SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET

ITEM NO: **A-5**

DATE: June 25, 2009

SUBJECT: Comprehensive Plan Docket 2009

CONTACT PERSON: Robert Martin, Community Development Director

ISSUE: 2009 Comprehensive Plan Docket.

STAFF RECOMMENDATION:
Staff recommends that the Council review **"Attachment A"** and **"Attachment B"** and ask any questions related to the items presented on those Attachments.

The Planning Board and Staff recommend that all items presented on Attachments A and B be Docketed by the Council for further action this year as provided by the Level IV Process in the recently adopted Public Involvement Procedures.

BACKGROUND:
In conformance with State Statutes, the Sultan Municipal Code (SMC) Chapter 16.134.070D; provides that the Docket for proposals to amend the Comprehensive Plan is open once each year. The deadline for submittal of docket proposals is April 1st of each year. For 2009, the Planning Board proposed five items and a private property owner proposed one item. The City Council determines what items will be addressed on the current year's Docket and which will not.

DISCUSSION:
"Attachment A" presents an outline of the five Planning Board items recommended for inclusion on the 2009 Docket.

"Attachment B" presents an excerpt from the Amendment proposal submitted on behalf of Terra-Ex Land Group. The proposal is to amend the Official Zoning Map to change 17 acres of property at the intersection of Sultan Basin Road and Hwy 2 from Economic Development and Medium Density Residential to Highway Oriented Development. The proposal also asks to amend the text of the Comprehensive Plan and the Sultan Municipal Code 16.12.050 to allow for senior residential housing in the Highway Oriented Development Zone.

These amendment proposals were all filed prior to the April 1st 2009 deadline and are all legitimate for consideration by the Council for Docketing in this cycle. If the Council determines to Docket an item, it does not mean that the item is "approved" or that the amendment is adopted. It means that the Council has determined that the proposal is worthy of investment of time on the part of Staff, the Planning Board, and the Council in the form of research, reports, and the legislative process leading to a decision on whether to approve or deny the proposed amendment.

ATTACHMENTS:
Attachment A: Planning Board adopted 2009 Docket Recommendations
Attachment B: Excerpt of Terra-Ex Land Group Docket Proposal

ATTACHMENT A
PLANNING BOARD PROPOSED DOCKET ITEMS
2009 Comprehensive Plan Docket
Adopted by Motion March 17, 2009

1. Amend Comprehensive Plan Text to provide for Public/Institutional Zone as overlay in the Zoning Section of the Unified Development Code, Sultan Municipal Code (SMC) Title 16.

   This proposal amends the Comprehensive Plan such that it authorizes the Unified Development Code to implement an overlay zone for P/I uses without having to amend the Comprehensive Plan Map each time the overlay is placed on a property. It also eliminates the need to do a two-step Zoning Map Amendment to remove the underlying Zone in case the owning government or agency determines to remove the property from public ownership and make it available for private purchase. This means that the Public Notice required for a Zone Map Amendment is provided, but it can be done at any time without first waiting for scheduling an Amendment to the Comprehensive Plan on the Annual Docket.

2. Amend the Comprehensive Plan Future Land Use Map (Figure LU-1) to designate the north portion of Reese Park and the Water Treatment Plant site as Low/Moderate Density Residential, and provide Comprehensive Plan direction for zoning the properties as P/I on the Official Zoning Map.

   The overlay discussion provided in Item 1 above addresses how and why this is being done in a two-step process. This will complete Comprehensive Plan Land Use Designation and Unified Development Code zoning of all land within the City Limits.

3. Assessment and possible Amendment of Comprehensive Plan Policies on Population and Economic Development, Section 2.2, Goals and Policies, General, #12, #13, and #14.

   These three policies, taken together, could be argued to effectively prohibit annexation of any land in the Urban Growth Area (UGA) until some undefined degree of infill (arguably 100%) is achieved inside the existing City Limits. It is unlikely that this is the intent of these policies, but the argument could be used by someone objecting to an annexation, and the outcome of such a challenge in court is not predictable given the current language.

   It is not the intent of the UGA program to prohibit annexations. Rather, its intent is to make clear the areas where annexation is available and under what reasonable conditions that is to happen. City Staff does not propose to do away with Standards for Development or Annexation. To the contrary, the Plan and Development Codes should specify significant public infrastructure and service expectations for developers proposing to develop in the undeveloped areas of the existing City Limits beyond the current extent of city utilities and roads of sufficient capacity or for those proposing to develop in the UGA.

The issue here is that it could be argued that there is no threshold of utility and transportation improvement offered by a developer that could allow the City to approve an annexation proposal for land within the UGA. There should be a threshold whereby a developer could propose installation of utilities and transportation facilities that would benefit the entire community. Such facilities could be arterial streets or trunk utility lines where the system plans call for them to be located and where the anticipated city budget will be unable to provide them.

