

**CITY OF DuPONT
WASHINGTON**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUPONT, WASHINGTON, RELATING TO LAND USE AND ZONING; ADOPTING A REVISION TO THE CITY'S OFFICIAL MAP; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on November 28, 2017, the City adopted amendments to the Comprehensive Plan, Ordinance No 17-1029 ("Comprehensive Plan"), to create a new zoning designation of "Mixed Use Village" within the City's Old Fort Lake Neighborhood; and

WHEREAS, the City of DuPont has established a procedure for "Reclassification and Text Amendment" in Title 25.165 of the DuPont Municipal Code (DMC); and

WHEREAS, the amendment is consistent with the City of DuPont Comprehensive Plan; and

WHEREAS, the public process for the proposed amendments has provided for early and continuous public participation opportunities including Planning Commission workshops and public hearings; and

WHEREAS, on September 24, 2018 the Planning Commission conducted a public hearing on the proposed rezone to implement adopted Comprehensive Plan under File No. PLNG2018-038 and after considering the public comment received and other information presented at the public hearing adopted a recommendation to the City Council to approve the proposed amendment to the City Zoning Map and rezone the subject area shown on Exhibit "A" to "Mixed Use Village"; and

WHEREAS, an environmental review of the proposed rezone was completed in accordance with the State Environmental Policy Act ("SEPA"), and a SEPA threshold determination of non-significance was issued; and

WHEREAS, on November 20, 2018 the City Council conducted a public hearing to take public testimony regarding the proposed rezone and amendment to the City Zoning Map; and

WHEREAS, having considered among other things, public testimony, the recommendation of the Planning Commission, and both the preliminary and final staff reports, the City Council has determined that adoption of the amendment to the

Zoning Map (see Exhibit A) is consistent with and would serve to further implement the planning goals of the adopted Comprehensive Plan and the Growth Management Act, are in the public interest and protect the public health, safety, and welfare;

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

Section 1. Incorporation of Recitals. The recitals set forth above are adopted and incorporated as if set forth fully herein.

Section 2. Findings, Conclusions, and Recommendations Adopted. The Findings, Conclusions and Recommendations from the Planning Commission as reflected in their meeting minutes dated September 24, 2018 are adopted and incorporated as if set forth fully herein and approve the proposed rezone and amend the City's Official Zoning Map to reflect the change shown on Exhibit "A".

Section 3. 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 pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF _____, 2018.

CITY OF DuPONT

Michael Courts, Mayor

ATTEST/AUTHENTICATED:

Karri Muir, City Clerk

Approved as to form:

Gordon P. Karg, City Attorney

Filed with the City Clerk:

Passed by the City Council:

Date of Publication:

Effective Date:

