

ORDINANCE NO. 2171 (2015)

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, AMENDING THE *IMAGINE BOTHELL...* COMPREHENSIVE PLAN AND IMPLEMENTING REGULATIONS WITHIN TITLES 11 AND 12 OF THE BOTHELL MUNICIPAL CODE AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CORRECTIONS

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WHEREAS, RCW 36.70A, also known as the Growth Management Act (“the Act”), requires that cities subject to the Act adopt comprehensive plans and implementing development regulations consistent with the Act; and

WHEREAS, in accordance with the Act, the Bothell City Council in 1994 adopted the *Imagine Bothell...* Comprehensive Plan and in 1996 adopted implementing development regulations via amendments to the Bothell Municipal Code; and

WHEREAS, the City of Bothell has adopted numerous amendments to the Plan and Code since 1994 and 1996, respectively; and

WHEREAS, the Act requires the City of Bothell to take legislative action to review and, if needed, revise its Comprehensive Plan and development regulations to ensure their continued compliance with the requirements in Chapter 36.70A RCW by June 30, 2015 (also known as “periodic review”); and

WHEREAS, the Bothell City Council, on February 4, 2014, in its 2014 Docketing process, initiated consideration of Plan and Code amendments and approved a scope of work for an update to its Comprehensive Plan, including revisions needed to comply with Chapter 36.70A RCW; and

WHEREAS, the City provided public notice and invited and encouraged public participation in the consideration of the proposed 2015 Periodic Plan and Code Update via the City’s monthly *Imagine Bothell...* notice of land use items, which is distributed via public notice boards located throughout the City’s planning area, publication in the City’s newspaper of record, posting on the City’s website, and also provided notice of proposed property-specific Plan amendment requests via postcard to individual persons who own property or live within the vicinity of such requests; and

WHEREAS, the Bothell Community Development Department on April 16, 2015, transmitted to the Washington State Department of Commerce the proposed 2015 Periodic Plan and Code Update, which transmittal satisfied the requirement in the Growth Management Act that the state receive proposed amendments at least 60 days prior to the anticipated adoption date; and

WHEREAS, on June 11, 2015 the Washington State Department of Commerce Growth Management Services (Commerce) provided a comment letter identifying general acceptance of the Draft 2015 Periodic Plan and Code Update with a number of suggested language changes and on June 11, 2015 the Puget Sound Regional Council (PRSC) provided a comment letter identifying a number of suggested changes to the 2015 Periodic Plan and Code amendments; and

WHEREAS, the suggested changes requested in the Commerce and PRSC letter have been made where warranted; and

WHEREAS, the Bothell Community Development Department on May 22, 2015, issued a State Environmental Policy Act (SEPA) Mitigated Determination of Non-Significance concerning the proposed 2015 Periodic Plan and Code Update, which issuance satisfied the SEPA requirement for environmental review; and

WHEREAS, the Bothell Community Development Department received one comment letter during the required 21-day comment period and received no administrative appeals during the required 21-day appeal period following issuance of the SEPA determination; and

WHEREAS, the Bothell Planning Commission held duly noticed public hearings concerning the proposed 2015 Periodic Plan and Code Update on the following dates: February 12, 19 and 26, March 5, 12, 19 and 26, April 9, 16 and 30, May 7 (held jointly with the Bothell Landmark Preservation Board), 14 and 21, June 4, 18, and 25, July 2, 9 and 23, September 3, 10, 17 and 24, October 1, 8, 15 and 29, November 5 and 19, and December 3, 10 and 17, 2014 and January 7, 14, 21 and 28, February 4, 11 and 25, March 4, 11 and 18, and April 1, 2015;

WHEREAS, the City Council held duly noticed public hearings concerning the proposed 2015 Periodic Plan and Code Update on the following dates: April 21, May 5, 12 and 19, June 2, 9 and 16, and July 7, 2015 and, after soliciting public testimony, considering the record and deliberating, has determined that the proposed Amendments to the *Imagine Bothell...* Comprehensive Plan and Bothell Municipal Code are in the public interest; and

WHEREAS, in accordance with the Growth Management Act, the City Council on July 7, 2015, considered the cumulative effect of the 2015 Periodic Plan and Code amendments, which combined proposed amendments comprised all of the proposed Comprehensive Plan and Code amendments considered in 2015;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BOTHELL DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby adopts Findings, Conclusions and Action ("Findings") for the proposed amendments to the *Imagine Bothell...* Comprehensive Plan

and Bothell Municipal Code, which Findings provide a record of the process and issues involved in consideration of said proposed Plan and Code amendments, and which are attached to this Ordinance as Exhibit A and incorporated by this reference as if set forth in full.

Section 2. The *Imagine Bothell...* Comprehensive Plan is hereby amended as set forth in Exhibit B, attached hereto and incorporated by this reference as if set forth in full.

Section 3. The Bothell Municipal Code is hereby amended as set forth in Exhibit C, attached hereto and incorporated by this reference as if set forth in full

Section 4. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid 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 5. EFFECTIVE DATE. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

Section 6. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's / clerical errors, references, ordinance numbering, section / subsection numbers and any references thereto.


APPROVED:



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JOSHUA FREED  
MAYOR

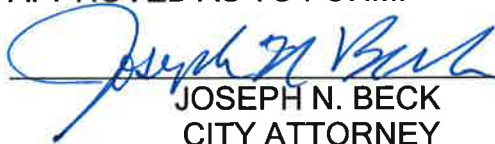
ATTEST/AUTHENTICATED:



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LAURA HATHAWAY  
CITY CLERK

APPROVED AS TO FORM:



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JOSEPH N. BECK  
CITY ATTORNEY

FILED WITH THE CITY CLERK: June 30, 2015  
PASSED BY THE CITY COUNCIL: July 7, 2015  
PUBLISHED: July 13, 2015  
EFFECTIVE DATE: July 18, 2015  
ORDINANCE NO.: 2171 (2015)

SUMMARY OF ORDINANCE NO. 2171 (2015)

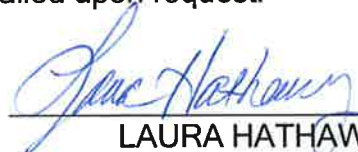
City of Bothell, Washington

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On the 7<sup>th</sup> day of July, 2015, the City Council of the City of Bothell passed Ordinance No. 2171 (2015). A summary of the content of said Ordinance, consisting of the title, is provided as follows:

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, AMENDING THE *IMAGINE BOTHELL...* COMPREHENSIVE PLAN AND IMPLEMENTING REGULATIONS WITHIN TITLES 11 AND 12 OF THE BOTHELL MUNICIPAL CODE AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CORRECTIONS

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

  
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LAURA HATHAWAY  
CITY CLERK

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