The amendments resulting from this analysis would not relieve developers, either in the UGA or in the City Limits from addressing capacity needs of the water system, the sewer system, or the transportation system. These are ultimate capacity limitations that determine how much development can occur in the community. The issue addressed by this proposal is that we can discuss these issues with developers inside of the City Limits. It could be argued that we cannot even discuss these issues with property owners in the UGA.

A further consideration raised by these policies relates to the "concentric ring" model of development. One interpretation of the policies, taken together as parts of a whole, is that all development land in the City core must be developed at full capacity (infilled) before any development can occur that requires service extensions, and that development in the UGA must wait until the entire City Limits is developed to "full capacity".

Absolute adherence to this model is neither realistic nor appropriate. To some extent, this issue can be addressed by the modifications implied by this proposal. There are related policy questions that may not be addressed by this Docket proposal. These will be addressed in the Comprehensive Plan Update in 2011.

4. Industrial Park Master Plan (Reference Document to Comprehensive Plan) at page 3.7, Development Review Process, Binding Site Plan (BSP). The issue in question is as follows:

> *All projects within the Industrial Park will be approved through a Binding Site Plan procedure. Currently, the Sultan Development Code (Chapter 21.06 SMC) contains provisions for Binding Site Plan approval of land divisions.*
>
> *These provisions should be broadened to apply to <u>all</u> development within the Industrial Park to consolidate permit review procedures for the division of land, project site design including lot configuration, building location and design, street improvements, utilities, parking, storm water management, open space, landscaping, signage, and other elements of total project design, as well as provision of infrastructure through Developer Agreements. (Emphasis in original)*

Staff perspective on the requirement for Binding Site Plan is that it is inappropriate, unnecessary, and a procedural barrier to development. The Binding Site Plan process, as provided by state statute in RCW 58.17.035 and 58.17.040 is specified as an "alternative method for land division". This means that the developer may choose to undertake a commercial or industrial subdivision through the Binding Site Plan (BSP) process "as an alternative to the procedures required by this Chapter (RCW 58.17: Boundaries and Plats). It is not, as discussed in the plan excerpt above, provided as a generalized tool for "coordinating all development".

The appropriate tool to accomplish the desired quality development is the Developer Agreement which is also discussed in the above excerpt. The Developer Agreement brings together all development standards, facility plans, environmental requirements, and development design concepts into a unified package. The Developer Agreement may include a BSP if land is being divided, and will not include a BSP if land is not being divided. The BSP is a component of the Developer Agreement the Developer Agreement is not a component of the BSP.

To do a Developer Agreement and a BSP for all development is a significant additional burden on both the Developer and the City. Binding Site Plan should be an available alternative in the Commercial and Industrial Zoned areas where the developer is creating new parcels (subdivision), and where the allowances given by the BSP statute result in a better lot layout

See Attachment A for the plan provisions related to this item.

5. The Road Functional Classification used in the Plan does not correlate with the State and Federal classification systems. For grant applications and various funding sources, it is necessary to amend the Plan to accommodate the State and Federal systems. This involves amendment of Figure T-1, Recommended Arterial Functional Classifications and the corresponding text, and Table T-3, to make the same changes to the specified Sultan Road classifications.

   Changes to the classification definitions will be incorporated into the City of Sultan Road Design Standards and Specifications document. The Design Standards are the administrative standards used for guidance in implementing the Development Code which ultimately implements the Comprehensive Plan Goals and Policies.

SHOCKEY BRENT, INC.
Land Use • Environmental Analysis • Permitting • Public Policy
2716 Colby Avenue, Everett, WA 98201 425 258 9308 fax 425 259 4448 shockeybrent@shockeybrent.com

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CITY OF SULTAN

April 1, 2009

Bob Martin, Community Development Director
City of Sultan
Department of Community Development
PO Box 1199
319 Main Street
Sultan, WA 98294-1199

Re: Request for Comprehensive Plan Amendment
Terra-Ex Land Group LLC

Dear Mr. Martin,

In accordance with Sultan Municipal Code (SMC) 16.134, this request for a Comprehensive Plan amendment with an implementing zone of Highway Oriented Development (HOD), as well as a zoning code text amendment is made on behalf of Terra-Ex Land Group LLC. This request affects approximately 17 acres of property located inside the City of Sultan's city limits, near the intersection of U.S. 2 and Sultan Basin Road. The area is entirely owned by the Applicant. The site is primarily zoned Economic Development (ED), with approximately 3.33 acres zoned Moderate Density (MD) Residential.

REQUESTED ACTION

The Requested Action is to:

1. Amend the Comprehensive Land Use Map from Economic Development and Moderate Density to Highway Oriented Development for 17 acres owned by the Applicant with an implementing zone of HOD.
2. Amend the text of the Comprehensive Plan and the Sultan Municipal Code (SMC) 16.12.050 to allow for senior residential housing in the HOD zone.

