

**ORDINANCE NO. 011/2010**

AN ORDINANCE CHANGING THE ZONING DESIGNATION FOR THE MOST NORTHERN CITY-OWNED PARCELS IN THE NORTH KELSEY AREA FROM GENERAL INDUSTRIAL TO GENERAL COMMERCIAL AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the city staff initiated a request to rezone the city-owned properties, located in the North Kelsey Planning Area generally bounded by the US-2/SR 522 interchange to the west, Chain Lake Road to the east, and undeveloped Washington State Department of Transportation (WSDOT) right-of-way to the north with tax parcel ID # 28063600402500 and 28063600402600; and

WHEREAS, the city of Monroe SEPA Official issued a Determination of Non-Significance (DNS) for this proposal on May 04, 2010; and

WHEREAS, the Monroe Planning Commission held a duly advertised public hearing on June 28, 2010, and recommended approval of the requested rezone from General Industrial to General Commercial; and

WHEREAS, the Monroe City Council considered the recommendation of the Monroe Planning Commission and determined to approve the zoning designation from General Industrial to General Commercial; and

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

Section 1. North Kelsey Rezone (RZ2010-02). The rezone from General Industrial to General Commercial identified in the whereas clauses above and depicted in Exhibit A is hereby approved.

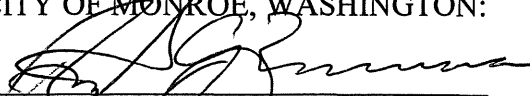
Section 2. Findings, Conclusions, and Analysis. The Monroe City Council adopts the Planning Commission's findings, conclusions, and analysis on the subject rezone (city staff report), attached hereto as Exhibit B and incorporated by this reference as if set forth in full.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance 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.

Section 4. Effective Date. This ordinance shall be in full force and effect five (5) days after and its passage and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 6th day of July 2010.

CITY OF MONROE, WASHINGTON:

  
Robert G. Zimmerman, Mayor

1<sup>st</sup> and Final Reading:

Published:

Effective:

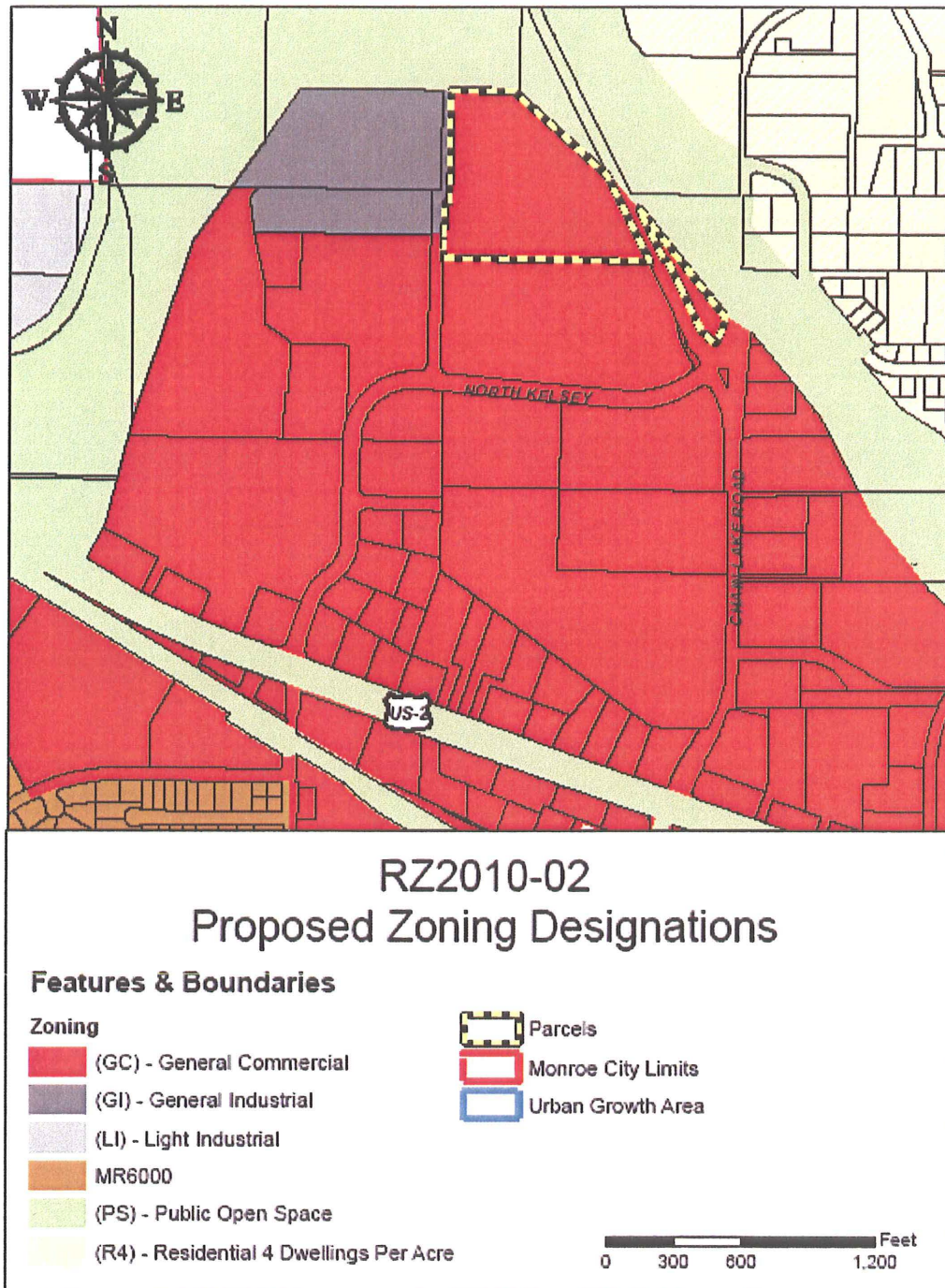
ATTEST:

