



INFORMATIONAL MEMORANDUM

TO: **Planning and Community Development**

FROM: **Nora Gierloff, DCD Director**

CC: **Mayor Ekberg**

DATE: **June 5, 2023**

SUBJECT: **Resolution Suspending Applications for Annual Comprehensive Plan Amendments Through 2024**

ISSUE

Should acceptance of privately initiated annual Comprehensive Plan amendments be suspended during the 2024 periodic update of the Plan?

BACKGROUND

The Growth Management Act (“GMA”) requires the City of Tukwila to conduct a periodic review of its Comprehensive Plan (“Plan”) and development regulations to ensure that the Plan and regulations address changing conditions and comply with new requirements. These revisions are currently being reviewed in preparation for an updated Plan to be adopted by the City Council by December 31, 2024. Additionally, new State legislation will require significant updates to Tukwila’s development regulations by July 2025.

Between periodic updates Tukwila also has an annual amendment process that allows any interested person to submit an application for a rezone or text amendment to the City’s Comprehensive Plan. The deadline for these privately initiated changes is December 31st of each year for consideration by the City Council during the following year’s annual review cycle.

DISCUSSION

The GMA generally requires all comprehensive plan amendments be considered concurrently so that the cumulative effects of the various proposals can be determined. This is why annual amendments are grouped together for consideration once a year. Considering specific annual amendments while the multi-year overall Plan update is ongoing works against this holistic approach.

However, through the public engagement process of the 2024 periodic update, the public will have ample opportunity to participate in the Plan update process, as well as the associated development regulation changes. This includes providing public comment to the Planning Commission and City Council on the draft Plan and proposed development regulations. This is more efficient and effective for staff and the public than allowing two different update processes to run concurrently, therefore staff is suggesting that the privately initiated annual amendment process be suspended through the end of 2024.

This is also a capacity issue for staff as we need to balance the 2024 periodic update, regulation changes required by the State Legislature, and maintaining our development permit review times.

FINANCIAL IMPACT

Suspending the annual amendment process will allow limited staff resources to be spent on the periodic update process while still providing an avenue for the public to shape the Plan. The City would be foregoing the permit revenue from any annual amendment application fees.

RECOMMENDATION

The Council is being asked consider the resolution at the June 12th Committee of the Whole meeting and approve it at the subsequent Special Meeting that night.

ATTACHMENTS

- A. Resolution Suspending Annual Comprehensive Plan Amendments Through 2024

DRAFT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, SUSPENDING PRIVATELY-INITIATED APPLICATIONS FOR ANNUAL AMENDMENTS OF THE COMPREHENSIVE PLAN DURING THE 2024 COMPREHENSIVE PLAN PERIODIC UPDATE AND IMPLEMENTATION PROCESS.

WHEREAS, the City of Tukwila is required to plan under RCW 36.70A.040; and

WHEREAS, RCW 36.70A.130(5) requires the City of Tukwila to conduct a periodic review of its Comprehensive Plan (hereafter referred to as the “Plan”) and to ensure the Plan and regulations comply with the requirements of the Growth Management Act (hereafter referred to as “GMA”), and make revisions as needed on or before December 31, 2024 (hereafter referred to as “2024 Periodic Update”); and

WHEREAS, the Washington State Legislature has passed, and the Governor has signed, multiple laws that will require the City to further modify its development regulations by July 2025; and

WHEREAS, Tukwila Municipal Code (“TMC”) Chapter 18.80, “Amendments to the Comprehensive Plan and development regulations,” allows any interested person to submit an application for an amendment to the City’s Comprehensive Plan prior to the deadline of December 31st of each year for consideration by the City Council during the following year’s annual review cycle; and

WHEREAS, TMC Chapter 18.84, “Requests for changes in zoning,” allows site specific rezones along with an accompanying Comprehensive Plan map change application to be submitted by property owners prior to the deadline of December 31st of each year for consideration by the City Council during the following year’s annual review cycle; and

WHEREAS, the GMA generally requires all Comprehensive Plan amendments and rezone proposals to be considered by the governing body concurrently so the cumulative effects of the various proposals can be ascertained; and

WHEREAS, privately-initiated applications for Comprehensive Plan amendments and rezones are difficult to reconcile and integrate with the City-wide nature of the 2024 Periodic Update and additional development regulation changes as required by the State Legislature; and

WHEREAS, the City-wide nature of the 2024 Periodic Update and required development regulation changes by the State Legislature requires the dedication of additional time and resources and necessitates an adjustment to the typical schedule for accepting privately-initiated Comprehensive Plan amendments and rezones; and

WHEREAS, through the public engagement process of the 2024 Periodic Update, the public will have ample opportunity to participate in the Plan update process, as well as the development regulation changes by the State Legislature, including providing public comment to the Planning Commission and City Council on the draft Plan and proposed development regulations;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The acceptance of privately-initiated applications for Comprehensive Plan amendments or rezones shall be suspended during the 2023 and 2024 calendar years to allow all changes to be considered in the context of the City-wide updates. Acceptance of applications shall resume in 2025 for consideration by the City Council during the following year's annual review cycle.

Section 2. This resolution shall take effect and be in force immediately upon its passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF TUKWILA, WASHINGTON, at a Special Meeting thereof this _____ day of _____, 2023.

ATTEST/AUTHENTICATED:

Christy O'Flaherty, MMC
City Clerk

Cynthia Delostrinos Johnson
Council President

APPROVED AS TO FORM BY:

Filed with the City Clerk: _____
Passed by the City Council: _____
Resolution Number: _____

Office of the City Attorney