PROPERTY DESCRIPTION

The site affected by this request is located north of U.S. 2 and is bisected by Sultan Basin Road in the City of Sultan, Washington. The ten parcels and a right of way vacation that make up the area subject to this request are located within the southeast quarter of Section 32, Township 28, Range 8, and southwest quarter of Section 33, Township 28, Range 8 W.M. (see ***Attachment 1 – Parcel Map***). The County Assessor's parcel numbers are:

- 28083200400600
- 28083200402100
- 28083200402000
- 28083300303700
- 28083300303800

Attachment B

- 28083300303600
- 28083300304000
- 28083300301200
- 28083300303400
- 28083300301400

The majority of the parcels are currently vacant and undeveloped. Three of the parcels contain structures which include a saw shop and shop buildings. Topography of the site generally slopes to the southwest. Wagley's Creek bisects parcels west of Sultan Basin Road.

To the north of the subject area, parcels are either currently vacant or contain single family residences. The parcel immediately adjacent to the east contains a triple-wide mobile home. To the south is U.S. 2 . Parcels to the south include commercial buildings and mobile homes. To the west are parcels containing single-family residences.

COMPREHENSIVE PLAN AND ZONING OVERVIEW

This site lies within the City of Sultan city limits. To the north are parcels designated Low/Moderate Density and Moderate Density, some are currently vacant and some have single family residences. To the east are parcels designated Economic Development, with one containing a triple-wide mobile home. To the south of U.S. 2, parcels are designated Highway Oriented Development and Economic Development; they include commercial buildings and mobile homes. To the west are parcels designated Moderate Density Residential which contain single-family residences. The following table summarizes Comprehensive Plan and Zoning:

	Existing Zoning	**Sultan Comprehensive Plan**	**Proposed Plan Designation**	**Proposed Zoning Designation**
Site	MD and ED	MD and ED	HOD	HOD
North	L/M D and MD	L/M D and MD	NO CHANGE	NO CHANGE
South	HOD and ED	HOD and ED		
East	ED	ED		
West	MD	MD		

MD = Moderate Density
ED = Economic Development
L/M D = Low/Moderate Density
HOD = Highway Oriented Development

SUBMITTAL REQUIREMENTS

1. Master Land Use Application.

The Comprehensive Plan Amendment Petition is attached as ***Attachment 2***.

2. Narrative.

This letter serves as the Applicant's narrative and includes information about the requested amendments and justification for approval.

3. Non-Project SEPA Checklist.

The Non-Project SEPA Checklist is included as ***Attachment 3***.

4. Evaluation Criteria (Comprehensive Plan Amendment Petition).

The Evaluation Criteria for approval of a proposed amendment shall be measured against the petition submittal requirements listed below to ensure consistency in the review and decision making:

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

In accordance with Sultan Municipal Code (SMC) 16.134, this is a request for a Comprehensive Plan amendment with an implementing zone of Highway Oriented Development (HOD), as well as a zoning code text amendment on behalf of the Applicant. This request affects approximately 17 acres of property located near the intersection of U.S. 2 and Sultan Basin Road. The area is entirely owned by the Applicant. The site is currently zoned Economic Development (ED), with approximately 3.33 acres zoned Moderate Density (MD) by City of Sultan.

Specifically, the Requested Action is to:

1. Amend the Comprehensive Land Use Map from Moderate Density and Economic Development to Highway Oriented Development for 17 acres owned by the Applicant, with an implementing zone of HOD.
2. Amend the Comprehensive Plan text and the Sultan Municipal Code (SMC) 16.12.050 to allow for senior residential housing within the HOD zone.

If approved, the Applicant/landowner will seek project approval for a mixed use development on the property. Specific project approval is not being sought as part of this amendment request.

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

An environmental checklist is attached detailing the anticipated effects of this requested change.

The proposed comprehensive plan amendment would change the comprehensive and zoning designation from Medium Density and Economic Development to Highway Oriented Development (HOD). This would represent a moderate change in the range and type of uses on the property, but would allow development of a mixed use, "live/work" design concept desired by the owner. The intent of the HOD zone is to include areas that have the potential to accommodate moderate to dense highway oriented development along U.S. 2. This is similar to the objectives of the Economic Development designation. The site being requested is located

on the east and west sides of Sultan Basin Road, just north of U.S. 2 within the Sultan city limits.

Anticipated impacts caused by the amendment, assuming development occurs on the site under the new designation includes an increase in traffic, additional demand of public utilities and services as well as stormwater and grading impacts. All of these possible impacts would be reviewed under any future project-specific environmental review.

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.

The comprehensive plan designation amendment would allow denser highway oriented development along the north side of U.S. 2. Highway oriented development is currently designated along the south side of U.S. 2. This proposed change would allow for more consistent development.

The owner desires to add a senior housing component to the site development plan. There is demand for this type of housing in the Skykomish Valley area. Provision of senior housing will assist lifelong residents to remain in the community when some level of living assistance becomes necessary. The Plan and code are unclear as to the ability for this type of housing in a mixed use environment, thus amendments are being sought to clarify the Plan and code intent. It is not the intent of the Applicant to allow all types of residential development in the HOD Zone, only independent or assisted living facilities for seniors. This is compatible with the mixed use nature of HOD development along the City's transportation corridor on U.S. Highway 2.

