

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: D-1

DATE: October 14, 2010

SUBJECT: Comprehensive Plan Amendment Docket Item #1 (2010):
Decommission Industrial Park Master Plan (IPMP)
Receive Recommendation from Planning Board

CONTACT PERSON: Robert Martin, Community Development Director



ISSUE:

Discussion of Planning Board recommendation to approve Comprehensive Plan Amendment Docket Item #1 for 2010: Decommission Industrial Park Master Plan Sub-area plan appendix Sultan Comprehensive Plan.

PLANNING BOARD RECOMMENDATION:

Approve decommissioning (repeal) of the IPMP with no need for additional public hearing at the City Council level as provided by SMC 16.134.050 J. (**See Attachment F** excerpt of Planning Board Minutes for September 21, 2010).

STAFF RECOMMENDATION:

Staff recommends that the Council review the attached materials and ask any questions related to completing action on Item #1 of the 2010 Annual Docket for Amendment of the Comprehensive Plan.

Council has the option of holding an additional public hearing on this action in addition to the many meetings and the hearing already conducted by the Planning Board. To provide the greatest possible opportunity for community involvement, staff recommends that the Council hold an additional public hearing on the proposal.

BACKGROUND:

At its April 8, 2010 meeting, the Council received the proposed 2010 Comprehensive Plan Docket consisting of one item proposed by staff. The Council reviewed the basic reasons for the recommended action and affirmed the item for the 2010 docket, and forwarded it to the Planning Board for further action (**See Attachment A**).

At its July 20, 2010 meeting, the Planning Board reviewed a staff report outlining the process for 2010 Comprehensive Plan Docket Item #1, the decommissioning of the Industrial Park Master Plan (IPMP), a sub-area plan of the 2004 Comprehensive Plan. The Board provided general direction to proceed with the process (**See Attachment B**).

At its August 3, 2010 meeting, the Planning Board reviewed a rough draft of the IPMP policies and the initial staff comments on the policies that should be reviewed for inclusion in the 2011 update.

At that meeting the Board asked that the IPMP policies be extracted from the body of the IPMP and assembled with specific reference to the 2011 Comprehensive Plan update.

The Board also asked that IPMP stakeholders who attended the meeting at the Fire District 5 station late in 2009, and property owners in the IPMP area be specifically notified that the IPMP decommissioning was coming before the Board. That individually mailed notice was provided through a mailing on August 6.

At its August 17, 2010 meeting, the Planning Board reviewed a staff report addressing each policy in the IPMP and the policy's correlation to new draft policies in the Comprehensive Plan. Most IPMP policies are addressed and carried forward into the draft policies for the 2011 Comprehensive Plan Update. Some policies are not carried forward as they have become out-dated and/or inoperative due to the issues presented in paragraph 1 of the Discussion section below. The Board affirmed that all policies necessary for continued appropriate development of the IPMP Sub-area are contained in the 2011 Draft Comprehensive Plan Policies (**See Attachment C**). The Board asked again that an individual notice to all property owners be sent by mail. This was done on August 27.

At its September 7, 2010 meeting, the Planning Board again reviewed the proposal after the second by individually mailed notice to all property owners. There was no public attendance or written input delivered on this topic at that meeting.

At its September 21, 2010 meeting, the Planning Board held an advertized public hearing on 2010 Docket Item #1. There was no public attendance or written testimony delivered on this topic at that public hearing. **Attachment D** is the staff report for the hearing. It contains a summary discussion of the issues related to this proposal. **Attachment E** is the staff report for the Board's recommendation to the Council. It contains the findings that the Board approved in its recommendation to the Council to repeal the IPMP.

At its September 21, 2010 meeting, the Planning Board, based on the extensive public input opportunities and the findings provided in the staff report of September 21, 2010, the Planning Board unanimously passed a motion recommending that the Council proceed to decommission (repeal) the IPMP. Based on the extensive public involvement opportunities provided, and the lack of public input or testimony on the proposal, the Board also recommended that the Council need not hold a second public hearing on the issue **Attachment F** presents the pertinent excerpt of the Planning Board Minutes for September 21, 2010.

DISCUSSION:

Basis of the Problem:

The work done to produce the IPMP was well intentioned and well executed. The timing of the project was unfortunate. Coincident with the local effort to plan for new development in the IPMP area north of Hwy 2, the Federal government was involved in the far-reaching effort to designate northwest salmon as threatened/endangered. Wagley Creek that transects the main development corridor of the IPMP became a designated stream under the new endangered species provisions.

IPMP Road Development along Wagley Creek:

Buffers and environmental mitigation standards for protection of Wagley Creek placed the proposed new road between Rice Road and Sultan Basin Road effectively out of reach. Without that road, any meaningful implementation of the IPMP was no longer possible.

IPMP Programmatic Environmental Impact Statement (PEIS):

The other component of the IPMP that was to aid in development of the area was a Programmatic Environmental Impact Statement (PEIS). A PEIS is intended to do as much of the basic environmental work for a sub-area as possible so that incoming developers need only supplement that work with the specific information on their project and the environmental analysis is complete in a much shorter time than starting from scratch. The IPMP called for this project to be completed but it provided only basic direction.

No significant environmental analysis was included in the IPMP. The inertia to complete this analysis foundered on the huge burden caused by the endangered species designation of Wagley Creek.

It is not known whether the PEIS would have been pursued if the designation had not occurred, but the question is essentially moot given the reality of the designation. In the final analysis, without the PEIS, the IPMP provided no significant assist to commercial or industrial development in the sub-area.

IPMP Development Standards:

The third component of the IPMP was a set of high-level development standards prescribed for the proposed new road and other new development in the area. These standards significantly exceeded those required in the Unified Development Code, and can be presumed to mandate significant additional development costs for industrial or commercial proposals in the IPMP Sub-area.

IPMP Planned Unit Development Review:

The high development standards were coupled with a requirement that all development, regardless of scale of the project, go through the Planned Unit Development process as the standard means of review for IPMP sub area projects. This acted as a dis-incentive to undertake small projects, and added significant time and cost to large ones. This requirement was removed from the IPMP in the 2009 Comprehensive Plan Docket.

Public Involvement Opportunities:

The Planning Board has undertaken an extensive review program on this issue. The effort to engage the public in the discussion has been extensive. It has included eight public meetings and one public hearing, and two individual mailings to all property owners in the IPMP Sub-area.

One person has spoken against the proposal at a City Council meeting. All input at the stakeholder's meeting at the Fire Station was in favor of repeal. Since the issue has been handed off to the Planning Board, there has been no input from the public.

Comprehensive Plan Policy Analysis:

The policy analysis in **Attachment C** documents, to the satisfaction of the Planning Board, that all policies that can and should be applied to development of land currently located within the IPMP Sub-area are included in the Draft 2011 Comprehensive Plan Update Policies. These policies relate to transportation, utilities, and economic development. Repeal of the IPMP will not allow development in the current IPMP Sub-area that is out of conformance with the Comprehensive Plan.

Development Standards Updating:

Repeal of the IPMP will remove development standards that exceed those called for in the current Comprehensive Plan or in the Draft 2011 Comprehensive Plan Policies. Development

standards for all development in the current IPMP Sub-area will be the same as those that apply to all other parts of the community. These development standards are currently under review and updating by the Planning Board to insure conformance with the Draft 2011 Comprehensive Plan Policies.

Amendment Procedure:

Decommissioning of the IPMP is a Level IV procedure in the Public Participation and Notice Procedures as it substantively amends a sub-area element of the Comprehensive Plan. The Level IV process requires a public hearing before the Board with a recommendation to the Council.

The Council has received a recommendation from the Planning Board that the IPMP Sub-area Plan be removed from the Comprehensive Plan. The Board further recommended that the Council need not hold a second public hearing based on the lack of community input throughout the Board's amendment process.

