SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET

ITEM NO: A-3

DATE: August 14, 2008

SUBJECT: Comprehensive Plan Amendment Annual Docket 2008

CONTACT PERSON: Robert Martin, Community Development Director D. Wright

ISSUES:

1. Consideration of Comprehensive Plan Annual Docket

STAFF RECOMMENDATION:
Delete the Hwy 2 Zoning Item from the Docket. Affirm that there were no additional Docket applications received during the open-Docket period, and close action on the Docket until the June 2009 Docket application period.

SUMMARY:
The Council opened the Annual Comprehensive Plan Docket for the 2008-2009 Docket. The Docket closed on June 30. No new Docketed applications were received.

One item remains on the Docket from the 2005 cycle. All other Docket items from 2005 through 2008 have been addressed by the recent work on the Comprehensive Plan in response to the Growth Management Hearing Board cases. These include a significant list of Staff-recommended updates, and a petition from the Dyer-Skywall neighborhood.

ANALYSIS:
See "Attachment C", June 12, 2008 Council Agenda Item Cover Sheet, for prior discussion on this issue.

Remaining Docket Item:
The remaining Docket Item, a petition by Mr. Bart Dalmasso, to implement a buffer along Hwy 2 and change zoning to Highway Oriented designation on all property fronting the highway has been carried over since it was submitted in June 2005.

There is approximately 34,000 lineal feet of frontage (both sides of the highway) along Hwy 2 within the City of Sultan. Of that total, approximately 1,800 feet (5%) is in the Moderate Density Residential designation and approximately 1,800 feet (5%) is in the Low-Moderate Density Residential Designation.

The remaining 90% is in either Highway Oriented Development (HOD) Zone, Urban Center Zone (UC), or the Economic Development (ED) Zone. The HOD and UC Zones are very similar in their allowed uses, and both provide for a wide range of commercial

and service uses. The ED Zone provides for a smaller, but meaningful range of commercial and service uses, and adds light and heavy industrial uses to the list.

The issue then is whether it is a worthwhile effort to open the Comprehensive Plan to change the zoning on the approximately 10% of the Hwy 2 frontage that is not already designated for commercial and industrial economic development. The properties designated in the residential categories are so designated because they, in general, contain residential development at the time the designations were put in place.

With significant investment of time and energy anticipated in the process of code revision anticipated in the coming year, it does not seem worthwhile to invest in the process of opening the Comprehensive Plan and its residential/commercial/industrial ratios for the purpose of addressing a zone change on approximately 29 parcels occupying 3,600 feet of frontage on the highway.

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. Council can determine whether to proceed with this item, continue it on the Docket for future action, or remove it from the Docket.

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.

If Council decides to pursue the Hwy 2 Docket item discussed above, there will be significant expense dedicated to Comprehensive Plan revision, that number is not known at this time.

RECOMMENDED ACTION:
Delete the Hwy 2 zoning item from the Docket. Affirm that there were no additional Docket applications received during the open-Docket period, and close action on the Docket until the June 2009 Docket application period.

ATTACHMENTS:
Attachment A: Comprehensive Plan Amendment Review and Public Hearing Procedures.
Attachment B: June 29, 2005 Amendment Petition, Bart Dalmasso.
Attachment C: June 12, 2008 Council Agenda Cover Sheet

RECEIVED 6/27/05

City of Sultan
Planning Department

RECEIVED JUN 30 2005 BY

CITY OF SULTAN
COMPREHENSIVE PLAN AMENDMENT
REVIEW AND PUBLIC HEARING PROCEDURES

1. The Planning Department receives applications* at any time during the year. Applications, which are associated with a development proposal for a specific parcel of land, shall be accompanied by a fee as established in Resolution Number 10-01. There shall be no fee for other applications until such time as they are accepted for further review by the City Council.

