ATTACHMENT A

806 West Main Street
Monroe, WA 98272-2198
(360) 794-7400 Fax: (360) 794-4007
www.ci.monroe.wa.us

September 20, 2010

Mr. Joshua Freed
East Monroe Economic Development Group LLC
18404 102nd Avenue NE
Bothell, WA 98011

COMPREHENSIVE PLAN MAP AMENDMENT DOCKET APPLICATION

Dear Mr. Freed,

The City received your application for a Comprehensive Plan Map Amendment that includes tax parcels 27070600102500, 27070500206100, 27070500206200, 27070500206300, 27070500206400, 27070500203300, 27070500203301, and 27070500203303 within the designated submittal period for the 2011 Comprehensive Plan review cycle. City staff assigned your application the following file number and name: CPA 2011-01 East Monroe Economic Development Group.

The Planning Commission will receive an introductory review of the submitted comprehensive plan amendment application on September 27, 2010. Comprehensive Plan amendments follow the general process as outlined below:

1. Planning Commission workshop(s);
2. Planning Commission public hearing for docketing and recommendation to City Council;
3. City Council workshop, upon receipt of a recommendation from the Planning Commission, the City Council shall adopt, adopt as modified, deny, or remand the application(s) to the Planning Commission for further consideration;
4. If docketed, there will be additional fees due at that time; and
5. Staff will then begin an in-depth review and discussion with the Planning Commission concluding with a project-specific public hearing and a final recommendation to City Council.

Staff reviewed your application and has the following comments that you will need to address should the City Council docket the proposal:

Planning

The Planning department has noted some inconsistencies with the application, described below, based on the review criteria adopted in Resolution 2005/006.

Application
There are inconsistencies in the number of parcels and total acreage listed in the application. County data shows seven parcels totaling 79.82 acres. Two parcel numbers (27070500203301 & 27070500203303) associated with 21509 US 2 (Parcel # 27070500203300) are manufactured homes. Additionally, large portions of parcels 1, 2, 3, & 4 of Short Plat SP 199005 have been placed in a Native Growth Protection Area, prohibiting development potential in these areas. Based on the city's current critical areas inventory, staff assumes that the remaining properties also include critical areas that would need to be set aside in a Native Growth Protection Area easement, at the time of development.

Tom McCann and Justin Vanlom, the owners of Parcel # 27070500203400, are not listed on nor have they signed the application.

Appendix I
Proposal Narrative.
Analysis: The applicant has provided a narrative that includes the proposed changes and the reasons for requesting the land use change. The applicant feels that the proposal will bring economic enhancement opportunities to the city.

Appendix II Part A, criteria for further review
Question 1 relates to consistency with the Comprehensive Plan goals and policies.
Analysis: The applicant referenced the vision statement from the Executive Summary to the Comprehensive Plan. The applicant will need to explain how the proposal is consistent with the Comprehensive Plan, if docketed including showing consistency with goals and policies from the Natural Environment Element, Land Use Element, Capital Facilities Element, Utilities Element, Economic Development Element, and Transportation Element (Comprehensive Transportation Plan), Shoreline Element (Shoreline Master Program).

Question 2 asks for proposed amendment language.
Analysis: The applicant noted N/A (not applicable) to proposed amendment language. The applicant checked that they were applying to change an element of the Comprehensive Plan on the application form, but has only proposed changes to the land use map (not checked in the application). The applicant needs to clarify the intent of the proposal (i.e., are they proposing a map change or are they also proposing an element change). If docketed, the proposed land use change may require changes to the Shoreline Master Program (which undergoes an approval process by the Department of Ecology), Transportation Plan, Stormwater System Plan, Sewer Plan, and Water System Plan.

Question 3 asks for an explanation of the amendment.
Analysis: The applicant provided an explanation related to the proposed amendment and suggests, "This change in land use designation is requested in order to bring commercial economic development to the east end of Monroe."

Question 4 requires a map or description of the affected areas.
Analysis: The applicant provided the Section, Township, and Range (5-27N-7E), Parcel ID numbers and a map of the affected properties.