  
Eadye Martinson, Deputy City Clerk

APPROVED AS TO FORM:

  
Phil Olbrechts, City Attorney

Exhibit A



**Exhibit B**

**STAFF REPORT AND RECOMMENDATION (Exhibit 1)  
Zoning Reclassification Application**

**RZ2010-02  
June 28, 2010**

**TO:** CITY OF MONROE PLANNING COMMISSION  
**FROM:** RUSS WRIGHT, ASSOCIATE PLANNER  
**SUBJECT:** NORTH KELSEY REZONE (RZ2010-02) FROM GENERAL INDUSTRIAL TO GENERAL COMMERCIAL  
**HEARING:** June 28, 2010

**A. PURPOSE:**

The proposal is to rezone the most northern city-owned parcels (28063600402500 and 28063600402600) in the North Kelsey Planning Area from General Industrial to General Commercial.

**B. INFORMATION:**

<b>Property Owner(s):</b>	<b>Applicant:</b>
City of Monroe	Department of Community Development
608 West Main Street	City of Monroe
Monroe, Washington 98272	Monroe, Washington 98272
360-863-4553	206-248-0555

**Property Location:** The North Kelsey Planning Area is generally bounded by the US-2/SR 522 interchange to the west, Chain Lake Road to the east, and undeveloped Washington State Department of Transportation (WSDOT) right-of-way to the north. The area under review includes tax parcels 28063600402500 and 28063600402600 north of North Kelsey Street (Exhibit 2).

**Zoning:** General Industrial (GI)

**Comprehensive Plan Designation:** Industrial (proposed concurrent land use change scheduled for adoption to General Commercial July 6, 2010)

<b>Adjacent Zoning:</b>	North – Public Open Space	East – Public Open Space
	South – General Commercial	West – General Industrial

<b>Adjacent Land Use Designations:</b>	North – Special Regional Use	East – Special Regional Use
	South – General Commercial	West – Industrial

<b>Adjacent Land Uses:</b>	North – US-2 Bypass	East – Lakeside Industries
	South – Vacant Commercial	West – US-2 Bypass

**Codes & Policies:** Chapter 18.99 MMC (Rezoning Procedures), Chapter 20.04 MMC (State Environmental Policy Act), the Monroe Comprehensive Plan, and Chapter 36.70A RCW (Growth Management Act)

### **C. DISCUSSION/HISTORY**

The city received rezone application RZ2010-02 on April 23, 2010 (Exhibit 3) identified in the proposed zoning map (Exhibit 4).

