

ORDINANCE NO. 017/2012

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON RELATING TO THE 2012 COMPREHENSIVE PLAN AMENDMENTS; AMENDING ORDINANCE 015/2003 TO REPEAL THE ADOPTION BY REFERENCE OF THE NORTH KELSEY DEVELOPMENT PLAN, AMENDING ORDINANCE 036/2008 TO REPEAL THE ADOPTION BY REFERENCE OF THE DOWNTOWN MASTER PLAN, AND AMENDING THE LAND USE ELEMENT WITH SPECIFIC GOALS AND POLICIES RELATED TO NORTH KELSEY AND THE DOWNTOWN AREA (CPA2012-B); PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the Growth Management Act (Chapter 36.70A RCW) gives authority to cities to update their comprehensive plans once per year so that the cumulative effects of all proposed amendments can be analyzed for consistency and the overall effect on the remainder of the plan; and,

WHEREAS, the cumulative effects of all proposed amendments have been analyzed by the City of Monroe; and,

WHEREAS, the City complied with the City of Monroe Comprehensive Plan Amendment Procedures found in Resolution 2011/007, Chapters 20.04 MMC and 21.50 MMC and other federal, state and local regulations; and,

WHEREAS, the City provided notice of the proposed Comprehensive Plan Amendment on the City's webpage, through direct mailing, and publication of hearing notices in the Monroe Monitor; and,

WHEREAS, numerous workshops and hearings were held on the proposed amendment; and,

WHEREAS, the Monroe Planning Commission held a duly advertised public hearing to consider the proposed Comprehensive Plan Amendment on April 23, 2012; and,

WHEREAS, the Monroe Planning Commission forwarded recommendation for approval of CPA2012-B to the Monroe City Council; and,

WHEREAS, the City Council reviewed the Monroe Planning Commission recommendation at the May 1, 2012 City Council meeting; and

WHEREAS, the above referenced recommendations were based on Findings and Conclusions recommended by City Staff and reviewed by the Monroe Planning Commission dated April 23, 2012 in support of the amendment; and,

WHEREAS, the Monroe City Council held a duly advertised public hearing to consider the proposed Comprehensive Plan Amendment on June 19, 2012; and,

WHEREAS, the Monroe City Council adopts the Findings and Conclusions in support of the proposed Comprehensive Plan Amendment; and,

WHEREAS, the City Council has carefully considered, and the Comprehensive Plan amendment set forth in this ordinance satisfies, all applicable criteria for approval, specifically including without limitation the criteria set forth in Resolution 2011/007 and Chapter 36.70A RCW; and,

WHEREAS, the Monroe City Council, after considering all information received, has determined to adopt the amendment as provided in this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. North Kelsey Development Plan and Downtown Master Plan Text Amendment

(CPA2012-B). The Monroe City Council hereby amends the Ordinances 15/2003 and 036/2008 to remove incorporation into the Land Use Element of the Comprehensive Plan and the adoption by reference of the North Kelsey Development Plan and the Downtown Master Plan. The Monroe City Council hereby amends the Land Use Element of the Comprehensive Plan to include the goals and policies as shown on the attached Exhibit 1 and incorporated by this reference as if set out in full.

Section 2. Additional Text Amendments. In support of the amendment approved in Section 1 of this ordinance, the Monroe City Council adopts the supporting text amendments to the Land Use Element of the Comprehensive Plan as contained in Exhibit 2 and incorporated by this reference as if set forth in full.

Section 3. Findings, Conclusions, and Analysis. In support of the amendment approved in this ordinance, the Monroe City Council adopts the Findings and Conclusions dated April 23, 2012 recommended by City Staff and reviewed by the Monroe Planning Commission in support of the proposed Comprehensive Plan Amendment as shown on the attached Exhibit 3 and incorporated by this reference as if set forth in full. The City Council further incorporates and adopts by reference as findings the recitals set forth above. (The Findings and Conclusions adopted by the Planning Commission refer to Resolution 2005/006 rather than the more recent Resolution 2011/007. Resolution 2011/007 amended the review timeline contained in Resolution 2005/006, but did not alter the review criteria.)

Section 4. Ordinance to be transmitted to department. Pursuant to RCW 36.70A.106, the City will transmit this ordinance to the Washington State Department of Commerce within 10 days after final adoption.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance or any section of the Monroe Municipal Code adopted or amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance or code section.

Section 6. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 10th day of July 2012.