The Council should review the findings of the Planning Board presented in **Attachment E**. The Council will be asked to adopt these findings or amend them as appropriate when Council considers an ordinance to repeal the IPMP.

ALTERNATIVES:

The Council, after discussion and consideration of the record presented above, and the findings of **Attachment E**, has the following alternatives:

1. Direct staff to prepare an ordinance that adopts appropriate findings and repeals the IPMP.
2. Direct staff to schedule a public hearing on the proposed repeal of the IPMP prior to further direction to staff regarding construction of an ordinance. A public hearing can be scheduled for the Council's next meeting of October 28, 2010.
3. Take no action on the proposal, thereby halting work on Docket Item #1.

RECOMMENDATION:

Staff recommends that the Council direct action proposed in alternative 2 above, and schedule a public hearing for October 28, 2010.

ATTACHMENTS

Attachment A: City Council Agenda Item April 8, 2010; Place IPMP Decommission on Docket

Attachment B: Planning Board Agenda Item July 20, 2010; Board receives Docket from Council

Attachment C: Planning Board Agenda Item August 17, 2010; Analysis of IPMP Policies and 2011 Plan Update Draft Policies

Attachment D: Planning Board Agenda Item September 21, 2010; Public Hearing

Attachment E: Planning Board Agenda Item September 21, 2010; Proposed findings and recommendation to Council

Attachment F: Planning Board Minutes September 21, 2010; Pertinent excerpt recommending approval to Council

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: A-1
DATE: April 8, 2010
SUBJECT: 2010 Comprehensive Plan Annual Docket
CONTACT PERSON: Robert Martin, Community Development Director
ISSUE: Receive Annual Docket Proposals for 2010

STAFF RECOMMENDATION:

Staff recommends that Council receive the following Annual Docket Proposals, review same, and refer to Planning Board for further action as provided by Sultan Municipal Code (SMC) 16.134.070 D.

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 open docket has been advertized and legally notices as required. The deadline for submittal of docket proposals is April 1st of each year. Once the City Council reviews the proposed docket items, Council determines what items will be addressed on the current year's docket by forwarding them to the Planning Board for further action.

Placement on the docket does not indicate that the Council either supports, or expects the Planning Board to approve, the item(s). Referral to the Board indicates that the Council has determined that the item(s) have sufficient merit to warrant further consideration by the Board, which may, or may not recommend subsequent action by the Council.

DISCUSSION:

Public Proposals:

For the docket process of 2010, the City received no proposals from the public or other agencies.

City Proposals:

The City of Sultan proposes one Docket Item. The City proposes that the Industrial Park Master Plan (IPMP), a sub-area plan of the Sultan Comprehensive Plan be decommissioned (repealed).

Industrial Park Master Plan:

Decommissioning of the IPMP is proposed by staff. The recommendation comes after much consideration and public interaction.

The IPMP was developed in 2001 and adopted in 2002, with the intent of assisting industrial development north of US 2 between Rice Road and Sultan Basin Road. Shortly thereafter, a rigorous set of environmental standards were adopted by the State related to shoreline critical

ATTACHMENT A

areas. The area subject to the IPMP is bisected by Wagley Creek. These two circumstances combined to greatly reduce the potential development contemplated by the IPMP.

What was left of the IPMP after overlay of the stream-related restrictions amounted to a further layer of standards that did not assist industrial development of the area.

In 2009, the Planning Board and the Council acted to remove a troublesome provision of the IPMP that required all development to go through the Binding Site Plan procedure of SMC 21.06.

As part of that effort, staff conducted a community workshop at the Fire District 5 Main Station on September 30, 2009. Many stakeholders/property owners were represented at this public meeting. After review of the IPMP, its current provisions and implications for future development, the citizens were highly supportive of decommissioning the IPMP.

RECOMMENDATION:

Staff recommends that Council forward the staff proposal to decommission the IPMP to the Planning Board for further action as provided by SMC 16.134.070.

ATTACHMENTS:

Attachment A: Staff Docket Proposal for Decommissioning of Industrial Park Master Plan

Attachment B: Adopting Ordinance for IPMP from June 5, 2002

Attachment C: Excerpt from IPMP for reference purposes



City of Sultan

Date: 3-25-2010

To: Deborah Knight, City Administrator

From: Bob Martin, Community Development Director

Subject: 2010 Comprehensive Plan Docket, City Proposal
Industrial Park Master Plan

.....
As provided by SMC 16.134.070 D., staff is proposing, on behalf of the City of Sultan, to submit the following item for consideration on the 2010 Comprehensive Plan Amendment Docket:

1. Decommissioning (repeal) of the City of Sultan Industrial Park Master Plan (IPMP), a Subarea Plan component of the City of Sultan Comprehensive Plan. The plan was adopted in March of 2002.

The IPMP was developed in 2001 and adopted in 2002, with the intent of assisting industrial development north of US 2 between Rice Road and Sultan Basin Road. Shortly thereafter, a rigorous set of environmental standards were adopted by the State related to shoreline critical areas. The area subject to the IPMP is bisected by Wagley Creek. These two circumstances combined to greatly reduce the potential development contemplated by the IPMP.

What was left of the IPMP after overlay of the stream-related restrictions amounted to a further layer of standards that did not assist industrial development of the area.

In 2009, the Planning Board and the Council acted to remove a troublesome provision of the IPMP that required all development to go through the Binding Site Plan procedure of SMC 21.06.

As part of that effort, staff conducted a community workshop at the Fire District 5 Main Station on September 30, 2009. Many stakeholders/property owners were represented at this public meeting. After review of the IPMP, its current provisions and implications for future development, the citizens were highly supportive of decommissioning the IPMP.

**SULTAN PLANNING BOARD
AGENDA ITEM COVER SHEET**

ITEM NO: D-1

DATE: July 20, 2010

SUBJECT: 2010 Comprehensive Plan Docket Item #1,
Decommission Industrial Park Master Plan

CONTACT PERSON: Robert Martin, Community Development Director

ISSUE:

Discussion of Comprehensive Plan Amendment Procedures leading to decommissioning of Industrial Park Master Plan.

RECOMMENDATION:

Staff recommends that the Board review "Attachment A" and provide comments to staff for further refinement of the policy coordination necessary for decommissioning of the IPMP and proper transfer of appropriate policies to the 2011 Comprehensive Plan update process.

BACKGROUND:

The Industrial Park Master Plan (IPMP) is a subarea plan component of the Sultan Comprehensive Plan. The subarea plan was adopted as an element of the Comprehensive Plan by Ordinance 781-02 on June 5, 2002. As a subarea plan, it provides policies and standards at a more specific level for the area of the city that is subject to the subarea plan. The Binding Site Plan (BSP) procedure is one of those development standards called for in policies of the Industrial Park subarea plan.

In mid 2009, city staff held a public meeting at the Fire District #5 meeting room. The meeting was well attended by a significant number of owners of property in the IPMP area. After much discussion, the overwhelming perspective of these stakeholders was that the Plan had not provided the anticipated benefits, and that it should be repealed as a separate plan applying to a sub-area of the community.

This recommendation was forwarded to the City Council in the form of a staff recommendation to place repeal (decommissioning) of the IPMP on the 2010 Comprehensive Plan Amendment Docket. This recommendation was received by the Council on April 8, 2010. By unanimous vote, the Council placed this item on the 2010 Comprehensive Plan Docket and moved it forwarded to the Planning Board for further action.

DISCUSSION:

The IPMP contains planning concepts and directions for further action that have no reasonable expectation of completion given current environmental protection standards and anticipated development patterns. These deficiencies are the main reasons that the stakeholders and staff agree that the IPMP sub-area plan should be repealed.

The IPMP also contains a policy section within each of its elements.

- Some of these policies address concepts of the IPMP that are no longer workable. These policies should be repealed along with the main body of the plan.

