

Ordinance No. 635

An Ordinance rezoning property as
recommended by the Forks Planning Commission
(Decker Rezone part of 2017 Annual GMA Related Rezones)

The City Council of the City of Forks does ordain as follows:

Section 1. **Facts Associated with Rezone.** The City Council hereby adopts the following findings regarding this rezone:

- a. In 2017, as part of the mandatory Growth Management Act Comprehensive Plan updates, the City solicited for proposed changes to the City's Comprehensive Land Use Plan's land use map, as well as to the City Zoning Code Map;
- b. Jim & Laura Decker submitted a request that a parcel they own located west of the southern terminus of South 1st Avenue be rezoned by the City. The 0.49 acre parcel is currently zoned from the current overlap zone of High Density Commercial/High Density Residential (OL-6). The Deckers requested that this parcel be rezoned as High Density Commercial similar to the other two parcels they own associated with the Pacific Inn Motel at 352 S. Forks Avenue. The parcel is identified as Lot 2 of the Fraker Short Plat (filed at Vol. 24, Pg. 22) and has the tax identification parcel number of 1328092409020.
- c. An analysis of the impacts of the requested change was conducted pursuant to the City's code associated with the State Environmental Policy Act. A determination of non-significance (DNS) was issued that covered the proposed rezone. The City received written comment from the Department of Ecology noting that if during the development of the site, contaminating soil is found, said soil must be tested and cleaned pursuant to applicable state and federal regulations. This comment was due to the fact that the property is located within a quarter of a mile of two known or suspected contaminated sites.
- d. A hearing was held on 19 March 2018, and the findings and deliberations of the Planning Commission were provided to the Council at its meeting on 9 April 2018 and are incorporated herein by reference as if fully set forth. The Planning Commission recommended that the rezone be granted. There were no members of the general public in attendance at the Planning Commission's hearing.
- e. This recommendation was forwarded to the City Council for its consideration on 23 April 2018.

Section 2. **Findings.** Based upon the information above, the Council makes the following findings regarding the Planning Commission's recommended rezones. The Council hereby finds and affirms that:

1. The Planning Commission had engaged in a public process on the proposal originally submitted and forwarded their recommendations as a result of that hearing;
2. The recommendations of the Planning Commission would be appropriate under the zoning code;
3. That this ordinance reflects the procedural elements of the process utilized by the City; and,

4. With no formal appeal of the SEPA DNS decision filed with the City Council pursuant to FMC 14.10.200, the determinations made by City staff in this regard stand.

Section 3. **Determinations.** Based upon the above findings, the City Council hereby adopts as its determination the recommendation of the Planning Commission regarding the Decker's property;

Section 4. **Rezone of the Decker Property.** Based upon the findings and determinations above, and pursuant to the recommendation of the Forks Planning Commission, the Council hereby rezones the Decker's property, described below, from the current overlap zone of High Density Commercial/High Density Residential (OL-6) to High Density Commercial (C-3). Property subject to this rezone is that property described as being:

*Lot 2 of the Fraker Short Plat, Vol. 24, Pg. 22
Located in the SE ¼ of the SE ¼ of the NW ¼ of Sec. 9, T28N, R13W,
W.M., City of Forks found west of the southern terminus of South 1st
Avenue.
Tax ID Parcel: 1328092409020*

Section 5. **Notice of this decision.** In addition to the publication required below, the Council hereby directs the City Attorney/Planner to provide notice of this decision to those property owners located within 500 feet of the property subject to the rezone.

Section 6. **Effective Date.** This ordinance shall take effect five days after its publication in the City's journal of record.

Adopted by the City Council on 23 April 2018

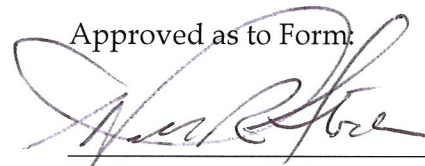


Tim Fletcher, Mayor

Attested to and authenticated by:



Audrey Grafstrom, Clerk/Treasurer

Approved as to Form:


William R. Fleck, Attorney/Planner