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

The proposed comprehensive plan amendment would help support the economic development goals in Sultan. The goals and policies of the Sultan Comprehensive Plan establish an economic vision for the community and expresses support for the following core goals:

- Increase employment to reduce commutes
- Provide sound tax base
- Encourage small business
- Revitalize existing properties
- Capture existing sales tax
- Reduce commute to retail centers
- Market retail and industrial land opportunities

Sultan's goal is to promote job growth somewhat in proportion to the demographic of local workers to reduce the home-to-work commute. This proposed comprehensive plan amendment would support this goal by increasing the density allowed within this designation and providing an opportunity for a mixed use development.

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

The intersection of U.S 2 and Sultan Basin Road is fully signalized providing a good level of service for future traffic using the Applicant's site.

The proposed comprehensive plan amendment would be consistent with the facility plans and the capital improvement plans. The change from Moderate Density and Economic Development to Highway Oriented Development would support the following capital facility policies:

CF – 2.1 ESTABLISH STRATEGIES TO ADDRESS FACILITY AND SERVICE NEEDS THAT ARE CONSISTENT WITH THE LAND USE AND TRANSPORTATION ELEMENTS, EXISTING FACILITY PLANS, AND ARE FINANCIALLY FEASIBLE.

The proposed comprehensive plan amendment would be located in an area with adequate urban services and allow for increased mixed use development. The following figures in the Sultan Comprehensive Plan provide additional information to show that adequate services exist or are planned for the area:

- Figure S-1 Existing Sewer System
- Figure W-1 Existing Water System
- Figure SW-2 Stormwater Inventory Map
- T-9 Transportation Element Revisions 2025 Preferred Arterial Scenario PM Peak Hour Traffic Level of Service
- T-10 Transportation Element Revisions Recommended Arterial Improvements
- T-13 Transportation Element Revisions Future Public Transit Streets
- Figure S-2 Sewer System Improvements
- Figure W-2 Water System Improvements

Development within this and other business or mixed use zones will assist in developing a revenue base to expand the City's utilities in a coordinated, financially feasible manner.

CF – 3.3 FUTURE DEVELOPMENTS SHALL BEAR FACILITY IMPROVEMENT COSTS RELATED TO ITS IMPACTS BY THE DEVELOPMENT TO ACHIEVE AND MAINTAIN ADOPTED LEVEL OF SERVICE STANDARDS AND EFFICIENT SERVICE PROVISION.

Any future development would be responsible for utility connection fees to achieve efficient service standards.

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

The proposed comprehensive plan designation change from Moderate Density and Economic Development to Highway Oriented Development would also change the implementing zoning to Highway Oriented Development. The Comprehensive Plan Future Land Use map would be amended to reflect this change. Modifications to the City's Municipal Code are also requested.

SMC 16.12.050(B)(1) –to add a provision to include senior housing as a permitted use within the HOD zone.

As indicated, the owner plan would add a senior housing component to the development. The Plan and code are unclear as to the ability for this type of housing in a mixed use environment, thus amendments are being sought to clarify the Plan and code intent.

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

The Planning Board would review the applications and transmit initial recommendations to the Council by July 30, 2009. The recommendations would consist of findings on the policy issues and the Planning Board recommendation for inclusion of the application proposal on the Council's adopted version of the docket for the year. By October 1, 2009 the City Council would review the Planning Board recommendations and make decisions for adding proposals to the annual docket. Amendments approved by the City Council would be incorporated into the Comprehensive Plan and zoning code. All Planning Commission and City Council meetings are open to the public and the review would include several opportunities for public input and review.

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

An environmental checklist has been submitted with this application. Public comment will be solicited when the City issues its SEPA Threshold Determination. Comments will be used in the development of the Final Threshold Determination.

The City has held community open houses on other planning decisions and may do so on this year's annual amendments.

The public will have the opportunity to attend Planning Board and City Council meetings to ask questions and gather information regarding the proposed comprehensive amendment. The public would be allowed to provide public testimony and written comments during these meetings.

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

The proposed amendment is expected to be completed within the annual docket process time frame. Specific project approval for the proposed mixed use development would occur afterward.

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

The Applicant would be required to pay applicable fees associated with the proposed comprehensive plan amendment process.

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

The annual comprehensive plan amendment process outlined in SMC 16.134.010 would be adequate. Additional review will be at the discretion of the City. The Applicant will cooperate with whatever process is undertaken.

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

The following City of Sultan Comprehensive Plan Goals support the Applicant's request:

POPULATION AND ECONOMIC DEVELOPMENT

1. Job creation (Pg. 29) – Help create employment opportunities within the Sultan economy, particularly for residents who now commute to other distant employment areas within Snohomish and King Counties. Participate with other public agencies and private interests in marketing development projects, labor force training programs, and other efforts to attract new businesses to the Sultan area.