ATTACHMENT B

- Some of the policies are already superseded by proposed policies in the draft work already assembled for the 2011 update.
- Some of the policies concern themselves with meaningful economic development concepts or physical development concepts that have validity beyond the confines of the IPMP. These policies should be carried through into the appropriate elements of the 2011 Comprehensive Plan.
- Some of the policies contain concepts that are essentially good ideas but need to be updated in terms of the “centers” concept and other current planning concepts and development constraints.

The main work of the Planning Board for this project will be to review the IPMP and determine which of the policies should be moved to the 2011 plan, which should be re-worded, and which should be eliminated.

Staff has done an initial review of the IPMP which can form the basis for this initial discussion. **Attachment A** provides a copy of the IPMP. In ATTACHMENT A staff has done a hand-drawn initial mark-up to assist the Board with study and discussion.

- Items that staff directs the Board’s interest to are marked in the margin with a “>”.
- An “X”-out of a policy indicates staff recommendation for removal.
- A policy with a box around it is recommended by staff for transfer to the 2011 plan or for construction of development standards that will appear in the updated zoning code.
- Some policies have ~~strike-through for parts~~ and a box around other parts. This indicates that portions of that policy are recommended for removal and parts are recommended for transfer to the plan or the development standards documents.

AMENDMENT PROCEDURE:

Decommissioning of the IPMP is a Level IV procedure in the Public Participation and Notice Procedures as it substantively amends a sub-area element of the Comprehensive Plan.

As the City can only amend its Comprehensive Plan once each year, the process for this proposed amendment will be acted upon when the Board determines that all appropriate coordination between the draft 2011 plan update and the IPMP decommissioning process has been put in place.

RECOMMENDATION:

Staff recommends that the Board review “Attachment A” and provide comments to staff for further refinement of the policy coordination necessary for decommissioning of the IPMP and proper transfer of appropriate policies to the 2011 Comprehensive Plan update process.

ATTACHMENTS

Attachment A: Industrial Park Master Plan with staff comments on policy issues

**SULTAN PLANNING BOARD
AGENDA ITEM COVER SHEET**

ITEM NO: D-3

DATE: August 17, 2010

SUBJECT: Decommission Industrial Park Master Plan (IPMP):
Review Status of Policies for Transfer to 2011 Comprehensive Plan

CONTACT PERSON: Robert Martin, Community Development Director

ISSUE:

Discussion of Comprehensive Plan Amendment Procedures leading to decommissioning of Industrial Park Master Plan.

RECOMMENDATION:

Staff recommends that the Board review "Attachment A", provide comments to staff for further refinement of the policy coordination if necessary, and set a public hearing for amendment of the Comprehensive Plan as set on the 2010 Plan Amendment Docket.

BACKGROUND:

At its July 20, 2010 meeting, the Board reviewed a staff report outlining the process for 2010 Comprehensive Plan Docket Item #1, the decommissioning of the Industrial Park Master Plan (IPMP), a sub-area plan of the 2004 Comprehensive Plan. The Board provided general direction to proceed with the process.

At its August 3, 2010 meeting, the Board reviewed a rough draft of the IPMP policies and the initial staff comments on the policies that should be reviewed for inclusion in the 2011 update.

At that meeting the Board asked that the IPMP policies be extracted from the body of the IPMP and assembled with specific reference to the 2011 Comprehensive Plan update.

The Board also asked that IPMP stakeholders who attended the meeting at the Fire District 5 station late in 2009, and property owners in the IPMP area be specifically notified that the IPMP decommissioning was coming before the Board. That notice has been provided for this meeting.

DISCUSSION:

The IPMP contains many planning policies. Some of these have no reasonable expectation of completion given current environmental protection standards and anticipated development patterns. These deficiencies are the main reasons that the stakeholders and staff agree that the IPMP sub-area plan should be repealed.

Based on the Board's direction at the August 3, 2010 meeting, staff has reviewed each IPMP policy to determine if the goal or policy is outdated or otherwise not appropriate for further consideration. In these cases staff has indicated the recommended reason why the item is not appropriate for further action and should be repealed with the rest of the IPMP.

ATTACHMENT C

If the item is still valid, staff has reviewed current drafts of the 2011 Comprehensive Plan update to determine if the topic is already covered by one or more of the draft goals or policies, or if the topic needs to be added to draft plan elements as work on the 2011 update proceeds.

ANALYSIS:

Attachment A provides the staff analysis of all goals and policies from the IPMP. Each goal or policy from the IPMP is reproduced as written in the sub-area plan. Standard legislative mark-up (~~strike-through~~ for deletion, and underline for retention) is used to show the staff recommendation on how the language in these goals and policies should be deleted from further consideration, or analyzed further to insure that the issue is carried forward. Editor's notes are provided to indicate the reason for the recommendation on each item.

Staff has found that all IPMP goals or policies that are important to the community as a whole, and not specifically dependent on or only applicable to the IPMP, have been addressed by one or more of the draft goals and policies in the draft 2011 plan policy components. References to the analogous draft policies are provided. **Attachment B** provides the 2011 draft policy locations that are listed as the analog for IPMP goals and policies that are appropriate for consideration in the comprehensive plan.

AMENDMENT PROCEDURE:

Decommissioning of the IPMP is a Level IV procedure in the Public Participation and Notice Procedures as it substantively amends a sub-area element of the Comprehensive Plan. The Level IV process requires a public hearing before the Board with a recommendation to the Council.

The City can only amend its Comprehensive Plan once each year. Decommissioning of the IPMP is the only item on the Comprehensive Plan Amendment Docket for 2010. The Board can proceed with the amendment process as discussed in the Alternatives section below.

ALTERNATIVES:

1. If the Board finds that the IPMP policies that have applicability to the community at large have been accommodated in the 2011 draft policy elements, then the way is clear to decommission the IPMP. The Board should set a date for the public hearing to take public comment on decommissioning the IPMP prior to making a recommendation to the Council.
2. If the Board finds that additional IPMP policies need to be brought forward into the 2011 draft plan policies, those items should be noted and staff will proceed as appropriate.

RECOMMENDATION:

Staff recommends that the Board review "**Attachment A**", provide comments to staff for further refinement of the policy coordination if necessary, and set a public hearing for amendment of the Comprehensive Plan as set on the 2010 Plan Amendment Docket.

ATTACHMENTS

Attachment A: Industrial Park Master Plan Goals and Policies with staff comments on policy issues.

Attachment B: 2011 draft goals and policies that address IPMP goals and policies as referenced in Attachment A.

Planning Board August 17, 2010
Agenda Item D-3, Attachment A

**ANALYSIS OF INDUSTRIAL PARK MASTER PLAN (IPMP) GOALS AND POLICIES;
REVIEWED FOR CURRENT APPLICABILITY
AND FOR
COVERAGE OF THE VARIOUS TOPICS IN THE
2011 DRAFT COMPREHENSIVE PLAN GOALS AND POLICIES**

Explanation: All goals and policies from the IPMP are reproduced below. The underlined portions are those that staff finds to be current and needing consideration in the 2011 update. The ~~strike-through~~ portions are those that staff finds are outdated or specific to the IPMP and not appropriate for consideration in the 2011 update.

Editor's Notes explain staff's findings related to each goal and policy, and give the location of that topic in the current draft of the 2011 plan element goal and policy sections.

LAND USE POLICIES

- Goal I: Actively support the retention of commerce and industry and encourage diversification of the economy.