2. All applications shall be docketed as required by RCW 36.70A.470. Applications received prior to July 1st of any year shall be docketed for preliminary consideration by the Council as soon as practicable after the July 1 deadline.

3. All applications associated with a development proposal for a specific parcel of land shall be referred to the Planning Commission, and shall be maintained on the docket for review in the current year.

4. For all other applications, the Council, by a majority vote, shall either docket the application for review by the Planning Commission or deny the application. When docketing applications for review by the Planning Commission, the Council may defer some applications for review in a subsequent year.

5. The Planning Department advises the Planning Commission of amendments referred by the City Council and docketed for review during the current year.

6. The Planning Department schedules meeting(s) with the Planning Commission to consider the amendments and to prepare recommendations for the public hearing(s).

7. The Planning Commission conducts public hearing(s) on the amendments and considers comments received at the hearing(s). The Planning Commission then prepares final recommendations for the City Council.

8. Recommendations of the Planning Commission are submitted to the Washington State Office of Community Development for review and comment prior to City Council review.

9. The City Council conducts public meeting(s), which shall not be an open record hearing as defined in Chapter 347 Laws of Washington 1995, Section 402, and considers recommendations of the Planning Commission and Washington State Office of Community Development.

10. Amendments approved by the City Council are incorporated into the Comprehensive Plan and distributed to plan holders.

*** 15 copies of the completed petition and all attachments required** Attachment A

File:sharefiles/planningdept/ordinances/comp.plan.amendment

319 Main Street Suite 200 • PO Box 1199 • Sultan, Washington 98294
City Hall (360) 793-2231 • Fax (360) 793-3344

City of Sultan, Planning Department
P.O. Box 1199 - 319 Main Street
Sultan, WA 98294-1199
(360) 793-2231 FAX (360) 793-3344

Comprehensive Plan Amendment Petition

Date Received: 6/29/05 RC

Type of Amendment – Please Check

Rezone Application Required: _____

_____ Policy
✓ Map
_____ Regulation
_____ Plan
_____ Other (Please specify) _____

Proponent Information:

Name: Bart Dalmasso

Address: 413 Main P.O. Box 1762

Phone/Fax: 360 799-1222 E-Mail: _____

Amendment Information: The merits of a proposed amendment shall be measured against the petition submittal requirements listed below to ensure consistency in the review and decision making. Please provide the following information (attach additional pages if necessary):

1. A detailed statement of what is proposed to be changed and why.

SR 2 is an extremely busy Highway and there needs to be a buffer between the Highway, the downtown business and residential communities. Every property on SR 2 should be able be developed as a highway oriented property

Attachment B
Exhibit 1-1

2. A statement of anticipated impacts to be caused by the change, including geographic area affected and issues presented and why.

I don't see any immediate impacts that would be caused by this action

3. A demonstration of why an existing comprehensive plan policy, plan or recommendation should not continue to be in effect or why an existing, plan or recommendation no longer applies.

This was an oversight at the time I proposed the overlay between the Suitlaw River + the Beacon station

4. A statement of how the amendment complies with the comprehensive plan's community vision statements, goals, objectives, and policy directives.

We want this community to be successful + to thrive as well as to protect human life

5. A statement of how facility plans and capital improvement plans support the change.

N/A

6. A statement of how the change affects land use regulations (i.e. zoning, subdivision, etc.) and the necessary text changes to bring that land use regulations into compliance with the plan.

Zoning Change by way of an overlay on any + all property on SR12

1-2

7. A demonstration of public review of the recommended change.

See 8 below

8. A statement of how the public should participate in your proposed amendment.

Public hearing

9. An estimated time frame or schedule necessary to complete the amendment.

15 minutes

10. An estimate cost to complete the amendment in consideration of staff time, consultant services, printing, mapping, public notices and information, etc.

None

11. Will a Citizen's Advisory Committee or Technical Advisory Committee acting as a subcommittee of the Planning Commission be necessary to evaluate the amendment?

