

ORDINANCE NO. 2019-10

**AN ORDINANCE OF THE TOWN OF EATONVILLE,
WASHINGTON, ADOPTING THE GMA 2019 PERIODIC UPDATE
OF DEVELOPMENT REGULATIONS, TITLES 12, 15, 17, AND 18
EMC**

WHEREAS, in compliance with the Washington State Growth Management Act (GMA), the Town first adopted a Comprehensive Plan in 1993; and

WHEREAS, in accordance with RCW 36.70A.130, an adopted Comprehensive Plan and development regulations are subject to continuing evaluation and review; and

WHEREAS, the schedule established by the GMA in RCW 36.70A.130(4) mandates each fully planning city or town take action to review and, if necessary, revise its comprehensive plan, development regulations, and critical areas ordinance to ensure continuing compliance with the GMA; and

WHEREAS, in 2018 the Town Council adopted the 2015 update to the Comprehensive Plan, which establishes the Town's desirable character and physical pattern of growth and preservation over the next 20 years; and

WHEREAS, the Town is proposing to update its development regulations to ensure compliance with changes to the GMA; to ensure compliance with the Pierce County Countywide Planning Policies; to fully reflect the issues and opportunities facing the Town; to ensure internal and regional consistency; and to revise language in the development regulations to update information, improve readability, and eliminate redundancy; and

WHEREAS, the Comprehensive Plan sets goals and policies for growth that will be implemented through the development regulations and critical areas ordinance contained in the Eatonville Municipal Code, in a fiscally and environmentally responsible fashion; and

WHEREAS, Chapter 43.21C RCW, the State Environmental Policy Act (SEPA) requires the Town to conduct environmental review of the updated and amended development regulations; and

WHEREAS, on October 7, 2019 the Town's SEPA official issued a determination of nonsignificance; and

WHEREAS, on October 21, 2019 the Town's planning commission held a duly

noticed public hearing to receive public comment regarding the proposed development regulation amendments; and

WHEREAS, the Eatonville Town Council has reviewed the updated development regulations as required by the GMA; and

WHEREAS, the Eatonville Town Council has concluded that the adoption and implementation of the proposed development regulation amendments is essential to direct the future growth and development of the Town; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE AS FOLLOWS:

Section 1. The Town Council hereby adopts the following findings based on the entire record of testimony and exhibits, including the recommendation of the Planning Commission:

1. The proposed update to the development regulations meet the requirements of the GMA and consist of amendments to Chapter 12.18 "Planting or Removing Trees and Shrubs," Chapter 15.16 "Critical Areas Code," Chapter 17.08 "Definitions," Chapter 17.20 "Preliminary Subdivisions/Plats," Chapter 17.22 "Final Plat," Chapter 18.04 "District Regulations," and "Chapter 18.08 "General and Supplementary Provisions," and a new Chapter 15.28 "Commute Trip Reduction."
2. The proposed development regulation amendments are consistent with, and implement, the Town's Comprehensive Plan and further the goals of the GMA.
3. Adopting the proposed development regulation amendments serve the public use and interest.
4. The proposed development regulation amendments were subjected to environmental review in compliance with the State Environmental Policy Act. A determination of nonsignificance was issued on October 7, 2019.
5. The proposed amendments were submitted to the Department of Commerce for expedited review on September 11, 2019. Comments from Commerce were received, considered, and incorporated into the currently proposed amendments. In addition, comments were received from the Department of Ecology. All of Ecology's comments were considered and where the comment mandated a change based on legal requirements, the proposed amendments were revised.
6. Public notice of the public hearing was published in the official newspaper of the Town and sent to all parties who expressed interest in being notified. Comments were received and considered.
7. This action is part of the required periodic update under the GMA. Upon adoption of these amendments by the Eatonville Town Council, the Town will have taken all necessary action and the periodic update will be complete.

Section 2. The Town of Eatonville hereby adopts the 2019 Periodic Update of Development Regulations, a copy of which is attached to this ordinance as Exhibit A and incorporated by this reference.

Section 3. A copy of this ordinance shall be submitted to the Washington Department of Commerce within 10 days of adoption.


Section 4. 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 preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: 11/12/2019

2ND READING: 11/25/2019

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this 25th day of November, 2019.



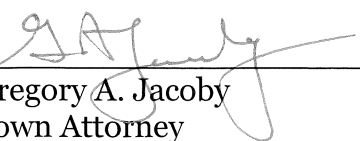
Mike Schaub
Mayor

ATTEST:



Christina Dargan
Deputy Clerk

APPROVED AS TO FORM:



Gregory A. Jacoby
Town Attorney