Question 5 requires the accurate description of significant impacts to public health, safety, and welfare.
Analysis: The intent of this question is to disclose probable impacts to public facilities, services, and environmental health. If docketed, the applicant will need to describe potential significant impacts to public health, safety, or welfare. At that time, staff can analyze these to determine consistency with adopted levels of service and recommend mitigation measures.

Question 6 relates to consistency with the Growth Management Act (GMA), Chapter 36.70A RCW.
Analysis: the applicant suggests that the proposal is generally consistent with GMA by intensifying urban uses and providing economic enhancement opportunities. If docketed, the applicant will need to explain, more completely, how the proposal is consistent with specific sections of the Growth Management Act including the planning goals found in RCW 36.70A.020. .

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

(8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.

(10) Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

<u>Appendix II Part B. criteria to show justification for proposed change(s)</u>
Question 1 requests an explanation of changing circumstances.
Analysis: The applicant states that the city needs additional economic development as a justification for changing circumstances in the city. City staff concurs with this

sentiment. However, the proposal is not entirely consistent with findings of the *2007 Snohomish County Buildable Lands Report* that concludes that there is adequate economic capacity in the city or the city's findings from the *2005-2025 Comprehensive Plan* that states there are adequate parcels for retail commercial development, but a lack of suitable industrial parcels for future economic growth. Outside of the review criteria adopted under Resolution 2005/006, this resolution also provides some flexibility and states, "... the Planning Commission and City Council shall consider current development trends to determine the city's progress in achieving economic, land use, and housing goals established in the Plan." If docketed, the applicant will need to show consistency with the adopted vision or show how circumstances have changed to justify the proposed map amendment.

Question 2 relates to the disclosure of environmental impacts and possible mitigation measures.
Analysis: If docketed, the applicant will need to revise the environmental checklist and provide updated supporting documents (e.g., updated critical areas and geotechnical reports, traffic analysis, etc.). For example, the area is located in the "100-year" flood hazard area and is adjacent to a geologically hazardous area. The site is within the shoreline boundary of the Skykomish River and contains a stream and wetlands. Any potential changes to these systems will likely have direct or indirect impacts. Based on a preliminary analysis of the potential impacts to the natural environment (e.g., wetlands, streams, steep slopes, shoreline, and flood hazard) and built environment (e.g., public services, roads, utilities, and adjacent land uses), staff assumes an environmental impacts statement may be necessary to address potential impacts and provide land use alternatives.

Question 3 requires consistency with land use and growth projection.
Analysis: If docketed, the applicant will need to show consistency with land use and growth projections for the area or show how circumstances have changed to justify the proposed map amendment.

Question 4 relates to consistency with adjacent land uses:
Analysis: The applicant states, "The subject properties front Highway2 and really have no neighbors that would be adversely affected by the change in land use designation..." The adjacent uses by zoning include commercial farmland, Rural R-5, Rural Conservation in the unincorporated County, and UR 9600 in city limits. All adjacent land uses are lower intensity uses and may be affected by the proposal.

<u>Additional Criteria for pre-docket Review</u>

1. Consideration of the previous record if the amendment was reviewed and denied during a previous comprehensive plan review.
   Analysis: The Heritage Baptist Fellowship applied for a similar map amendment (CPA200502) to change the subject parcels from Limited Open Space to General Commercial as part of the 2005 docket. The city did not docket the proposal for review.

In 2006, the city considered docketing the area for a sub-area plan (CPA2006C). Staff developed a detailed scope of work with cost estimates for professional services. Due to the budget required to adequately plan for the area and address environmental issues, the city did not move forward with the proposal.

2. Does the proposed amendment advance the goals and policies of the comprehensive plan?
   Analysis: As submitted, the proposal has discrepancies with the current Comprehensive Plan. If docketed, the applicant will need to explain how the proposal advances the goals and policies of the Comprehensive Plan including those found in the Natural Environment Element, Land Use Element, Capital Facilities Element, Utilities Element, Economic Development Element, and Transportation Element (Comprehensive Transportation Plan), Shoreline Element (Shoreline Master Program).