The proposed comprehensive plan amendment would allow for increased density and mixed use development. The HOD designation would help create employment opportunities by allowing for retail, office and residential development.

6. Sustenance requirements (Pg. 30) – Create local employment, shopping and other urban service activities that will reduce Sultan's dependence upon and local resident travel requirements outside the area.

The proposed comprehensive plan amendment would allow for a live/work development concept that would allow for urban services and senior residential units to be developed in close proximity to reduce the dependence on travel outside the Sultan area.

7. Designate the north side of U.S. 2 between Sultan Basin Road and 339th Ave (Pg. 31) – for office and business use because these lands provide the most amenities but the least accessible traffic patterns.

The proposed comprehensive plan amendment would allow for greater flexibility and increased density to provide office, retail and senior residential development north of U.S. 2 between Sultan Basin Road and 339th Avenue.

ENVIRONMENT

2. Stream and drainage corridors (Pg. 33)- Improve and enhance buffer zones along the banks of perennial streams, creeks, and other tributary drainage systems to allow for the free flow of storm run-off and to protect run-off water quality. Establish buffer zones of official or legal standing that are wide enough to maintain and preserve the natural biological functions of streams draining into the Wallace, Sultan and Skykomish Rivers, Winters and Wagley's Creeks, and their tributaries.

Wagley's Creek is a major drainage system that flows through the UGA and discharges into the Skykomish River about a mile east from the confluence of the Sultan and Skykomish Rivers. The proposed comprehensive plan amendment would provide protection to critical areas and their buffers when a site specific development proposed is reviewed. If critical areas are found to be present during project level review they would be protected under Sultan Critical Areas Ordinance.

6. High water table and aquifer recharge (Pg. 34) – Protect soils with high water tables and over aquifers from land use developments that create high surface water run-off with possible oil, grease, fertilizer or other contaminants that could be absorbed into the ground water and aquifer system.

Stormwater runoff from the City discharges into two smaller creeks, Wagley's Creek and Winters Creek. Stormwater discharges into creeks and rivers at multiple locations, via both pipe and culvert discharge points as well as sheet flow. Under any land use designation high water table and aquifer recharge areas would be protected from water run-off by implementing best management practices (BMPs) and submitting a temporary erosion and sedimentation control (TESC) plan during project level review.

4. Wetland wildlife habitat (Pg. 35)– Protect lands, soil or other wetland areas that have prime wildlife habitat characteristics – especially the extensive wetlands located within the urban growth area. Promote the use of site retention ponds, natural drainage methods, and other site improvements that conserve natural drainage features and increase wetland habitats. Establish exacting performance standards governing the preservation of wetlands and drainage corridors, steep slopes and wooded areas as natural habitats and wildlife migration corridors. Control adverse impacts associated with land development and reduce the amount of natural cover and habitat that would otherwise be reduced or destroyed.

Wagley's Creek runs through the parcels west of Sultan Basin Road. According to the National Wetland Inventory, no associated wetlands are mapped within the site. These mapping assumptions would be verified during project level review and critical areas found to be located on the site would be protected as provided for in the City of Sultan's Critical Areas Ordinance. The development vision for the HOD comprehensive plan amendment includes a four acre park surrounding Wagley's Creek with trails connecting to the proposed mixed use development.

3. Sensitive lands review ordinance (Pg. 36)– Maintain a sensitive land review process that requires that proposed development projects meet minimum performance standards that recognize land and soil limitations and capabilities. The standards should be consistent with soil capacities and the land use allowances provided in the underlying zoning assumptions. The standards should also be consistent with those standards defined in Snohomish County's Critical Areas Ordinance to provide consistent standards between the unincorporated and to-be-annexed portions of the Sultan urban growth area.

Any proposed project would be subject to meet minimum performance standards that recognize land and soil limitation. According to *Figure 5: Flood Hazards* in the comprehensive plan, the

proposed project may be within FEMA 100-year floodplain. According to *Figure 6: Aquifer Recharge – 1994 Plan* in the comprehensive plan, the proposed project is within the aquifer recharge area. *Figure 7: Wetlands* indicates the proposed project may contain wetlands and *Figure 8: Rivers and Streams* shows Wagley's Creek runs through parcels west of Sultan Basin Road. The proposed comprehensive plan amendment would allow for mixed use development which would be subject to the Critical Areas Ordinance and other applicable standards at the time of development review.

<u>HOUSING</u>

2. Housing choice (Pg. 48) - Expand housing district and code definitions to allow a broad choice of housing types, locations and prices. Provide housing opportunities for every type, age, physical and mental capability of household to include the family, the single-headed household, the individual, and the elderly. To the extent appropriate, recognize social area specialization by household and age group, and provide public services that reflect each area's special needs.

The comprehensive plan designation amendment would allow denser highway oriented development along the north side of U.S. 2. The owner desires to add a senior housing component to the site development plan. There is demand for this type of housing in the Skykomish Valley area. Provision of affordable senior housing will assist lifelong residents to remain in the community when some level of living assistance becomes necessary. The Plan and code are unclear as to the ability for this type of housing in a mixed use environment, thus amendments are being sought to clarify the Plan and code intent.