Editor's Note: *The underlined portion above is appropriate and is addressed in 2011 Draft Policies: ED-1, ED-2, and ED 2.4.1.*

- ~~Amend Policy A_ to adjust the forecast for new jobs as part of the Comprehensive Plan Update in 2002.~~
- ~~Add a new policy D_ Implement a comprehensive subarea planning and development program within the Industrial Park. The program should include: Land use and zoning changes to encourage the development of job-producing businesses; project permit approval procedures designed to expedite compatible development, infrastructure improvement phasing to maintain area concurrency, and a marketing strategy.~~

Editor's Note: *The deleted portions above are no longer necessary as they are outdated or are based on specific provisions of the IPMP that will be repealed. The underlined portion above is appropriate and is addressed in 2011 Draft Policy LU-5.*

- Goal II: Effectively manage future development by designating appropriate areas for new growth that do not compromise environmental integrity, is responsive to market needs, and is consistent with sound land planning policies and lifestyle choices.

Editor's Note: *The underlined portion above is appropriate and is addressed in 2011 Draft Policies LU-7, LU-7.1, LU-7.2, LU-7.3, ED 2.5, and ED 2.6.*

- Amend policy A: ~~Where Private development desires to build near environmentally sensitive areas the density and intensity of such shall be restricted shall protect such areas from impacts, or shall mitigate impacts according to City critical areas policies, standards and regulations.~~

Editor's Note: *The deleted portions above are no longer necessary due to adoption of a complete system of critical areas regulations.*

- Add Strategy 2— ~~Development within the Industrial Park subarea shall comply with specific environmental protection and enhancement measures adopted in the Master Plan. The City shall implement a program of incentives to encourage creative site design and development that achieves project level measures that meet or exceed the standards. These incentives include, but are not restricted to, transfer of development rights and buffer averaging.~~

Editor's Note: *The deleted portions above are no longer necessary due to adoption of a complete system of critical areas regulations. The underlined portion above is appropriate and is addressed in 2011 Draft Policy LU-5.*

TRANSPORTATION POLICIES

- Goal III: Improvement of streets and highways must not impair for the safe and efficient movement of bicycles and pedestrian traffic.

Editor's Note: *The underlined portion above is appropriate and is addressed in 2011 Draft Policy TR 1.1.4.*

- Amend Strategy I of Policy D: ~~Streets which should be striped to provide a bicycle lane separate from parking and travel lands are: (1) Shoulder of SR-2 through the planning area except within the Industrial Park subarea, where bicycle facilities shall be designated into street improvement and frontage improvement projects as identified in the Master Plan; (2) Fourth Street, (3) First Street, and (4) Eighth Street.~~

Editor's Note: *The deleted item above is no longer viable as it is reliant on components of the IPMP that will no longer exist. These items are too specific to be placed in goals in the comprehensive plan.*

- ~~Goal IV: Streets shall be located, designed and improved in a manner which will minimize and mitigate adverse impacts on designated critical areas.~~

- ~~Add Policy B: Planning and design of the Industrial Park north collector street should incorporate specific best management practices identified in the Master Plan for the Wagley's Creek corridor.~~

Editor's Note: *The deleted portions above are no longer viable due to adoption of complete system of critical areas regulations.*

- Goal V: Ensure that transportation facilities and services needed to support development are available concurrent with the impacts of such development, that protects the investments which have been made in the existing transportation facilities and services, maximizes the use of these services and promotes orderly and compact growth.

Editor's Note: *The underlined portion above is appropriate and is addressed in 2011 Draft Policy TR 1.1.2 and 1.1.5.*

- ~~Amend Policy A to acknowledge that the state sets the Level of Service Standard for SR 2.~~

Editor's Note: *The deleted item above is no longer necessary due to more advanced agency agreements and legal standards.*

- ~~Amend Policy B— The City shall not issue development permits where the project requires transportation improvements which exceed Sultan's (or the State's in the case of SR 2) ability to provide and maintain them in accordance with the adopted level of service. Projects consistent with the Industrial Park Master Plan may meet concurrency standards through a range of strategies identified therein.~~

Editor's Note: *The underlined portion above is appropriate and is addressed in 2011 Draft Policy TR 1.1.2 and 1.1.5. The deleted portion is not appropriate in that it is based on specific provisions of the IPMP that will be repealed.*

- ~~Add a new Policy C— SR 2 highway and intersection improvements, access and internal circulation improvements identified in the Industrial Park Master Plan shall be used as project mitigation measures to address specific impacts of development proposals. Funding and financing of improvements shall be identified in the six-year plan.~~

Editor's Note: *The deleted item above is not appropriate in that it is based on specific provisions of the IPMP that will be repealed.*

- Goal VI: Ensure that truck traffic does not impede the through-movement of traffic within the City limits.

Editor's Note: *The underlined portion above is appropriate and is addressed in 2011 Draft Policy TR 1.1.2 and 1.1.5.*

- Amend Policy A— Development codes shall be adopted to ensure that any new industrial uses or projects within the Industrial Park shall provide street and frontage improvements consistent with the Master Plan address street widths and curb cuts. Develop additional non-residential performance standards.

Editor's Note: *The deleted portions above are not appropriate in that they are based on specific provisions of the IPMP that will be repealed. The underlined portions are addressed in*

CAPITAL FACILITIES POLICIES

- Goal III: ~~Ensure that the Capital Facilities Element, financing and Land use Element of this plan are consistent with each other.~~

Editor's Note: *The deleted item above is not appropriate in that it is a basic requirement of the Growth Management Act.*

- ~~Add a new Strategy 1:~~ Initiate a program for public/private coordination of planning, design and construction of new infrastructure within the Industrial Park and the related financing of facilities benefiting proposed development projects.

Editor's Note: *The deleted portion above is not appropriate in that it is based on specific provisions of the IPMP that will be repealed. The underlined portions are addressed in 2011 Draft Policy TR 1.6.3., 1.6.4., 1.6.5., CF 1.2 and CF 2.1*

OPEN SPACE POLICIES

- ~~Land Use Goal III: Provide an opportunity for commercial and industrial development to aid in the economic growth of Sultan without degrading the natural environment or existing residential areas.~~

Editor's Note: *The deleted portion above is not necessary in that it is a very generalized goal that does not provide direction for open space or commercial development.*

- ~~Add a new Policy C— Implement a comprehensive approach to integrating all aspects of existing and planned open space within the Industrial Park to create a system of protected natural/critical areas, enhanced buffers, trails and active and passive recreational spaces and facilities. Strategies to be employed in this approach will include critical areas regulations, development project incentives and public/private partnerships for financing land or conservation easement acquisitions and related improvements.~~

Editor's Note: *The deleted item above is not appropriate in that it calls for a specific program of procedures and land use concepts to be implemented in the industrial park that are not generally applicable to the community as a whole. Critical Areas ordinances and updated development standards will address these issues for the entire community.*

- ~~Add a new Strategy 1 under Policy C— Create open space principles and guidelines for the Industrial Park for site design and landscaping using best management practices, storm water management standards and other provisions of City codes and standards, supplemented with site specific requirements as established in the Master Plan.~~

Editor's Note: *The deleted portion above is not appropriate in that it is based on specific provisions of the IPMP that will be repealed. The underlined portion is addressed by in 2011 Draft Policy PK 1.1 and PK 1.4.1, 1.4.2, 1.4.3, and CF 1.6.9*

- ~~Add a new Strategy 2 under Policy C— Adopt Transfer of Development Rights provisions for projects impacted by critical areas in the update of Title 16 of the Unified Development Code. The TDR program will be intended to provide relief to project proponents by allowing development rights to be transferred to other receiving properties within the Industrial Park and/or to enable flexibility in the application of the development standards within single parcels in order to protect critical areas.~~

Editor's Note: *The deleted portion above is not appropriate in that it is based on specific provisions of the IPMP that will be repealed. The underlined portion is addressed by in 2011 Draft Policy LU 7.1 and LU 7.3.*

PLANNING BOARD MEETING 8-17-10

AGENDA ITEM D-3 "ATTACHMENT B"

"Attachment B" provides the draft 2010 goals and policies that are referenced in "Attachment A". The Board is encouraged to review the references in the "Editor's Notes" of "Attachment A" and cross-check them with the goals and policies listed as addressing the Industrial Park Master Plan (IPMP) goals and topics.

