

ORDINANCE NO. 24-690

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MATTAWA, WASHINGTON ADOPTING THE MATTAWA GROWTH MANAGEMENT ACT PERIODIC UPDATE, INCLUDING AN UPDATED COMPREHENSIVE PLAN, DEVELOPMENT REGULATIONS, AND ADOPTING GRANT COUNTY CRITICAL AREAS ORDINANCE BY REFERENCE PER WASHINGTON STATE BILL 5374

WHEREAS, in compliance with the Washington State Growth Management Act (GMA), the City of Mattawa adopted a Comprehensive Plan in 2006; and

WHEREAS, in compliance with the Washington State GMA, the City of Mattawa adopted a development regulations update in 2007; and

WHEREAS, in compliance with the Washington State GMA, the City of Mattawa adopted a critical area update in 2006; and

WHEREAS, in accordance with RCW 36.70A.130, an adopted Comprehensive Plan shall be subject to continuing evaluation and review, and amendments to the Comprehensive Plan shall be considered no more frequently than once every year; and

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

WHEREAS, the City has updated the Comprehensive Plan and development regulations to ensure compliance with any changes to the GMA; to ensure compliance with the Grant County Countywide Planning Policies; to fully reflect the issues and opportunities facing the City of Mattawa; to insure internal and regional consistency; and to revise policies and other language in the plan to update information, improve readability, and eliminate redundancy; and

WHEREAS, under the authority of Washington State Senate Bill 5374, amending RCW 36.70A.060, the City of Mattawa may adopt the county's critical areas regulations by reference to satisfy the requirements of the Growth Management Act; and

WHEREAS, the City of Mattawa has minimal designated critical areas; and

WHEREAS, the City of Mattawa chooses to adopt Grant County's Critical Areas Ordinance by reference; and

WHEREAS, the City of Mattawa accepts that future amendments to the Grant County Critical Areas Ordinance will apply to the City; and

WHEREAS, the City of Mattawa does not adopt by reference any portion of Grant County Code (GCC) outside of Chapter 24.08, specifically excluding Titles 14, 22, 23, and 25 and also excluding Chapters 24.04, 24.12, and 24.16, all of which are cited by reference in GCC Chapter 24.08. In place of these referenced sections, the relevant chapters of the Mattawa Municipal Code (Titles 15, 16, 17, and 18) shall be referenced for such matters as administrative, development, and other environmental regulations; and

WHEREAS, the Mattawa City Council has reviewed the updated Comprehensive Plan, development regulations, and Grant County Critical Areas Ordinance, as required by the GMA; and

WHEREAS, the GMA periodic update establishes the community's desirable character and physical pattern of growth and preservation over the next 20 years; and

WHEREAS, the GMA periodic update provides guidance in balancing the development of resources with the preservation of environmental values; and

WHEREAS, the Comprehensive Plan sets goals and policies for growth that will be implemented through the development regulations and County critical areas ordinance contained in the Mattawa Municipal Code, including the zoning ordinance and official zoning map, in a fiscally and environmentally responsible fashion, and

WHEREAS, the recommended revisions incorporate changes in state law, Countywide Planning Policies, demographics and land use resources; and

WHEREAS, the intent of the adoption by reference of Grant County's Critical Areas Ordinance is to regulate critical areas within the City of Mattawa, and not to conflict or adopt by reference any other portions of Grant County's development regulations; and

NOW THEREFORE, the City Council of the City of Mattawa, Washington, do ordain as follows:

Section 1. Findings and Conclusion. The City Council bases its findings and conclusions on the entire record of testimony and exhibits, including all written and oral testimony before the City Council. The Mattawa City Council hereby adopts the following findings and conclusions:

- 1) The City Council adopts and incorporates the foregoing recitals as fully set forth herein.
- 2) *Compliance with the Required Elements of the Comprehensive plan.* The 20-year Comprehensive Plan adopted herein includes all of the following elements: Land Use, Housing, Capital Facilities, Utilities, Transportation, and Implementation.
- 3) *Compliance with Resource and Critical Area Designation and Regulation.* Potential resource and critical areas are identified in the Land Use Element, including critical aquifer recharging areas, wetlands, geologically hazardous

areas, and floodplains, using Best Available Science.

- 4) *Compliance with Countywide Policies.* As required by GMA, the Comprehensive Plan incorporates and is consistent with the Grant County Countywide Planning Policies.
- 5) *Internal Consistency.* The Comprehensive plan is internally consistent. The policies within and among elements are complementary, not contradictory. Both together and separately, they further the goals of the GMA. The Comprehensive Plan contains policies, implementation measures, and procedures which provide for its review and adjustment if internal conflicts are identified.
- 6) *Public Participation.* The public review process for the Comprehensive Plan update included a participation plan, public hearing before the Mattawa City Council on December 21, 2023, and consideration during public meetings on June 23, 2023, October 4, 2023, and November 20, 2023. Notices of public hearings and the nature of the proposed changes were given by publication in the official newspaper of the City at least 14 days prior to the date of the hearing.
- 7) *State Environmental Policy Act.* A Notice of Application, Environmental Review, and Determination of Non-Significance was circulated to SEPA reviewing agencies on November 8, 2023. At the end of the 30-day comment period, no comments were received.
- 8) *Department of Commerce 60-Day Review.* The draft Comprehensive Plan was submitted and received by Commerce on October 20, 2023 for the mandatory 60-day review. The 60-day review period expired on December 28, 2023. Comments were received and considered, related to: the state's geologically hazard areas definition, water system plan, wastewater treatment plan, and transportation studies.
- 9) *Adoption Constitutes Completion of the GMA Periodic Update Requirements.* Adoption of the City of Mattawa GMA Periodic Update will constitute fulfillment of all requirements on the part of the City of Mattawa to comply with the 2018 Growth Management Act update cycle, for which compliance was required by June 30, 2018 for all jurisdictions in Grant County.
- 10) The public use and interest will be served.

Section 2. Adoption of the City of Mattawa GMA Periodic Update. The City of Mattawa hereby adopts the City of Mattawa GMA Periodic Update, a copy of which is attached to this ordinance.

Section 3. Adoption of Grant County CAO by Reference. The City hereby adopts by reference the Grant County Critical Areas Ordinance and shall comply with all requirements and future amendments to said document unless the City chooses to adopt its own Critical Areas regulations at a future date.

Section 4. Transmittal to the State. This ordinance shall be submitted to the Washington Department of Commerce for their record within 10 days of adoption.

Section 5. Severability. 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.

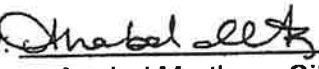
Section 6. Correction of Errors. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 7. Effective Date. This ordinance shall be in full force and effect five days after its passage and publication as required by law.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on January 18, 2024.

By: 
Maria Celaya, Mayor

ATTEST:

By: 
Anabel Martinez, City Clerk

APPROVED AS TO FORM:

By: 
Katherine Kenison, City Attorney