<u>LAND USE</u>

3. Serviceable area (Pg. 55) – Allocate urban uses onto capable, suitable lands that Sultan can provide sewer, water, storm and other basic urban utilities. Delineate boundaries between areas that will always be rural and transition or reserve areas that may be included within the future expansion of the Sultan urban area – such as the lands north along Sultan Basin Road.

A 12-inch PVC sewer line runs along Sultan Basin Road to the intersection of U.S. 2. A 6-inch water line serves the majority of parcels and would be available for connection. The proposed comprehensive plan amendment would allow development in an area where adequate urban services exist.

<u>TRANSPORTATION</u>

1. Road network (Pg. 112)– Work with Snohomish County and the Washington State Department of Transportation to complete development of an arterial road grid serving the Sultan Urban Growth Area, especially north-south corridors across U.S. 2.

The comprehensive plan amendment is proposed at the intersection of Sultan Basin Road and U.S. 2. Sultan Basin Road is designated as a minor arterial and U.S. 2 is designated as a major arterial. According to *Figure T-1: Recommended Arterial Functional Classification* in the comprehensive plan, there is a proposed collector arterial north of the project. The recommended street would run east of Sultan Basin Road and then south to connect to U.S. 2. It would also run west from Sultan Basin Road and connect to Walnut Avenue. The HOD

designation would allow for mixed use development that would be designed with public transportation connections to service the Sultan area.

PUBLIC UTILITIES

1. Connections (Pg. 126) - Require all properties that develop or redevelop within the city limits to connect to the City's sewer system.

The comprehensive plan amendment would not require any construction. Any future development associated with the HOD designation would be connected to the City's sewer system.

1. Stormwater Retention (Pg. 151) – Require land developments to hold or retain stormwater runoff of a quantity that would not exceed the amount that would be distributed by the site in a natural state.

The proposed comprehensive plan amendment would not require any clearing or construction. Any future development associated with the comprehensive plan amendment would be subject to BMPs to minimize potential erosion and protect natural drainage systems.

If you have any questions or require any additional information, please contact me at (425) 258-9308.

Sincerely,

SHOCKEY/BRENT, INC.

Reid Shockey, AICP
President

c: Steven Harris, Terra-Ex Land Group LLC

Attachments: Attachment 1 – Parcel Map
Attachment 2 – Comprehensive Plan Amendment Petition
Attachment 3 – SEPA Checklist

COMPREHENSIVE PLAN AMENDMENT REVIEW AND PUBLIC HEARING PROCEDURES PACKET

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

Comprehensive Plan Amendment Petition

Date Received: 4-1-09

Type of Amendment – Please Check

Rezone Application Required: _____

_____ Policy
__X__ Map
_____ Regulation
_____ Plan
__X__ Other (Please specify) Comprehensive Plan text amendment and zoning code amendment.

Proponent Information:

Name: Terra-Ex Land Group LLC

Address: 18008 124th Street SE, Snohomish, WA 98290

Phone/Fax: 425-343-3777 E-Mail: steveharrisr@yahoo.com

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.
See attached.

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

See attached.

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.

See attached.

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

See attached.

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

See attached.

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.

See attached.

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

See attached.

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

See attached.

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

See attached.

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

See attached.

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: X

If Yes:

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

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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).

See attached.