For Example: The Editor's Note for Land Use Policy Goal I of the IPMP indicates that the subject of IPMP Goal I is addressed in the 2010 draft Economic Development Element goal and policy section at ED-1, ED-2, and ED-2.4.1. Board members should be comfortable with the staff finding that the IPMP Goal I is addressed by the listed draft goals and policies.

Finding: Staff has found that all goals and policies from the IPMP that are appropriate for attention in the 2010 plan have been addressed. The references and reasons are shown on Attachment A.

Topic 1. Business

Vision 2040 Goal:

The region's economy prospers by supporting business and job creation

Sultan 2040 Goal

Goal ED-1 Support business and job creation

Goal ED-1 Support business and job creation

Support economic development activities to increase employment opportunities that provide family-wage jobs, diversify the city's business community, and work to provide a sound tax base for Sultan. (MPP Ec-1) PB 06-15-10

ED1.1 Job creation

Foster a supportive environment for businesses in Sultan to help create employment opportunities within the Sultan economy. (MPP Ec-5)

ED 1.1.1 Leverage Sultan's unique physical location as a recreation destination by supporting tourist related activities.

ED 1.1.2 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. (MPP Ec-2)

ED1.2 Site identification

Work with other public agencies and private interests to identify and promote sites that can be suitably developed for a variety of local employment projects including business and industrial parks, office and professional centers, specialized commercial and entertainment centers. (MPP Ec-2)

ED1.3 Site efficiencies

Editor's Note: Move ED1.3 Site efficiencies to implementation strategies.

Topic 2. Places

Vision 2040 Goal:

The region's economy prospers through the creation of great central places, diverse communities, and high quality life that integrates transportation, the economy and environment.

Sultan Goal***Goal ED-2 Increase local economic opportunities*****ED2. Goal: Increase local economic opportunities**

Support local business development efforts, property investment projects and programs that protect Sultan economic opportunities.

ED2.1 Small business development

Encourage local business development opportunities, particularly for small start-up business concerns that may be owned or employ Sultan residents. (CPP ED-2)

ED 2.1.1 Promote the local use of special small business financing and management assistance programs.

ED 2.1.2 Help identify facilities that may be used for small business start-ups including older structures that may be suitably reused for business purposes.

ED2.2 Property revitalization

Assist property owners with development efforts to reuse older buildings, redevelop vacant properties, and revitalize the existing downtown business district within Sultan.

Support local marketing efforts, , parking and building improvements, special management organizations, and other actions that can revitalize properties.

ED2.3 Financial programs

Help local private groups to structure special improvement districts including parking and business improvement authorities, local improvement districts, or other programs

ED 2.3.1 when such ventures provide public benefits and are appropriate to Sultan's long range goals. (PB 06-15-10)

ED2.4 Future development opportunities

(Editor's Note: Move to implementation strategies) Protect existing commercial and business developments within the Sultan area from over-zoning.

ED 2.4.1 Concentrate a significant amount of economic growth in designated centers in order to strengthen Sultan's economy and to promote job opportunities. (MPP Ec-18. Small group support 01-12-10).

ED 2.4.2 Ensure economic development policies are consistent with existing or planned capital and utility facilities. (CPP ED-9. Small group support 01-12-10)

ED2.5 Base employment land allocations

Provide a suitable supply of commercial, retail, business, office, and industrial lands to create a closer balance between jobs and housing consistent with the regional growth strategy. . (MPP Ec-17)

ED 2.6 Jobs Housing Balance (MPP Ec-17 / CPP ED-13)

Create local employment, shopping, and other urban service activities to:

- a. support economic activity;
- b. encourage a closer balance between jobs and housing
- c. reduce the need for residents to travel outside the area for goods and services;

LU 4.8 Where feasible and desirable, work with transit providers to incorporate transit amenities into the design of commercial and residential development.

LU 4.9 Encourage uses that ~~will generate~~ give a sense of community for all ages and are not just solely places for commerce for all ages.

LU 4.10 Encourage linkage of paths and trails from neighborhoods to centers

LU 4.11 Identify and create opportunities to develop parks, civic places and public spaces, especially in or adjacent to centers.

Vision 2040 Goal: The region will continue to maintain and support viable regional manufacturing/industrial centers to accommodate manufacturing, industrial, or advanced technology uses.

Sultan 2040 Goal

Editor's Note: Proposed goals and policies under LU-5 are new to Sultan's Comprehensive Plan. On October 27, 2009 small group participants emphasized maintaining and enhancing Sultan's commitment to encouraging industrial uses which provide family wage jobs.

LU 5 Goal: Provide active and diverse industrial centers that promote economic growth, provide family wage jobs and meet the 20-year employment growth targets set by Snohomish County Planning Policies.

LU 5.1 Limit non-industrial use of industrial lands to uses which are complementary to industrial activities.

LU 5.2 Protect industrial lands from encroachment by other land uses, which would reduce the present and future economic vitality of industrial lands.(PB 03-02-10)

LU 5.3 Develop Zone industrial lands so as to minimize impacts on surrounding land uses, especially residential land uses.

LU 5.4 Establish Zone new or additional industrial development where utilities are available or planned for and have convenient access to existing or planned highways or major streets.

LU 6.5 Prioritize the development of safeconvenient, well-maintained walking routes along streams, rivers, and waterfronts.

LU 6.6 Adopt sufficient density standards for residential, commercial and retail development to ensure development that supports transit and walkable environments.

LU 6.7 Where feasible, ensure that pedestrian routes and sidewalks are integrated into continuous networks.

LU 6.8 Support efforts to protect local farmland and local access to fresh fruits and vegetables.

LU 6.9 Support strategies that capitalize on the mutual benefit of connection between rural economies as food suppliers and the Sultan community and businesses as processors and consumers.

LU ~~6.96~~.10 Encourage the use of vacant lots for community gardens.

LU ~~6.106~~.11 Encourage new building construction to incorporate green building techniques and materials.

Topic 7 Innovative Techniques

Sultan 2040 Goal

Editor's Note: Innovative techniques are a new concept in Vision 2040. Proposed goals and policies under LU-7 are new to Sultan's Comprehensive Plan.

LU 7 Goal: Support innovative techniques in land use planning to create mixed-use central places and a vibrant sustainable economy which preserves our natural resources.

LU 7.1 Encourage the use of innovative techniques such as, the transfer of development rights, purchase of development rights, and conservation incentives. Use techniques to focus growth within the urban area.

LU 7.2 Support and provide incentives to increase the percentage of new development and redevelopment – both public and private – to be built at higher performing energy and environmental standards.

LU 7.3 Streamline the development standards and regulations for residential and commercial development, especially in centers, to accommodate a broader range of project types consistent with regional vision. (PB 03-16-10)

Topic 8. Incompatible Land Uses

See LU-5

Topic 9 Concurrency See Capital Facilities Element for LOS standards

- TR 1.4 Standards
 - TR 1.5 Transportation concurrency
 - TR 1.6 Capital Improvements
 - TR 1.7 Demand Management
2. TR-2 Greater Options and Mobility
 3. TR-3 Maintenance, Management and Safety **New for Sultan**
 4. TR-4 Sustainable Transportation **New for Sultan**

TRANSPORTATION GOALS AND POLICIES

TR-1 Goal: Create an effective transportation network

Promote a balanced, affordable, reliable and efficient transportation system to support the city's land use plan.

TR 1.1 Transportation network

Create a transportation network to connect residential and commercial neighborhoods together and allow people to move about the city without accessing US2

TR1.1.1. Develop the north-south arterial street system across US 2 and east-west across the plateau area within the Sultan Urban Growth Area.

