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TRANSMITTAL & REPORT MEMORANDUM

DATE: November 17, 2015

TO: Sedro-Woolley Planning Commission

REGARDING Planned Action Ordinance – The Center for Innovation and Technology

FROM:

John Coleman, Planning Director

The following ordinance and attachment is submitted by the Planning Department. This report serves as the staff report for the proposed ordinance and was submitted in accordance with Chapter 2.90 SWMC.

FINDINGS OF FACT

PROPOSAL

The City of Sedro-Woolley, Skagit County and the Port of Skagit have worked in cooperation to develop a subarea plan for the revitalization of the Northern State Campus, now named The Center for Innovation and Technology (Center). A Planned Action Environmental Impact Statement (EIS) was prepared to satisfy the requirement for environmental review. The next step in the process is the adoption of a Planned Action Ordinance, designating those projects that will qualify as planned actions and the geographic area that will be defined as the Planned Action Area. The Planned Action Ordinance is intended to be as specific as possible, indicating what mitigation measures will be required for a project to qualify as a planned action. The required mitigation measures and conditions that will apply to development actions at the Center will be specified in Mitigation Decision Document, Attachment A (Attachment A), attached to the Planned Action Ordinance.

The Planned Action EIS and Attachment A will also identify those actions that will *not* qualify as planned actions. Due to the size and complexity of the property, as well as the timing of future development, a thorough analysis of conditions and impacts has not been

conducted in some areas of the site. Non-qualifying planned action projects may require additional environmental analysis; however the scope of review will focus only on environmental impacts not adequately addressed in the Planned Action EIS.

At the beginning of the planning process, City Council passed Resolution 913-15 expressing its intent to prepare a Subarea Plan and Planned Action EIS for the Center. To ensure an extensive level of public review, a Public Participation Plan was included as an attachment to Resolution 913-15. This plan outlined the processes described below and the opportunities for public involvement. Attached to this report is The Center Subarea Plan & Planned Action EIS Milestone Dates which was created subsequent to the Public Participation Plan, listing public meetings and comment periods associated with each of the processes (Annexation, Subarea Plan and Planned Action EIS)

Attached to this memo is a proposed Planned Action Ordinance and Mitigation Decision Document, Attachment A.

BACKGROUND

Below are the planning processes that have been involved with the Center:

- **Annexation of the Property into the City of Sedro-Woolley** – the Property was annexed into the City on September 9, 2015 bringing the Property within the municipal boundary and the land use regulatory authority of the City.
- **Subarea Plan** – This plan will articulate a framework for development of the property over the next 20 years. It will be based on the goals of the local governments and public and will provide direction for potential investors seeking to develop and or locate within The Center. The Subarea Plan, once finalized, will be adopted into the City’s Comprehensive Plan. As the Planning Commission is aware, the Growth Management Act allows updates to comprehensive plans once every year. The Sedro-Woolley City Council has approved, by resolution, the City’s 2015 Comprehensive Plan docket which lists the proposed amendments to the City’s comprehensive plan that will be considered this year. While it was anticipated that a comprehensive plan amendment would be necessary to address the Northern State property and this is reflected in the 2015 docket, the Subarea Plan has been reviewed through an Environmental Impact Statement (EIS) process, independent of the any other comprehensive plan amendments. Therefore, staff is utilizing RCW 36.70A.130 (2) (a) (i) and (v) which recognizes exceptions to the consideration of amendments more frequently than once a year. The cited RCW sections recognize subarea plans and comprehensive plan amendments necessary to enact a planned action under RCW 43.21C.031 as exceptions, allowing a jurisdiction to amend its comprehensive plan more frequently than once a year.
- **Planned Action Environmental Review** – The Washington state legislature adopted the planned action process for SEPA to emphasize quality environmental

review of early planning efforts and early public input to shape decisions. The intent is to provide cumulative impact analyses for the entire subarea, rather than piecemeal analysis on a project-by-project basis. A planned action designation by a jurisdiction reflects a decision that adequate environmental review has been completed and that future environmental review under SEPA, for each specific development proposal or phase, will not be necessary if it is determined that each proposal or phase is consistent with the development levels specified in the adopted Planned Action Ordinance and supporting environmental analysis.