3. Is the proposed amendment consistent with the goals and regulations of the Growth Management Act?
   Analysis: As noted, the GMA statute requires more than infill development, but also requires planned growth, the reasonable availability of public services, protection of natural resources, and preservation of agricultural lands. If docketed, the applicant will need to explain how the proposal is consistent with specific sections of the Growth Management Act including the planning goals found in RCW 36.70A.020.

4. The relationship of the proposed amendment to other city codes and regulations?
   Analysis: The proposal creates potential inconsistencies with the Transportation Plan and Shoreline Master Plan, including allowed uses. The projected capital needs outlined in the sewer, water, and stormwater plans did not consider additional intensive commercial development or outline capital improvements to provide or maintain service in this area. The applicant has not addressed how the proposal and subsequent future development will be consistent with Chapter 14.01 MMC Flood Hazard Area Regulations or with Chapter 20.05 MMC Critical Areas. If docketed, the applicant will need to show how the proposal will be consistent with city codes, plans, and regulations and meets concurrency requirements at the time of development.

5. The cumulative effect of all the plan amendments?
   Analysis: Resolution 2005/006 provides the review criteria to evaluate proposed Comprehensive Plan amendments. As submitted, the proposed comprehensive plan amendment may create a significant change to the future land use projections made throughout the current Comprehensive Plan and affect several plan elements and supplemental planning documents.

   The GMA statute requires the reasonable availability of public services, protection of natural resources, and preservation of agricultural lands.

The area has all of the critical areas described in Chapter 20.50 MMC within its boundaries and lacks major public services, such as public water and sanitary sewer. The proposal would necessitate the expansion of numerous public facilities into a largely undeveloped agricultural area. If docketed, the applicant will need to show how the proposal will not create negative cumulative impacts in review of other plans and policies.

If docketed, the applicant will need to describe potential significant impacts to public health, safety, or welfare. At that time, staff can analyze these to determine consistency with adopted levels of service and recommend mitigation measures.

The applicant states that the city needs additional economic development as a justification for changing circumstances in the city. City staff concurs with this sentiment. However, the proposal is not entirely consistent with findings of the 2007 Snohomish County Buildable Lands Report that concludes that there is adequate economic capacity in the city. This justification is also not consistent with the city's finding, documented in the 2005-2025 Comprehensive Plan,

"The land supply analysis indicates that approximately 62 acres of commercial-zoned land and 26 acres of industrial-zoned lands are available within the city. According to these estimates, there appears to be an adequate supply of land to accommodate projected retail and service industry space requirements over the next 25 years."

Outside of the review criteria adopted under Resolution 2005/006, this resolution also provides some flexibility and states, "... the Planning Commission and City Council shall consider current development trends to determine the city's progress in achieving economic, land use, and housing goals established in the Plan."

If docketed, the applicant will need to show consistency with the adopted vision or show how circumstances have changed to justify the proposed map amendment.

As noted throughout, if docketed the applicant will need to provide additional information to show consistency with the listed criteria and substantiate the proposed map change. Acceptable information may include supplemental written responses that address applicable goals and policies and/or specialized studies that deal expressly with individual components, such as a market analysis, critical areas studies, traffic studies, etc. The city may be able to provide some additional information related to the property as available and upon request.

Operations

1. The change in land use designation will have currently unknown impacts on the water and sanitary sewer systems. The current system plan we based on the current land use designation of the property. The applicant must determine the possible impacts of the proposed land use designation change.

2. SEPA B.1.d. There are numerous surface indications of unstable soils in the vicinity.

3. SEPA B. 3.a.5. The subject property is within a flood hazard area (100-year flood plain) based on best available information. Flood Insurance rate map panel 13776 revised preliminary 1/12/2007.

If you have any questions or need any additional information, please contact Associate Planner Russ Wright at (360) 863-4553 or rwright@ci.monroe.wa.us.

Best Regards,

Judy L Gribble

Judy Gribble, CPT
Permit Technician

Enclosure

CC:
Robert Kreutz
7908 Upper Ridge Road
Everett, WA 98203

Tom McCann & Justin Vanlom
PO Box 1480
Monroe, WA 98272

Thomas Minnick
Heritage Baptist Fellowship
PO Box 1090
Monroe, WA 98272