TR 1.1.2 Provide for improved traffic circulation by connecting arterial streets together into a transportation network to limit the likelihood of cut-through traffic in residential areas.

TR 1.1.3 Define a collector transportation system that provides methods for traversing neighborhoods, industrial and commercial districts, and other places within Sultan without overly congesting or depending on the arterial system – particularly between the valley floor and plateau. Editor's Note: Moved from TR1.2 Classification

TR 1.1.4 ~~Discourage dead-end cul-de-sacs.~~ Encourage connectivity between neighborhoods. Connect neighborhoods together with roadways, sidewalks, trails and bicycle paths.

TR1.1.5 Work with Snohomish County and the Washington State Department of Transportation to construct improvements at key intersections and US-2 serving residential and commercial neighborhoods .

TR 1.2 Classification

Maintain a functional classification system, consistent with state and federal classifications, that defines each road's principal purpose and protects the road's functional viability.

1. The City may identify intersections exempt from level of service standards when improvements to remedy level-of-service deficiencies are not financially or environmentally feasible as determined by the City.
2. When level-of-service standards cannot be met, consider other mitigating measures, consistent with state law, such as modifying the proposal to reduce the transportation impact or constructing corrective transportation improvements.

TR 1.5.3 Consider other modes of transportation, in addition to single-occupant vehicles, in making concurrency determinations.

TR 1.5.4 Cooperate with neighboring cities, Snohomish County, transit operators, and Washington State Department of Transportation to comply with Growth Management Act concurrency and level-of-service requirements. (CPP TR-7)

TR 1.5.5 Coordinate data collection with adjacent local jurisdictions and transit agencies to determine transportation level-of-service and other transportation information related to travel demand and system operations. (CPP TR-7)

TR 1.5.6 Develop interlocal agreements with neighboring jurisdictions to mitigate significant impacts to Sultan's transportation system. (CPP TR-1)

TR 1.5.7 Consider level-of-service guidelines for transit when making transportation decisions. (CPP TR-7)

Capital Improvements (New)

TR 1.6 Establish programs and mechanisms for the sound financial development and management of the transportation system.

TR 1.6.1 Coordinate transportation plan improvements to be consistent with the Capital Facilities Plan and the goals and policies of the Comprehensive Plan.

TR 1.6.2 Prepare a 6-year Transportation Improvement Program (TIP) that finances transportation improvements within projected funding levels and clearly identifies sources of public money for such purposes.

TR 1.6.3 Prioritize and finance transportation improvements for the greatest public benefit, and consider the extent to which improvements fulfill the objectives of this Comprehensive Plan.

TR 1.6.4 Consider first the most cost-effective and most readily implemented improvements within the prioritization policies of the CIP programming process to solve existing and future deficiencies before higher-cost, capital-intensive projects are considered.

TR 1.6.5 Identify and pursue a long-term strategy for matching grant funding with transportation projects to maximize opportunities for grant awards.

CF-1.1.5 "Projects that address basic community needs" provide community amenities to improve the overall quality of life in the community, are not above minimum levels. These projects are not projects that are necessary for new development but are goals and targets for the community to achieve if revenue can be generated especially in the form of grants, or voter approved bond issues.

CF-1.2 Cost Sharing

Ensure that the burden for financing capital facilities be borne by the primary beneficiaries of the facility, unless potential sharing of benefits is related to the purpose of the facility.

CF-1.3 Community Benefit

Use general revenues to fund projects that provide a general benefit to the entire community.

CF-1.4 Phasing

Phase delivery of utility services to ~~planning units~~ those areas with major population growth potential so that Sultan public services and facilities can be coordinated in advance of each area's development needs.

CF-1.5 Service Provider Coordination

Encourage all governmental entities with capital facilities serving the city to continue to develop those facilities consistent with community needs and consistent with this comprehensive plan.

CF1.6 Concurrency

~~Phase delivery of utility services to planning units with major population growth potential so that Sultan public services and facilities can be coordinated in advance of each area's development needs. (Editor's Note – duplicates CF-1.3~~
Establish and implement strategies to address facility and service needs that are consistent with the land use and transportation elements, existing facility plans, and are financially feasible.

CF-1.6.1 To ensure concurrency, plan for needed public and private capital facilities based on adopted level-of-service standards and forecasted growth in accordance with the Land Use Element of the Comprehensive Plan.

CF-1.6.2 Identify deficiencies in public facilities serving existing development based on adopted level-of-service standards and the means and timing by which those deficiencies will be corrected.

CF-2 Goal: Update the annual six-year capital improvement program, adjusting it for progress made on each project to date and other changes that may affect the implementation schedule of the projects on the previous program and add those projects that appear most feasible, needed to the six year program.

CF-2.1 Keeping the CIP Current

Establish a policy that results in the timely review of all City capital facilities plans on a regular basis to ensure that the plans provide for appropriate levels of infrastructure development.

CF-2.2 Consistency with Budget

Ensure that the public funding for infrastructure development is accounted for in city budgets.

CF-2.3 Plan Coordination

Maintain a coordinated capital facilities program and fiscal strategy that support the implementation of the comprehensive plan land use, transportation, public services, and other infrastructure services.

Re-examine the phasing sequence envisioned between land use, infrastructure, and other comprehensive plan elements in the event city revenues and fiscal strategies are not able to fund the plan's growth requirements.

PARKS GOALS AND POLICIES

Topic 1 General Park Policies

Develop a high quality, diversified park system that preserves significant environmental opportunity areas and features.

PK-1 Goal: Effectively manage park and recreation resources

Create effective and efficient methods of acquiring, developing, operating and maintaining facilities that accurately distribute costs and benefits to public and private interests.

PK-1.1 Coordinate public and private resources

Strive to create a comprehensive, balanced park and recreational system that integrates Sultan with Snohomish County, Sultan School District, Washington State Department of Wildlife, and other public and private park and recreational lands to provide a greater variety of recreational facilities to the Sultan community.

PK-1.2. When appropriate, initiate discussions with the Sultan School District about the possibility of entering into joint ventures for the development of combined school, playground, and athletic facilities.

PK-1.2.2 Consider joint development and maintenance of active play fields and playgrounds - provided the facilities are made available for public use.

PK-1.2.3 Support private, public and non-profit organizations in developing special meeting facilities, assembly facilities, health and other community facilities to support community needs.

PK 1.2.4 Where appropriate, initiate joint planning and operating programs with other public and private organizations to determine and provide for special activities on an area or regional wide basis, such as off-road vehicle trails, camping and fishing facilities, boating, rock climbing and gun range facilities.

PK-1.3 Urban growth preserves and set-asides

Cooperate with the Snohomish County Department of Parks & Recreation, Washington State Department of Fish & Wildlife, and other public and private agencies, and with private landowners to set-aside land and resources necessary to provide high quality, convenient park and recreational facilities before the most suitable sites are lost to development.

PK-1.3.1 Work to develop a community park and neighborhood park sites on the plateau – with access to the trail network and open spaces, and playground and picnic facilities for residents of new local housing areas, and recreational courts and fields for citywide resident use .

PK-1.4 Design, Maintenance, Safety and Accessibility Standards

Design/development standards

PK-1.4.1 Emphasize user input in planning, design, development and maintenance of park and trail facilities.

PK-1.4.2 Work to design and develop facilities that are of low maintenance and high capacity design to reduce overall facility maintenance and operation requirements and costs.

Maintenance and Safety

PK-1.4.3 Where appropriate, use low maintenance materials and settings to reduce maintenance and security requirements and retain natural conditions and experiences.

PK 1.4.4 Develop and implement safety standards, procedures, and programs that provide proper training and awareness for city staff charged with maintaining city park and recreation facilities.

PK 1.4.5 Where appropriate, develop adopt-a-park programs, neighborhood park watches, park police patrols, and other innovative programs that increase maintenance, safety and security awareness and visibility.