Chapter 2.90 SWMC was amended in 2015 to include a process for adopting planned action ordinances. The process requires Planning Commission review and consideration, with a recommendation to the City Council which is charged with making a final decision. In addition to the process for designating and adopting a planned action ordinance, Chapter 2.90 outlines a process for reviewing planned action projects.

Basic steps in designating and implementing planned actions are to:

- Draft a Subarea Plan to create a vision and policy framework for future development;
- Prepare an Environmental Impact Statement (EIS);
- Designate the planned action improvement area by ordinance, where future projects would develop consistent with the EIS analysis; and
- Review development permit applications for consistency with the designated planned action.

The proposed ordinance is supported by and implements the Sedro-Woolley Comprehensive Plan, Economic Element:

Goal E1: To develop a sound fiscal base.

Policy E1.1: Create employment opportunities within the Sedro-Woolley economy, particularly for residents who now commute to other distant employment areas.

Policy E1.2: Participate with other public agencies and private interests in labor force training programs that take advantage of traditional resources.

Policy E1.3: Identify and promote sites which can be developed for a variety of local employment projects. Promote development of business and industrial parks, office and professional centers, and specialized commercial and entertainment centers.

The proposed ordinance will also support and implement the Sedro-Woolley Comprehensive Plan, Land Use Element as amended with the adoption of The Center for Innovation and Technology Subarea Plan.

PROPOSAL REVIEW PROCESS

- A SEPA threshold Determination of Significance was issued on April 10, 2015 initiating the Planned Action Environmental Impact Statement process to study the environmental impacts associated with a subarea plan. A Draft Environmental Impact Statement was issued September 18, 2015 and a Final Environmental Impact Statement was issued on November 16, 2015.
- Public Notice of the Planning Commission Hearing was published in the Skagit Valley Herald on November 6, 2015.
- The State Department of Commerce (COMM) was provided an opportunity to review and comment on the DEIS on September 17, 2015.

RECOMMENDATION

Staff Recommends that the Planning Commission review the proposed Planned Action Ordinance, hold a public hearing and make a recommendation to the City Council to adopt the Ordinance and Mitigation Decision Document, Attachment A (with PC recommended amendments if applicable).

EXHIBITS:

- A. Planned Action Ordinance and Mitigation Decision Document, Attachment A
- B. The Center Subarea Plan & Planned Action EIS Milestone Dates
- C. Procedural Items: Notice of Public Hearing

CONCLUSIONS

The Planning Commission, having reviewed the Planning Department Transmittal and Report Memorandum and hearing public testimony, makes the following conclusions:

1. Adoption of the proposed Planned Action Ordinance complies with the State Growth Management Act, has been reviewed by the State Department of Commerce, and has been adequately vetted through the public review process; and
2. The Department of Ecology was provided a copy of the Draft Environmental Impact Statement to review and comment on. Comments from the Department are addressed in the Final Environmental Impact Statement which has also been submitted to the Department of Ecology.
3. Adoption of the proposed Planned Action Ordinance is in conformance with the goals and policies of the Sedro-Woolley Comprehensive Plan.

RECOMMENDATION

Based upon the foregoing, the Planning Commission recommends approval of the Planned Action Ordinance and Mitigation Decision Document, Attachment A found herein as Exhibit A.

CERTIFICATION

The City of Sedro-Woolley Planning Commission hereby recommends to the City Council **APPROVAL** of the Planned Action Ordinance for The Center for Innovation and Technology at a **REGULAR** meeting of the City of Sedro-Woolley Planning Commission held on **Tuesday, November 17, 2015**, at which time a quorum was present and the decision was for approval by a vote of **FOR**, **AGAINST**, and **ABSTENTIONS**.

Patrick Huggins, Planning Commission Chair

Date