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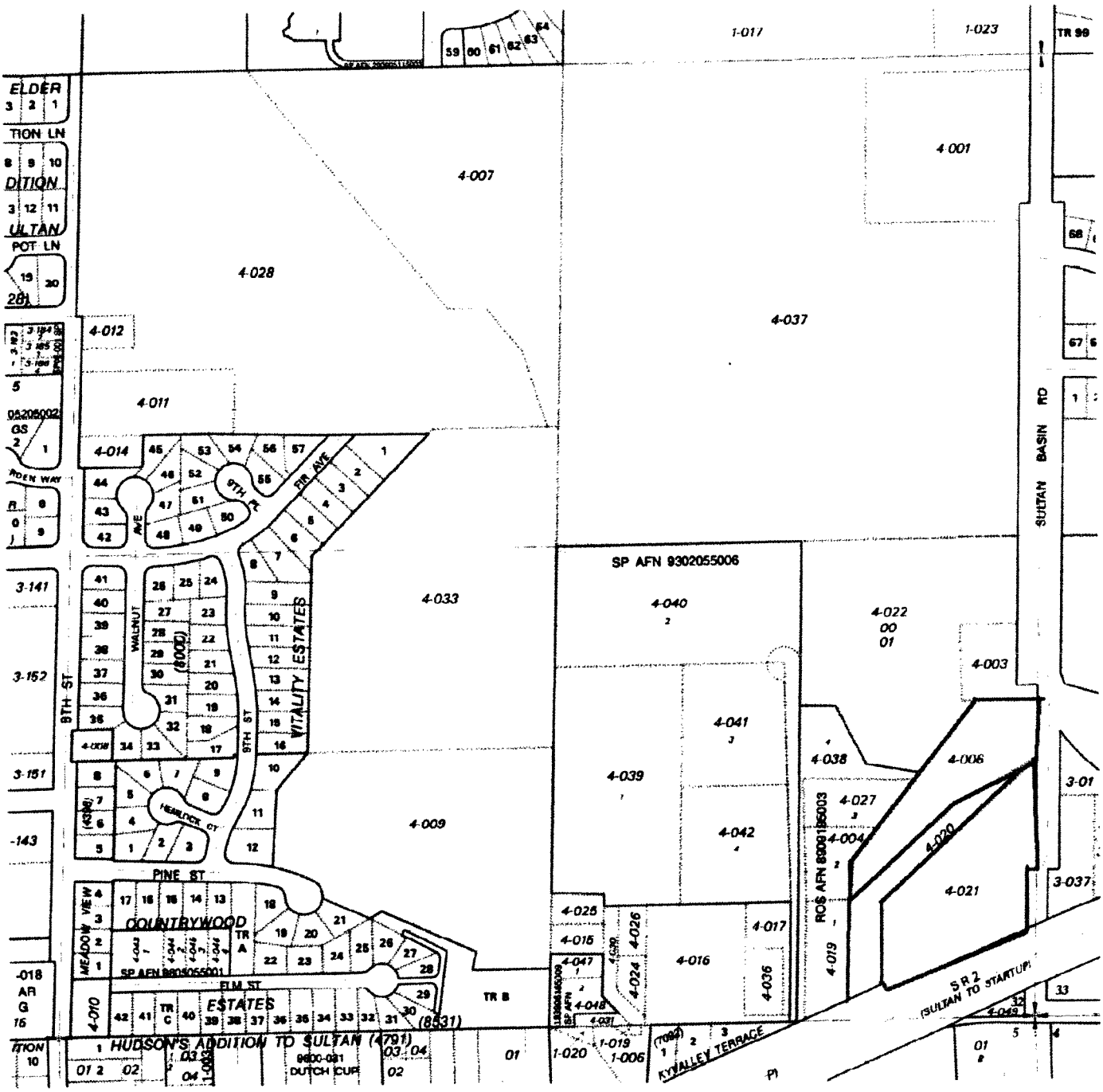
QUARTER	SECTION	TOWNSHIP N.W.B.L.	RANGE E.W.M.
SE	32	28	8

NE-32-28-8

A product of the Snohomish County Assessor's Office
Map produced on June 18, 2008



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APR 01 2009
CITY OF SULTAN

B-15

QUARTER	SECTION	TOWNSHIP N W B I	RANGE E W M
ALL	**33**	**28**	**8**

28-28-8

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Map produced on December 10, 2008

32-28-8

34-28-8

4-27-8

B-16

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CITY OF SULTAN

ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. **Name of proposed project, if applicable:** The Village at Sultan Crossing Comprehensive Plan Amendment

2. **Name of applicant:** Terra-Ex Land Group LLC

3. **Address and phone number of applicant and contact person:**

Applicant: **Terra-Ex Land Group LLC**
Attn.: Steve Harris
18008 124th Street SE
Snohomish, WA 98290
Phone: (425) 343-3777

Project Contact: **Shockey/Brent, Inc.**
Attn.: Reid Shockey, AICP
2716 Colby Avenue
Everett, WA 98201
Phone: (425) 258-9308

4. **Date checklist prepared:** April 1, 2009

5. **Agency requesting checklist:** City of Sultan

6. **Proposed timing or Schedule (including phasing, if applicable):**

The proposal is expected to be considered as part of the 2009 Comprehensive Plan Update.

7. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

Specific plans for development of the site would be addressed during any future permitting of the property.

8. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

The following information was prepared for the Docket Application:

Comprehensive Plan Amendment Letter, 04/01/2009 ..... Shockey/Brent, Inc.
SEPA Checklist ..... Shockey/Brent, Inc.

9. **Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**

There are no current land use approvals pending on the site. Future development permits will be sought for the Village at Sultan Crossing when and if the current action is approved.

10. List any government approvals or permits that will be needed for your proposal, if known.

SEPA Determination.....City of Sultan
Comprehensive Plan Amendment.....City of Sultan