PK 1.4.6 Define and enforce rules and regulations concerning park activities and operations that protect user groups, city staff and the public.

PK 1.4.7 Seek opportunities to implement design and development standards to improve park facility safety and security.

PK-1.5 Accessibility

Design park and recreational trails and facilities to be accessible to individuals and organized groups of all physical capabilities, skill levels, age, income, and activity interests.

**SULTAN PLANNING BOARD
AGENDA ITEM COVER SHEET**

ITEM NO: PH-1
DATE: September 21, 2010
SUBJECT: Public Hearing
Decommission Industrial Park Master Plan (IPMP)
CONTACT PERSON: Robert Martin, Community Development Director

ISSUE:
Conduct Public Hearing on proposed decommissioning of IPMP.

Note: Due to technical notice requirements, this public hearing was re-scheduled from September 7, 2010. Individual notices were mailed to all property owners in the IPMP area inviting them to attend the September 7th meeting. No citizens or property owners attended or provided input at that meeting.

Newspaper notice as required by code has been provided for a public hearing at this meeting.

RECOMMENDATION:
Conduct a public hearing on proposed decommissioning of the IPMP. No action is taken as part of this agenda item. Action will be taken under agenda item A-1 which follows in the agenda packet.

BACKGROUND:
At its July 20, 2010 meeting, the Board reviewed a staff report outlining the process for 2010 Comprehensive Plan Docket Item #1, the decommissioning of the Industrial Park Master Plan (IPMP), a sub-area plan of the 2004 Comprehensive Plan. The Board provided general direction to proceed with the process.

At its August 3, 2010 meeting, the Board reviewed a rough draft of the IPMP policies and the initial staff comments on the policies that should be reviewed for inclusion in the 2011 update.

At that meeting the Board asked that the IPMP policies be extracted from the body of the IPMP and assembled with specific reference to the 2011 Comprehensive Plan update.

The Board also asked that IPMP stakeholders who attended the meeting at the Fire District 5 station late in 2009, and property owners in the IPMP area be specifically notified that the IPMP decommissioning was coming before the Board. That notice has been provided for this meeting.

At its August 17, 2010 meeting, the board reviewed goals and policies in the IPMP and correlated those with proposed goals and policies in the 2011 Comprehensive Plan. The Board found that the draft 2011 comprehensive plan elements accommodate all of the policies that are appropriate to be carried forward if the IPMP is decommissioned. At that meeting, the Board also indicated that all property owners in the IPMP should receive a second individual notice

ATTACHMENT D

regarding decommissioning of the IPMP. Individual notice was provided for a Public Hearing at the September 7, 2010 meeting.

At its September 7, 2010 meeting, staff reported that all individual notices were mailed as requested, but the deadline for publication of the required newspaper notice had not been met. The hearing could not be held, but any testimony offered would be taken and entered into the public hearing record. No property owners or other citizens attended the meeting to give testimony, and no written testimony was received.

The hearing was re-scheduled for September 21, 2010, and proper legal notice has been provided for this hearing date. The record is still open for written testimony to be submitted prior to the hearing.

DISCUSSION:

The IPMP was developed and adopted with the intent of making tangible steps that would result in industrial and commercial development in the general area of the HWY 2 corridor south and east of the Sultan Basin Road intersection.

Due largely to federal adoption of endangered species standards immediately following adoption of the IPMP, subsequent implementation of the plan became environmentally and financially infeasible. Pre-development environmental studies (Programmatic Environmental Impact Statements) were anticipated by the IPMP. This up-front investment in environmental analysis was to be the IPMP's tangible contribution to potential developers of the area. Again, largely due to the implementation of required wetlands corridors mandated for support of the newly-declared endangered salmon (through required adoption of new critical areas codes), these studies were not carried out. The intended tangible benefit of the IPMP in support of industrial development was not able to be produced.

The remainder of the IPMP, in the absence of supporting pre-development environmental analysis, consisted of significant process and development standards above and beyond those called for in the zones that applied to the property. These standards slowed process and raised the cost of new development instead of supporting and reducing cost.

Comment has been made in public meetings recently that the City should continue to support industrial development, and should, therefore, not decommission the IPMP. The City is strongly in support of industrial and commercial development in the area subject to the IPMP. The proposed decommissioning of the IPMP is a specific action in support of that position. If the plan is decommissioned, the normal development standards applicable to all industrial development in the city will apply to the IPMP area, instead of the significantly upgraded street, landscaping, and related infrastructure standards called for by the IPMP.

Removal of the Binding Site Plan process required by the IPMP for all development has already taken place. This constituted a significant procedural hurdle for development.

ANALYSIS:

Attachment A provides the staff analysis of all goals and policies from the IPMP. Each goal or policy from the IPMP is reproduced as written in the sub-area plan. Standard legislative mark-up (~~strike through~~ for deletion, and underline for retention) is used to show the staff recommendation on how the language in these goals and policies should be deleted from

further consideration, or analyzed further to insure that the issue is carried forward. Editor's notes are provided to indicate the reason for the recommendation on each item.

Staff has found that all IPMP goals or policies that are important to the community as a whole, and not specifically dependent on or only applicable to the IPMP, have been addressed by one or more of the draft goals and policies in the draft 2011 plan policy components. References to the analogous draft policies are provided. **Attachment B** provides the 2011 draft policy locations that are listed as the analog for IPMP goals and policies that are appropriate for consideration in the comprehensive plan.

AMENDMENT PROCEDURE:

Decommissioning of the IPMP is a Level IV procedure in the Public Participation and Notice Procedures as it substantively amends a sub-area element of the Comprehensive Plan. The Level IV process requires a public hearing before the Board with a recommendation to the Council.

The City can only amend its Comprehensive Plan once each year. Decommissioning of the IPMP is the only item on the Comprehensive Plan Amendment Docket for 2010. The Board can proceed with the amendment process as discussed in the Alternatives section below.

Before deciding on any further action, the Board must conduct a public hearing.

RECOMMENDATION:

Staff recommends that the Board conduct a public hearing. No action is taken as part of this agenda item. Action will be taken under agenda item A-1 which follows in the agenda packet.

ATTACHMENTS

Attachment A: Industrial Park Master Plan Goals and Policies with staff comments on policy issues.

Attachment B: 2011 draft goals and policies that address IPMP goals and policies as referenced in Attachment A.

**SULTAN PLANNING BOARD
AGENDA ITEM COVER SHEET**

ITEM NO: A-1

DATE: September 21, 2010

SUBJECT: Recommendation to Council regarding
Decommission Industrial Park Master Plan (IPMP)

CONTACT PERSON: Robert Martin, Community Development Director

ISSUE:
Make recommendation to City Council on proposed decommissioning of IPMP.

RECOMMENDATION:
Staff recommends that the Board forward to the City Council a recommendation that the Council adopt an ordinance that amends the 2004 Comprehensive Plan, as revised September 25, 2008, by repeal of the Comprehensive Plan Element entitled "Industrial Park Sub Area Plan" as it was made part of "Comprehensive Plan Section II" through adoption of Ordinance 781-02 on June 5, 2002.

BACKGROUND:
The Comprehensive Plan can be amended once each year through acceptance of a docket item by the City Council. Decommissioning of the IPMP is the only item on the 2010 Comprehensive Plan Amendment Docket.

Through Agenda Item PH-1 of this agenda packet, the Board has conducted the public hearing as required by Sultan Municipal Code (SMC) 16.134.050 and for amendment of the Comprehensive Plan under the Docket process of SMC 16.134.070 D.

The Board has reviewed policies in the IPMP and conducted reviews of the proposal as described in Agenda Cover PH-1 of this agenda packet.

