"E, A DISTANCE OF 9.90 FEET;

THENCE S2°08'32"E, A DISTANCE OF 163.24 FEET TO THE SOUTH BOUNDARY LINE OF SAID LOT B;

THENCE S87°39'40"W, ALONG SAID SOUTH BOUNDARY LINE, A DISTANCE OF 151.45 FEET TO THE SOUTHWEST CORNER OF SAID LOT B;

THENCE N2°17'11"W, ALONG THE WEST BOUNDARY LINE OF SAID LOT B, A DISTANCE OF 350.09 FEET TO THE POINT OF BEGINNING.

SITUATE IN THE CITY OF DEER PARK, SPOKANE COUNTY, WASHINGTON.

Tax Account Number: 28014.0079

Adopted this 13<sup>th</sup> day of December 2021.

  
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Planning Commission Chair Person *Dir: 2022*

ATTEST:  
  
\_\_\_\_\_  
Planning Director *Chair Person*

Measure

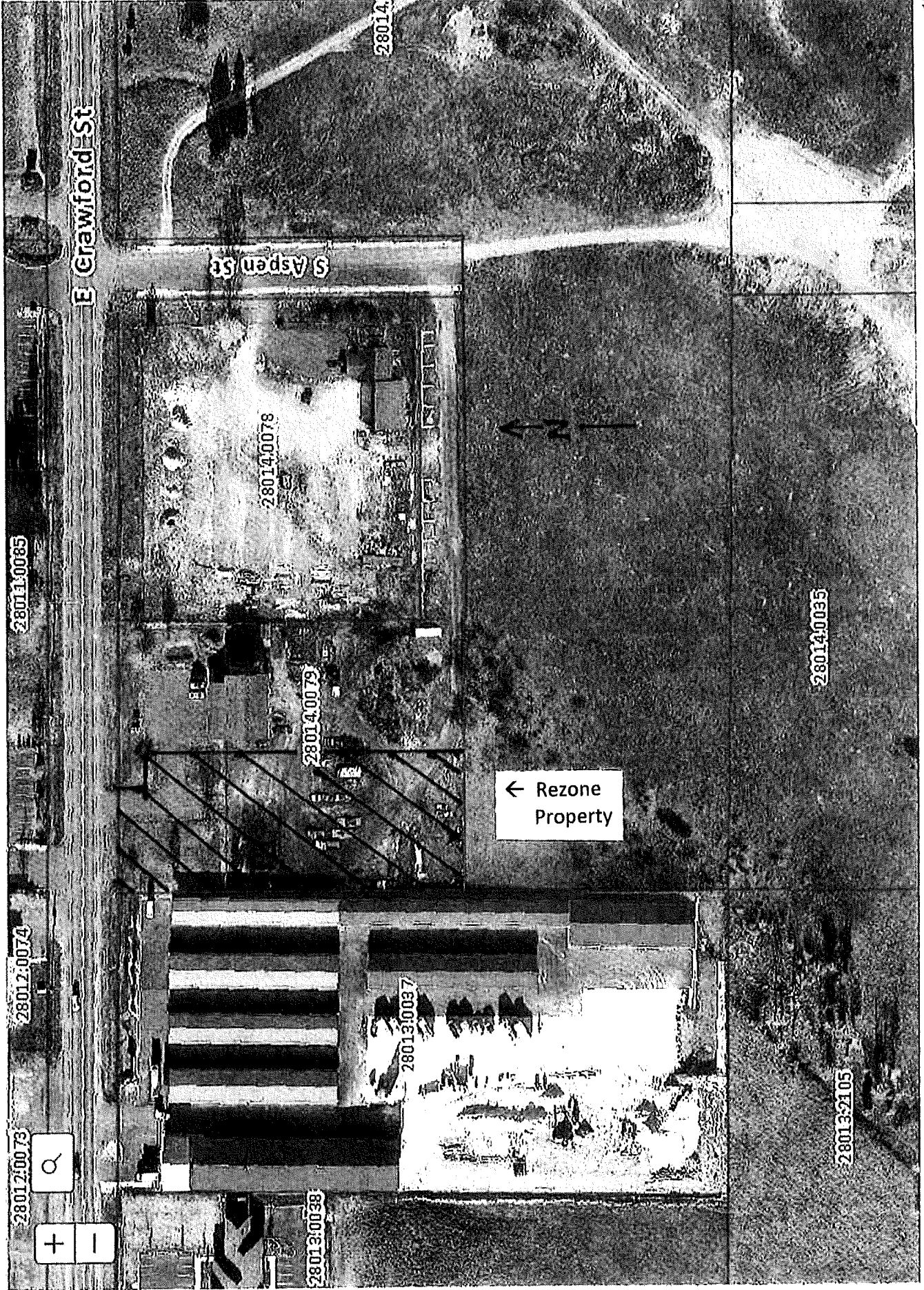


Exhibit "B"