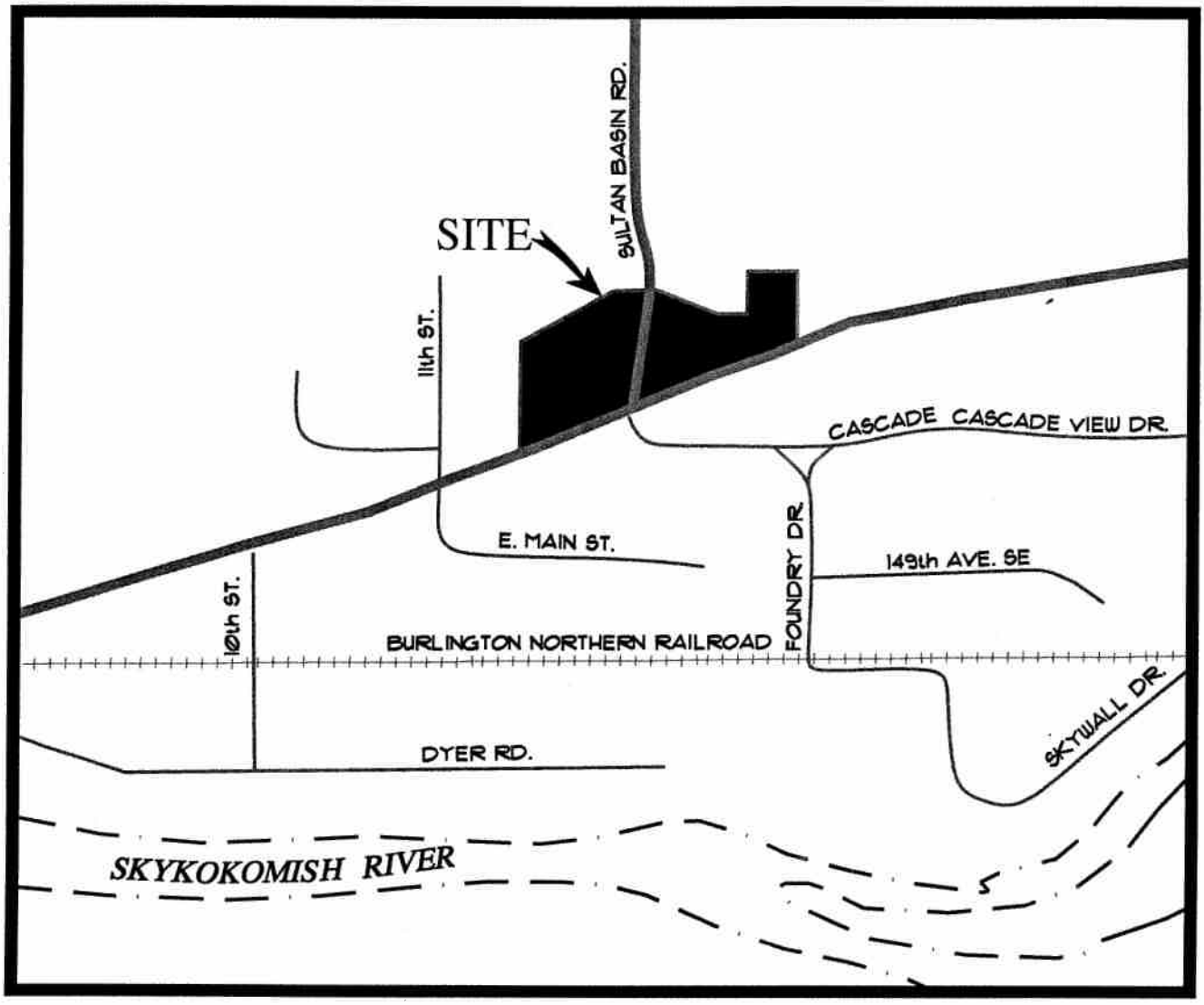
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

In accordance with Sultan Municipal Code (SMC) 16.134, this request is for a Comprehensive Plan amendment and implementing zone of Highway Oriented Development (HOD). This request affects approximately 17 acres of property located inside the City of Sultan's city limits, near the intersection of U.S. 2 and Sultan Basin Road. The area is entirely owned by the applicant. The site is currently zoned Economic Development (ED) and Moderate Density (MD) Residential.
The Requested Action is to:

1. Amend the Comprehensive Land Use Map from Moderate Density and Economic Development to Highway Oriented Development for 17 acres owned by the Applicant, with an implementing zone of HOD.
2. Amend to text of the Comprehensive Plan and the Sultan Municipal Code (SMC) 16.12.050 to allow for senior residential housing in the HOD zone.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The parcels are located on the east and west sides of Sultan Basin Road, just north of U.S. 2 within the Sultan city limits. The ten parcels and the right of way vacation are located within the southeast quarter of Section 32, Township 28, Range 8, and southwest quarter of Section 33, Township 28, Range 8 W.M. (see ***Figure 1 – Vicinity Map***). The Snohomish County Tax Parcels for the site include 28083200400600, 28083200402100, 28083200402000, 28083300303700, 28083300303800, 28083300303600, 28083300304000, 28083300301200, 28083300303400, and 28083300301400. Legal descriptions are included as ***Appendix A***.



VICINITY MAP
1"=600'

SHOCKEY BRENT, INC.
Land Use • Environmental Analysis
Critical Areas • Permitting
2716 Colby Avenue, Everett, WA 98201 425.258.9308 fax: 425.259.4448 shockeybrent@shockeybrent.com

VICINITY MAP
Sultan Crossing

DATE: 03-09 SHAR5-8139