AMENDMENT PROCEDURE:
Decommissioning of the IPMP is a Level IV procedure in the Public Participation and Notice Procedures as it substantively amends a sub-area element of the Comprehensive Plan. The Level IV process requires a public hearing before the Board with a recommendation to the Council.

The Board has conducted several public input sessions and a public hearing on the proposed plan amendment.

The next step in the procedure is for the Board to determine its recommendation to the City Council as provided in (SMC) 16.134.050 J. This provision indicates that the Board should determine its next action.

ATTACHMENT E

Alternatives available are:

1. Recommend that the Council proceed with the amendment as proposed and recommend that the Council need not hold a separate public hearing.
2. Recommend that the Council proceed with the amendment as proposed and recommend that the Council hold a separate public hearing.
3. Modify the proposed amendment based on public input and findings developed by the Board.
4. Determine not to forward the proposal to the Council, and direct staff regarding further action on the proposal.

The IPMP, under the name "Industrial Park Sub Area Plan Element" was adopted by Ordinance 781-02 on June 5, 2002.

This Sub Area Plan Element was carried over and adopted into the 2004 Comprehensive Plan by Ordinance 841-04 on November 22, 2004, at which time the Element was referred to as the Sultan Scenic Business Park.

Subsequent adoption of amendments to the Comprehensive Plan in 2008 did not affect the IPMP.

The procedure for removal of the IPMP Sub Area Plan Element from the 2004 Comprehensive Plan (updated 2008) will be adoption of an ordinance that removes that element.

Adoption of an ordinance to remove the IPMP from the Comprehensive Plan will complete work on the Comprehensive Plan Annual Docket for 2010.

PROPOSED FINDINGS:

An amendment of this scale should be accompanied by findings that the Board and the Council determine to be appropriate to support the proposed action. Staff provides the following findings for consideration by the Board. If the findings are appropriate, they should be referenced in the motion to the Council if the Board determines to proceed with a recommendation for adoption. If the findings need to be modified, they may be changed at this meeting and forwarded to the Council subject to the changes noted.

Planning Board findings in support of recommendation to the City Council for removal of the IPMP Sub Area Plan Element from the City of Sultan Comprehensive Plan are as follows:

1. The IPMP, adopted in 2002, anticipated significant and rapid development of the industrial/commercial area on either side of the eastern portion of Hwy 2, and particularly the area north of Hwy. 2 east of Rice Road.
2. The development patterns contemplated involved major utility and road construction in the Wagley Creek corridor from the east City Limits across Rice Road and continuing to Sultan Basin Road.
3. A main sewer connector was constructed in this corridor, but accompanying road development was not undertaken.
4. Major provisions of the IPMP called for "programmatic environmental impact analysis" by the City of Sultan which would provide significant environmental work in anticipation of applications for development, thus providing an incentive to developers to locate in the area.
5. In the same general time frame as the IPMP was adopted, the Federal government engaged policies declaring major portions of the Pacific Northwest, and Wagley Creek in

- specific, to be subject to stringent environmental standards for the protection of endangered salmon species.
6. The endangered species designation of Wagley Creek made realization of the visions and goals of the IPMP all but impossible from environmental and financial perspectives.
 7. Due to the complexities of the endangered species designation and other issues, the programmatic environmental analysis that was to be the main product of the IPMP and the main incentive for development of the area was not conducted.
 8. In the absence of the programmatic environmental analysis, the remaining components of the IPMP place additional development standards and procedures on potential projects over and above those required by the Comprehensive Plan, Unified Development Code, and other implementing ordinances that apply to the area. This, contrary to the intent of the IPMP, provides a disincentive to industrial/commercial development.
 9. Based on the above issues, the City has provided several community input opportunities to allow citizens to express their perspectives on the potential of removing the IPMP from the Comprehensive Plan.
 10. Public Input has been overwhelmingly in favor of removing the IPMP from the Comprehensive Plan.
 11. The entire area included in the IPMP is addressed in the Comprehensive Plan and development codes through plan designations, goals and policies for development, development standards and procedures, and all other provisions that apply to all land in the City of Sultan. Removal of the IPMP does not result in removal of development standards that apply to the property without regard to the additional development standards and procedures called for in the IPMP.
 12. Given the unanticipated events beyond control of the local community (northwest implementation of the endangered species act), and the impediments to development that have surfaced as unintended consequences of adoption of the IPMP (additional development standards without support of programmatic environmental analysis), it is in the best interest of the community to remove the IPMP from the Comprehensive Plan.
 13. The Board finds that removal of the IPMP requirements for additional development standards will encourage industrial/commercial development in the area.

Conclusion:

The Planning Board, upon consideration of the above findings, hereby adopts these findings along with a recommendation to the City Council that the Council proceed with adoption of an ordinance removing the IPMP from the Comprehensive Plan, and that the Council, as provided for in SMC 16.134.050 J. need not hold an additional public hearing prior to adoption of such ordinance.

RECOMMENDATION:

Staff recommends that the Board review the above draft findings, modify said findings as appropriate, and adopt these findings and conclusion as the Board's recommendation to the City Council.

SULTAN PLANNING BOARD MINUTES
September 21, 2010

PLANNING BOARD MEMBERS PRESENT:

Bob Knuckey
Frank Linth
Steve Harris
Jerry Knox

STAFF:

Deborah Knight, City Administrator
Bob Martin, Community Dev.
Cyd Donk, Permit Assistant

CALL TO ORDER:

Call to Order at 7:07 p.m.

CHANGES TO THE AGENDA:

D-2 Council's Draft of Revisions to SMC 2.17 Change this to D-1 so DK may leave when it is done.

PUBLIC COMMENTS:

No Comment

PLANNING BOARD MEMBER COMMENTS:

Bob Knuckey: Thanks Staff for getting the tour together.
Jerry Knox: Ditto.
Steve Harris: None
Frank Linth: Thanks to Mr. Matheson for taking the time to get the tour together.

PRESENTATION:

APPROVAL OF MINUTES:

Approve November 24, 2009 Minutes, Motion by Knox and seconded by Knuckey, all Ayes.

Approve September 7, 2010 Minutes, Motion by Knox and seconded by Knuckey, all Ayes.

PUBLIC HEARING AND ACTION ITEMS:

PH-1: Industrial Park Master Plan – Public Hearing to Decommission the IPMP

Conduct a Public Hearing on proposed Decommissioning of the IPMP. No action is taken as part of this Agenda Item. Action will be taken under Agenda Item A-1 which follows in the Agenda Packet. Staff goes over history of the IPMP and the Decommissioning of the Sub-Area Plan.

Board asks what a Binding Site Plan is. Staff explains that it is a process that develops industrial/commercial lots not residential type development. Board is happy with the conversation and explanation from Staff.

Board asks about the ESA Report and where did they get the report from? NMFS issued the report Staff said. Discussion between Board and Staff over streams and setbacks.

Motion to close the Public Hearing by Knox, Seconded by Knuckey. All Ayes.

ATTACHMENT F

A-1: Industrial Park Master Plan – Recommendation to Council

Staff recommends that the Board forward to the City Council a recommendation that the Council adopt an Ordinance that amends the 2004 Comprehensive Plan, as revised September 25, 2008, by repeal of the Comprehensive Plan Element entitled "Industrial Park Sub Area Plan" as it was made part of "Comprehensive Plan Section II" through adoption of Ordinance 781-02 on June 5, 2002. Board asks Staff what is going to be included in the Recommendation to Council.

Motion made by Knuckey to make a recommendation to the Council to decommission the IPMP, accompanied by a recommendation that no further Public Hearings are needed. Knox Seconded. Chairman Linth wants to note that there have not been any negative comments along the way to decommission the IPMP despite multiple opportunities for public involvement and two individual mailings to all owners within the IPMP area. The Chair appreciated the Board's and the Staff's efforts to go above and beyond in the effort to provide notice and to encourage public participation.

All Ayes, motion passed.