

## *Ordinance No. 790-18*

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EVERSON, WASHINGTON, ADOPTING THE 2018 COMPREHENSIVE PARKS AND RECREATION PLAN AND AUTHORIZING THE MAYOR TO SUBMIT THE PLAN TO THE STATE RECREATION AND CONSERVATION OFFICE.**

WHEREAS, chapter 35A.63 RCW authorizes the City of Everson (“City”) to prepare a comprehensive land use plan for anticipating and influencing the orderly and coordinated development of land in the city and its environs; and

WHEREAS, chapter 36.70A RCW, commonly known as the Growth Management Act, requires that the City adopt a comprehensive plan and specifies the required elements of said plan; and

WHEREAS, section 36.70A.130 RCW required the City to take legislative action by June 30, 2016, to review and revise the comprehensive plan as necessary to ensure the plan complies with the requirements of chapter 36.70A RCW; and

WHEREAS, the Everson Planning Agency developed a draft update to the comprehensive plan in accordance with the requirements stated in chapters 35A.63 and 36.70A RCW and forwarded that plan to the Everson City Council with a recommendation for adoption; and

WHEREAS, the draft comprehensive plan recommended by the Planning Agency included a Capital Facilities Element that addressed the City’s parks and recreation facilities, existing conditions, future needs, and capital improvement program; and

WHEREAS, on April 13, 2016, the City notified the public and the Washington State Department of Commerce of the City’s intent to adopt a comprehensive plan and the beginning of a 60-day public review and comment period, and solicited comments about the plan; and

WHEREAS, the public notifications identified the dates and times of public hearings to be held before the Everson City Council regarding adoption of the comprehensive plan; and

WHEREAS, the Everson City Council held public hearings regarding the proposed comprehensive plan update on May 10 and June 14, 2016 where opportunity for public testimony was provided; and

WHEREAS, following the completion of the required 60-day public review and comment period, the City Council closed the public hearing on June 14, 2016; and

WHEREAS, the responsible SEPA official reviewed a SEPA checklist and other information describing environmental impacts associated with the proposed plan and issued a Determination of Nonsignificance on the plan on June 14, 2016; and

WHEREAS, comments regarding the comprehensive plan were received from various parties, including the Washington State Department of Commerce, and the comprehensive plan was modified in response to said comments; and

WHEREAS, prior to adoption of the 2016 update of the City's comprehensive plan, the City Council found that the plan update process conducted by the City from September 2015, through June 2016, constituted a review and evaluation of the *City of Everson Comprehensive Land Use Plan* in accordance with the requirements of subsection 36.70A.130(1)(a) RCW; and

WHEREAS, the City Council found that the revision of the *City of Everson Comprehensive Plan* dated June 2016 was in compliance with the provisions of chapter 36.70A RCW; and

WHEREAS, on June 28, 2016 the City Council adopted the *City of Everson Comprehensive Plan* dated June 2016 in compliance with the provisions of chapter 36.70A RCW; and

WHEREAS, in April 2017, the City began preparing a comprehensive parks and recreation plan to incorporate and expand on the parks planning information contained in the Capital Facilities Element of the 2016 update of the City comprehensive plan; and

WHEREAS, in September 2017, the City distributed the 2017 Parks Survey to all utility customers and rental units in the City through a combination of inclusion with the monthly utility bills, direct mailing and availability through the City website; and

WHEREAS, 86 households submitted responses to the 2017 Parks Survey, which constituted a response rate of approximately ten percent; and

WHEREAS, the results of the 2017 Parks Survey were presented to the City Council and incorporated into a draft Parks and Recreation Plan; and

WHEREAS, on January 31, 2018, the City provided public notice in the Lynden Tribune, on the City website, and through direct mailings to interested parties regarding the availability of draft Parks and Recreation Plan, the opportunity to provide public comments, the date set for a community meeting to discuss the draft Plan, and the date set for the holding of a public hearing; and

WHEREAS, a community meeting was held on February 13, 2018 where the content of the draft Parks Plan was presented and input from the community was received; and

WHEREAS, multiple comments regarding the draft Parks Plan were received at the community meeting and during the public comment period, and the input received from the public was utilized to prepare the final draft Parks and Recreation Plan; and

WHEREAS, additional public notice regarding the holding of a public hearing was provided in the Lynden Tribune on February 21, 2018 and on the City website; and

WHEREAS, a duly advertised public hearing before the City Council regarding the proposed *Comprehensive Parks and Recreation Plan* was held on February 27, 2018 where opportunity for public comment was provided and public testimony was received; and

WHEREAS, following the closing of the public hearing, the City Council finds that the *Comprehensive Parks and Recreation Plan* dated February 27, 2018 addresses the current and future needs of the community and further finds that adoption of the Plan is in the best interest of the citizens of the City of Everson;

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

Section 1. The *City of Everson Comprehensive Parks and Recreation Plan* in the form as set forth in Exhibit A (dated February 27, 2018), attached hereto, is hereby adopted in its entirety as the comprehensive parks and recreation plan for the City of Everson, Whatcom County, Washington. A copy of this plan shall be on file in the office of the City Clerk and all parties desiring to examine the plan may examine the same at the office of the City Clerk.

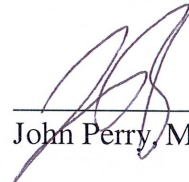
Section 2. The Mayor is authorized and directed to transmit a copy of the *City of Everson Comprehensive Parks and Recreation Plan* to the State Recreation and Conservation Office by March 1, 2018 as a prerequisite for eligibility for certain state and federal grant programs.

Section 3. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

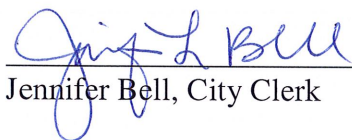
Section 4. This ordinance shall take effect and be in force from and after five (5) days after passage, approval, signing, and publication as provided by law.

PASSED by a majority of the whole membership of the City Council of the City of Everson, Washington, at a regular meeting of said Council held this 27<sup>th</sup> day of February 2018.

CITY OF EVERSON, WASHINGTON

  
\_\_\_\_\_  
John Perry, Mayor

ATTEST:

  
\_\_\_\_\_  
Jennifer Bell, City Clerk

APPROVED AS TO FORM:

  
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Jonathan Sitkin, City Attorney