

## SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

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**ITEM NO:** A-1

**DATE:** June 12, 2008

**SUBJECT:** Comprehensive Plan Amendment Annual Docket, 2008

**CONTACT PERSON:** Robert Martin, Community Development Director

*RCM*

**ISSUES:**

1. Open the Comprehensive Plan Annual Docket for the 2008-2009 update cycle. The Docket will be open for applications to be submitted until June 30, 2008. The City and the public may submit applications for amendments until the June 30<sup>th</sup> deadline.
2. The Comprehensive Plan, with modifications required by the Growth Management Hearings Board, will be adopted in September 2008. With the plan being newly-adopted, City staff does not foresee submitting significant amendments for this update cycle.

**STAFF RECOMMENDATION:**

Staff recommends that Council open the Comprehensive Plan Amendment Annual Docket and direct staff to provide appropriate public notice.

**SUMMARY:**

By state law 36.70A.130.2.a, municipal comprehensive plans may be amended only once each year. The City of Sultan uses a docket system to accept applications during this annual process. The docket closes on June 30. Applications are reviewed and, at the discretion of the Council, may or may not be acted upon during the year following close of the docket.

**ANALYSIS:**

Staff does not foresee significant Plan changes to be proposed by the City during this update cycle. Staff proposes that comprehensive planning effort during this period will be focused on updating the development codes and regulations that implement the Comprehensive Plan. Under this work plan, Title 16 (Unified Development Code), Title 21 (Other Land Uses), and Title 22 (Sign Regulations) will be updated to better coordinate with and implement the Comprehensive Plan.

There exist two outstanding plan amendment proposals docketed in November 2005. One of these was from a citizen requesting review of zoning designations along Hwy. 2. The other was from staff requesting seven items comprising a work program for revision and updating of the Plan.

The staff-proposed work plan has been addressed by the extensive work since 2005 done to address these and other issues in response to Growth Management Hearings Board decisions.

**ALTERNATIVES:**

The citizen-sponsored request for review of zoning designations along Hwy. 2 has not been addressed specifically. This item is still on the docket. Upon close of the docket on June 30, 2008, Council can determine whether to proceed with this item, continue it on the docket for future action, or remove it from the docket.

Council retains the alternative of proposing any Comprehensive Plan amendments that are determined appropriate. They are subject to the June 30, 2008 deadline.

**FISCAL IMPACT:**

If the plan to focus on updating of the implementing codes is undertaken, staff time will be expended on that effort. This will be within current budget and available staff hours. There may be some direct cost for assistance from Snohomish County under the newly-adopted interlocal agreement for planning services.

**RECOMMENDED ACTION:**

Open the Comprehensive Plan Amendment Docket for the 2008-2009 update cycle.

**ATTACHMENTS:**

Attachment A: August 7, 2007 Agenda Item Cover Sheet discussing proposed 2005 Comprehensive Plan amendments docketed for consideration on November 9, 2005.

Attachment B: RCW 36.70A.130.2.a (See underlined text).

**SULTAN PLANNING BOARD  
AGENDA ITEM COVER SHEET**

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**ITEM NO:** Discussion Annual Comprehensive Plan Petitions  
**DATE:** August 7, 2007  
**SUBJECT:** Comprehensive Plan Amendment Applications Update  
**CONTACT PERSON:** Rick Cisar, Director of Community Development

**BACKGROUND:**

In 2002, the City adopted Comprehensive Plan Amendment Review and Public Hearing Procedures as required by RCW 36.70A.130 Comprehensive Plans - Review Procedures and Schedules - Amendments to provide for a process to amend the various elements of the Comprehensive Plan. Amendments to the plan are typically initiated by property owners, City Council, Planning Board, or City Staff.