1st Reading: 05/01/2012
2nd Reading: 07/10/2012
Published: 07/17/2012
Effective: 07/22/2012

CITY OF MONROE, WASHINGTON:



Robert G. Zimmerman, Mayor

ATTEST/AUTHENTICATED:



Eadye Martinson, Deputy City Clerk

APPROVED AS TO FORM:



J. Zachary Lell, City Attorney

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Exhibit 1 Goals and Policies

NORTH KELSEY

Land Use Policy LUP-2.1

Ensure that new development meets the goals, objectives and design guidelines specified in the North Kelsey Sub-Area Plan.

Land Use Policy LUP-2.2

Increase the City's economic vitality with a variety of commercial uses.

Land Use Policy LUP-2.3

Provide for uses and services that meet the needs of Monroe's diverse population by encouraging a variety of commercial uses that serve both local and regional needs.

Land Use Policy LUP-2.4

Create a strong identity for the development with unique and appropriate architectural design that combines traditional and modern elements, emphasizes landscaping and greenery and involves local artists where possible.

Land Use Policy LUP-2.5

Encourage pedestrian-accessible development with pedestrian connections between uses; streetscape amenities for pedestrians; separation of pedestrians and vehicles along arterials where possible; parking lot screening; safe bicycle access throughout the development; and encourage large-scale uses to provide multiple entries and minimize blank walls.

DOWNTOWN

Land Use Goal LUG-3

Develop and promote Downtown as a regional destination and the heart of the community with a strengthened economy, a diverse range of businesses, service, housing, entertainment and public amenities.

Land Use Policy LUP-3.1

Ensure that new development and redevelopment in the Downtown Area meets the goals, objectives and design guidelines specified in the Downtown Sub-Area Plan.

Land Use Policy LUP-3.2

Recognize and reinforce the four downtown sub-areas: Historic Main Street, Al Borlin Park Neighborhood, Downtown Neighborhood and the Rails and Roads Neighborhood.

Land Use Policy LUP-3.3

Create a focal point as a community gathering place and program a wide variety of public festivals and events throughout the year.

Land Use Policy LUP-3.4

Develop downtown to be pedestrian, bike and transit oriented with safe pedestrian connections throughout downtown.

Land Use Policy LUP-3.5

Enhance all neighborhoods with enhanced gateways and streetscapes, landscaping, adequate parking for local and visitor traffic, signage and pedestrian amenities.

Land Use Policy LUP-3.6

Develop a historic preservation program that identifies historic resources and creates policies and regulations to preserve and protect resources with historic building code provisions and incentive programs.

Exhibit 2

Supporting Land Use Element Text Amendments

The North Kelsey Area description in *The City of Monroe in a Land Use Context* section of the City of Monroe Comprehensive Plan is amended to read:

North Kelsey Area

Existing Conditions and Issues

The North Kelsey Area is generally considered to be the area west of SR 522, south of the US 2 By-Pass, north of US 2 and west of Chain Lake Road. The area is currently a mix of retail, service and industrial uses with approximately 47 acres available for development in 2012. The area is one of the major focal points of the city's expected new commercial growth within the next decade.

The North Kelsey Development Plan was developed in 2003 (and amended in 2007) to provide guidance for development. However, due to the recession that occurred in 2007, the effects of which are still being felt, the 2003 vision cannot be realized without a substantial financial commitment on the part of the City of Monroe. The development that has occurred or proposed has been and will be determined by market demand.

Future Vision and Issues

The North Kelsey Development Plan is being revised to reflect the market driven style of development that has occurred while retaining many of the design guidelines, including pedestrian access and amenities, contained in the original plan. This area should develop into a vibrant, economically sustainable area.

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Exhibit 3
FINDINGS AND CONCLUSIONS

North Kelsey Development Plan/Downtown Master Plan Comprehensive Plan Amendment
City of Monroe CPA2011-01
April 23, 2012

The North Kelsey Development Plan & Downtown Master Plan Comprehensive Plan Amendment is analyzed under the procedures and criteria outlined below.

Compliance with resolution 2005/06 – procedures and criteria for amending the Comprehensive Plan. Each plan shall:

- a. Shall not adversely affect public health, safety, or welfare in any significant way.
- b. Shall be consistent with the overall goals and intent of the comprehensive plan.
- c. Shall be in compliance with the Growth Management Act and other State and Federal laws.
- d. Must be weighed in light of cumulative effects of other amendments being considered.

a. Public Health, Safety or Welfare

The proposed amendment revises narrative, goals and policies that will have no effect on public health, safety or welfare. The North Kelsey and Downtown areas are fully served with infrastructure and within the capacity range for the city's sewer, water and stormwater systems. Police and fire coverage will not be increased.

b. Goals and Intent of the Comprehensive Plan

Both the North Kelsey Development Plan & Downtown Master Plan are now referenced and adopted in the Comprehensive Plan. This proposed amendment will uncouple both plans from the Comprehensive Plan to remove regulatory language and amend current descriptive language, goals and policies. The Comprehensive Plan Amendment is being amended to recognize changing trends in the development of North Kelsey for auto-centric, larger scale uses as opposed to extensive pedestrian-oriented development; the Downtown area is being reinforced with renewed emphasis on public spaces and pedestrian amenities. This proposed amendment is supported by existing goals and supplemented with proposed goals as listed below.