Yes: ____

No: ✓

If Yes:

A. What are your recommendations for a membership on the committee?

11. Continued.

B. How and when will the meetings be conducted?

At City Hall during Council meetings

C. How will the City Council and Planning Commission be advised of the Committee's Progress?

See "B" above

D. How will the public participate in the Committee meetings?

See "B" above

12. A detailed statement describing how the map amendment complies with the Comprehensive Plan Land Use Element (for map amendment only).

City of Sultan, Planning Department
P.O. Box 1199 - 319 Main Street
Sultan, WA 98294-1199
(360) 793-2231 FAX (360) 793-3344

Comprehensive Plan Amendment Petition

RECEIVED
JUN 30 2005
BY:

Date Received: 6/30/05 KC

Type of Amendment – Please Check

Rezone Application Required: _____

- ✓ Policy
- ✓ Map
- ___ Regulation
- ✓ Plan
- ✓ Other (Please specify) LOS Transportation, Facility & Parks

Proponent Information:

Name: City of Sultan Planning Dept

Address: PO Box 1199

Phone/Fax: (360) 793-2231 / (360) 793-3344

E-Mail: rick.cisak@ci.sultan.wa.us

Amendment Information: The merits of a proposed amendment shall be measured against the petition submittal requirements listed below to ensure consistency in the review and decision making. Please provide the following information (attach additional pages if necessary):

1. A detailed statement of what is proposed to be changed and why:
   1. Incorporate wastewater, water and stormwater Comprehensive Plans into appendix of Comp Plans as reference
   2. Update UGA based on recommendation of Snohomish County Council and requires plan, regulation, map and policy changes.
   3. Review Appendix B: Level of Service (LOS) to determine if standards are adequate and reasonable.
   4. Incorporate Sultan School District CFP, if available
   5. Refine Park Element
   6. Incorporate 2006 CFP update
   7. Update Map to LOS.

Exhibit 2-1

2. A statement of anticipated impacts to be caused by the change, including geographic area affected and issues presented and why.

Proposed changes will impact the City limits AND UGA

3. A demonstration of why an existing comprehensive plan policy, plan or recommendation should not continue to be in effect or why an existing, plan or recommendation no longer applies.

Plan updates based on change in conditions

4. A statement of how the amendment complies with the comprehensive plan's community vision statements, goals, objectives, and policy directives.

5. A statement of how facility plans and capital improvement plans support the change.

NA – Plan update will provide for: CIP Projects

6. A statement of how the change affects land use regulations (i.e. zoning, subdivision, etc.) and the necessary text changes to bring that land use regulations into compliance with the plan.

Specific plans may require amendments to regulations i.e. subdivision, wastewater, water & parks impacts etc

7-2

7. A demonstration of public review of the recommended change.

Proposed additions to Comp Plan have been discussed over last year.

8. A statement of how the public should participate in your proposed amendment.

Through adopted public participation process

9. An estimated time frame or schedule necessary to complete the amendment.

8 - 12 months

10. An estimate cost to complete the amendment in consideration of staff time, consultant services, printing, mapping, public notices and information, etc.

$5,000.00 est. mapping & printing costs
1,000 in marketing

11. Will a Citizen's Advisory Committee or Technical Advisory Committee acting as a subcommittee of the Planning Commission be necessary to evaluate the amendment?

Yes: ____
No: ✓

If Yes:

A. What are your recommendations for a membership on the committee?

2-3

11. Continued.

B. How and when will the meetings be conducted?

C. How will the City Council and Planning Commission be advised of the Committee's Progress?

D. How will the public participate in the Committee meetings?

12. A detailed statement describing how the map amendment complies with the Comprehensive Plan Land Use Element (for map amendment only).

2-4

SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET

ITEM NO: **A-1**

DATE: June 12, 2008

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

CONTACT PERSON: Robert Martin, Community Development Director

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 30th 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.

Attachment C

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).