In 2005, the City received two applications for amendments to the 2004 Comprehensive Plan. One application from Bart Dalmasso (Exhibit 1) to review the zoning designations along US 2, and a second application from City Staff (Exhibit 2) to consider the following:

1. Incorporate the Water, Wastewater, and Stormwater Plans into the appendix of the Comprehensive Plan as a reference.
2. Update the Urban Growth Area (UGA) based on the final recommendation of the Snohomish County Council and include required plan, regulation, map, and policy changes.
3. Review Appendix B: Level of Service (LOS) for Transportation, Parks, Police, Water and Wastewater, etc. to determine if our current standards are adequate and reasonable.
4. Incorporate Sultan School District CFP.
5. Refine Park Element.
6. Incorporate 2006 Capital Facility Plan Update.
7. Update Map Folio.

The two applications were docketed by the City Council on November 9, 2005 and referred to the Planning Board for review. The cost of amending the Comprehensive Plan, in consideration of the two applications, was estimated at \$35,000. A pending grant application with the Department of Community Trade and Economic Development, unfortunately, was not approved. Therefore, review and consideration of the two petitions was delayed pending additional funding. However, several items in the petition have been completed, are near completion including or are pending discussion later this year.

*Attachment A.1*

1. The Water, Sewer and Storm Sewer Plan Updates.
2. The Urban Growth Area Map has been updated to reflected the actions of Snohomish County in 2005 and 2006.
3. The Level-of-Service Standards for Transportation, Parks, Police, Water, and Sewer will be considered after adoption of our current Comprehensive Plan Update later this year.
4. The Sultan School District #311 Capital Facilities Plan has been approved by the Snohomish County Council and is being scheduled for review and Public Hearing by the Planning Board.
5. Updating of the Park Element is under review as part of our current Comprehensive Plan Update.
6. The 2007 Capital Facilities Plan has been approved and will be included as part of our Comprehensive Plan Update.
7. The map folio will be updated to include mapping revisions from the current Comprehensive Plan Update, the Shorelines Program, and Utility and Transportation Plan revisions.
8. Review of the State Route 2 zoning designations requested by Mr. Delmasso will be considered upon completion of our current Comprehensive Plan Update effort.

In March of 2007, the Mayor and City Council received a petition (Exhibit 3) from residents of the Dyer Road and Skywall Drive neighborhoods to delete:

1. The proposed roadway connection of Dyer Road and Skywall Drive as identified as Proposed Roadway Number 28 on the Transportation Plan Map, and;
2. The proposed sewer pipeline extension on both Dyer Road and Skywall Drive, including the proposed Pump Station (Number 4) as shown on the Sewer Utility Map.

The Dyer/Skywall Roadway connection is currently under review as part of our Transportation Plan Update by Perteet Inc. City Staff is recommending an emergency vehical connection only.

City Staff is also recommending the proposed sewer lines remain in both Dyer Road and Skywall Drive in order to apply for grant funds to assist in the construction of sewer services. The existing septic systems may be required to be eliminated in the future due to potential health problems from septic system failure.

These issues will be discussed and a final decision made during the Comprehensive Plan Update currently underway.

This year, in June 2007, the City recieved 2 additional applications for Comprehensive Plan Amendments. The first application was prepared by City Staff and proposes Comprehensive Plan Amendments to evaluate the growth strategies in the Comprehensive Plan (Exhibit 4). This petition was reviewed with the Planning Board on June 26, 2007.

Attachment A.2

The second petition was received from Rusty Drivstuen and also requests and evaluation of the growth strategies and removal of the Police Level-of-Service. The petition further requests completion of the Transportation Improvement Plan, Capital Facilities Plan, Police Services, and all other issues related to the Comprehensive Plan Update under review by Consultants be complete this year (Exhibit 5).

City Staff will be presenting the petitions to the City Council next month and recommend the City Council redocketing of the petitions received in 2002 (Dalmasso and the City) as well as docketing of the two petitions received this year (the City and Drivstuen).

**RECOMMENDED ACTION:**

This is a Discussion Item and no action is requested.