Land Use Goals

LUG1 - To pursue well-managed, orderly expansion of the City and actively influence the character of the City by managing land use change and by developing City regulations, facilities and services in a manner that directs and controls land use patterns and intensities.

Land Use Goal LUG-2 (Revised)

Develop the North Kelsey Area into a vibrant, mixed use development that will provide a visible and accessible commercial center.

Proposed Land Use Goal

Develop and promote Downtown as a regional destination and the heart of the community with a strengthened economy, a diverse range of businesses, service, housing, entertainment and public amenities.

LUG3 - Accommodate the city's expected growth in a way that enhances its character, quality of life and economic vitality.

LUG8 - Provide for increased commercial development in the Monroe area that will enhance the character of major traffic corridors, downtown Monroe, and provide opportunities for neighborhood convenience shopping facilities within primarily residential areas.

LUP9 - Encourage commercial development designs that allow economically feasible development while at the same time providing attractive focal points in the community.

Economic Development Goals

EDG1 - Promote a strong, diversified, and sustainable local and regional economy, respecting the natural environment and preserving or enhancing the quality of life in the community.

EDG2 - Encourage economic development activities which take into consideration the capacities of the area's natural resources, public services, and facilities.

EDG3 - Promote the incorporation of transit, bicycle and pedestrian access in design of business, commercial and industrial developments.

EDG5 - Encourage and promote the development or enhancement of retail areas to achieve a vibrant shopping, dining and/or entertaining experience in the central business district.

c. Growth Management Act and other State and Federal Laws

The proposal addresses the following Planning Goals listed in RCW 36.70A.020:

Urban Growth

Reduce Sprawl

Transportation

Housing

Economic Development

Property Rights

Environment

Citizen Participation

Public Facilities and Services

Historic Preservation

The city has provided notice through the City's webpage, posting at City Hall, and publication of hearing notices in the Monroe Monitor.

d. Cumulative Effects of Other Amendments

This amendment has been weighed in light of the other amendments currently being considered.

Conclusions

The proposed amendment is consistent with Resolution 2005/06 and the mandatory review criteria outlined above. Amending Comprehensive Plan text as proposed does not adversely affect the public health, safety, or welfare. The application is consistent with the city's goals and policies for well managed growth, economic vitality, consistency, appropriate location and design of commercial and industrial development and with existing as well as added goals and policies for North Kelsey and Downtown Monroe.

In addition to the above mandatory requirements, any proposed amendment must meet the following criteria unless compelling reasons justify its adoption without meeting them:

- a. Addresses needs or changing circumstances of the city as a whole or resolves inconsistencies between the Monroe Comprehensive Plan and other city plans or ordinances.
- b. Environmental impacts have been disclosed and/or measures have been included that reduce possible adverse impacts.
- c. Is consistent with the land uses and growth projections that were the basis of the comprehensive plan and/or subsequent updates to growth allocations.
- d. Is compatible with neighboring land uses and surrounding neighborhoods, if applicable.
- e. Is consistent with other plan elements and the overall intent of the comprehensive plan.

Conclusions

The amendment is also consistent with the criteria listed above. The proposed amendment specifically addresses changing circumstances of the city. The environmental checklist and other application materials led to a Determination of Non-Significance for environmental impacts. The proposed amendments are consistent with the land uses, growth projections and goals and policies that form the basis of the Comprehensive Plan; is compatible with neighboring land uses; and is consistent with other plan elements and the overall intent of the Comprehensive Plan.

Compliance with Monroe Municipal Code (MMC) Chapter 20.04 (State Environmental Policy Act)

The applicant submitted an environmental checklist addressing potential environmental impacts associated with the approval of the proposed application. The City of Monroe SEPA Official issued a Determination of Non-Significance (DS) for this proposal on April 10, 2012. The appeal period ended April 25, 2012. No comments or appeals have been received.

Conclusion

The proposed amendment meets the requirements of SEPA Chapter 20.04 MMC and Chapter 197-11 WAC.