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**Attachments:**

- Exhibit 1 - 2005 Amendment Petition by Dalmasso
- Exhibit 2 - 2005 Amendment Petition by City Staff
- Exhibit 3 - Dyer Road and Skywall Drive Amendment Petition 3/7/06
- Exhibit 4 - 2006 Amendment Petition by City Staff
- Exhibit 5 - 2006 Amendment Petition by Drivstuen

Attachment A.3

**RCW 36.70A.130**

**Comprehensive plans — Review procedures and schedules — Amendments.**

(1)(a) Each comprehensive land use plan and development regulations shall be subject to continuing review and evaluation by the county or city that adopted them. Except as otherwise provided, a county or city shall take legislative action to review and, if needed, revise its comprehensive land use plan and development regulations to ensure the plan and regulations comply with the requirements of this chapter according to the time periods specified in subsection (4) of this section.

(b) Except as otherwise provided, a county or city not planning under RCW 36.70A.040 shall take action to review and, if needed, revise its policies and development regulations regarding critical areas and natural resource lands adopted according to this chapter to ensure these policies and regulations comply with the requirements of this chapter according to the time periods specified in subsection (4) of this section. Legislative action means the adoption of a resolution or ordinance following notice and a public hearing indicating at a minimum, a finding that a review and evaluation has occurred and identifying the revisions made, or that a revision was not needed and the reasons therefor.

(c) The review and evaluation required by this subsection may be combined with the review required by subsection (3) of this section. The review and evaluation required by this subsection shall include, but is not limited to, consideration of critical area ordinances and, if planning under RCW 36.70A.040, an analysis of the population allocated to a city or county from the most recent ten-year population forecast by the office of financial management.

(d) Any amendment of or revision to a comprehensive land use plan shall conform to this chapter. Any amendment of or revision to development regulations shall be consistent with and implement the comprehensive plan.

(2)(a) Each county and city shall establish and broadly disseminate to the public a public participation program consistent with RCW 36.70A.035 and 36.70A.140 that identifies procedures and schedules whereby updates, proposed amendments, or revisions of the comprehensive plan are considered by the governing body of the county or city no more frequently than once every year. "Updates" means to review and revise, if needed, according to subsection (1) of this section, and the time periods specified in subsection (4) of this section or in accordance with the provisions of subsections (5) and (8) of this section. Amendments may be considered more frequently than once per year under the following circumstances:

(i) The initial adoption of a subarea plan that does not modify the comprehensive plan policies and designations applicable to the subarea;

(ii) The adoption or amendment of a shoreline master program under the procedures set forth in chapter 90.58 RCW;

(iii) The amendment of the capital facilities element of a comprehensive plan that occurs concurrently with the adoption or amendment of a county or city budget;

(iv) Until June 30, 2006, the designation of recreational lands under \*RCW 36.70A.1701. A county amending its comprehensive plan pursuant to this subsection (2)(a)(iv) may not do so more frequently than every eighteen months; and

(v) The adoption of comprehensive plan amendments necessary to enact a planned action under RCW 43.21C.031 (2), provided that amendments are considered in accordance with the public participation program established by the county or city under this subsection (2)(a) and all persons who have requested notice of a comprehensive plan update are given notice of the amendments and an opportunity to comment.

(b) Except as otherwise provided in (a) of this subsection, all proposals shall be considered by the governing body concurrently so the cumulative effect of the various proposals can be ascertained. However, after appropriate public participation a county or city may adopt amendments or revisions to its comprehensive plan that conform with this chapter whenever an emergency exists or to resolve an appeal of a comprehensive plan filed with a growth management hearings board or with the court.

(3)(a) Each county that designates urban growth areas under RCW 36.70A.110 shall review, at least every ten years, its designated urban growth area or areas, and the densities permitted within both the incorporated and unincorporated portions of each urban growth area. In conjunction with this review by the county, each city located within an urban growth area shall review the densities permitted within its boundaries, and the extent to which the urban growth occurring within the county has located within each city and the unincorporated portions of the urban growth areas.

(b) The county comprehensive plan designating urban growth areas, and the densities permitted in the urban growth areas by the comprehensive plans of the county and each city located within the urban growth areas, shall be revised to accommodate the urban growth projected to occur in the county for the succeeding twenty-year period. The review required by this subsection may be combined with the review and evaluation required by RCW 36.70A.215.

Attachment B