The *City of Monroe North Kelsey Development Plan (2003)* was a planned action for a 68-acre site in the city of Monroe, known as the North Kelsey Subarea. The SEIS for the planned action included the northern and southern portions of the North Kelsey Area, Galaxy Theater Area, proposed Monroe Public Work Site, and Little Monroe Pit. Since the plan's inception, elements of the plan have been implemented, including changing the land use designation for a portion of the subarea from Industrial to Commercial (followed by an associated rezone), the construction of an anchor tenant on the southern North Kelsey property, the construction of infrastructure improvements (e.g., new roads, intersection improvements, and stormwater facilities). Lakeside Industries has relocated its operations from the northern North Kelsey parcel to the Little Monroe Pit directly behind the Galaxy Theater. The Monroe Public Works Department has developed their operational site as part of the existing Monroe City campus.

The current proposal is to rezone the most northern city-owned parcels (28063600402500 and 28063600402600) from General Industrial to General Commercial. The original SEIS for the planned action included the northern and southern portions of the North Kelsey Area, Galaxy Theater Area, proposed Monroe Public Work Site, and Little Monroe Pit. City of Monroe Ordinance 016-2003 adopted boundaries for the Planning Area, Planned Development Area, and General Commercial Zone that excluded the properties in use by Lakeside Industries. The proposed amendment supports desired development patterns and intended uses for the northern half of the project to integrate the northern and southern portions of the subarea.

### **FINDINGS AND CONCLUSIONS**

#### **Compliance with Chapter 18.99 MMC (Rezoning Procedures) and Rezone Application Criteria:**

##### Findings:

- City staff reviewed the application under the following application criteria –
  1. This proposed zoning change shall be in keeping with the goals and policies of the Comprehensive Plan.
  2. This proposed zoning change shall be in keeping with the purposes of the Zoning Code and the existing land uses of surrounding properties.
  3. This proposed rezone reflects changes in economic patterns, social customs, policy changes and other factors that affect the character of the area.
  4. This proposal will be assessed as to its impact on safety, welfare, public health, property values and other factors. Include a comparison of such factors under the current zoning designation and under the proposed rezone.

##### Conclusions:

- The proposed rezone from General Industrial to General Commercial is consistent with the Comprehensive Plan (see Subsection D3) and the North Kelsey Development Plan, adopted by Ord. 015/2003, including the proposed land use change, under concurrent review, from Industrial to General Commercial;
- Commercial uses are consistent with the North Kelsey Development Plan, purposes of the zoning

code (Chapter 18.10 MMC), and the existing land uses of surrounding properties (Section B).

- The proposed rezone addresses changes in economic patterns, social customs, policy changes, and other factors that affect the character of the area, notably Lakeside Industries relocating to another parcel and the city Public Works Department finding an alternate site for the Public Works building (see narrative in Section C).
- The proposal is not injurious to the public or private property.

#### **Consistency with the Chapter 20.04 MMC (SEPA)**

##### Findings:

- City staff submitted an environmental checklist with the subject application addressing potential environmental impacts associated with the approval of the proposed application (Exhibit 5).
- The SEPA Official determined that the proposed rezone was consistent with the Supplemental Environmental Impact Statement (SEIS) for the North Kelsey Planning Area and issued a Determination of Non-Significance (DNS) for this proposal on May 04, 2010 (Exhibit 6). The comment/appeal period has expired – the city received no comments or appeals.
- The city will require site-specific SEPA review with future site development if applications do not conform to the approved planned action and SEIS.

Conclusions: The proposed rezone is consistent with Chapter 20.04 MMC and Chapter 197-11 WAC.

#### **Consistency with the Comprehensive Plan:**

##### Findings:

##### 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.

LUG-2 - Develop the North Kelsey Area into a vibrant, mixed-use development that will provide a visible and accessible commercial and civic town center.

LUG-8 - 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.

LUG-9 - Encourage commercial development designs that allow economically feasible development while at the same time providing attractive focal points in the community.

##### Economic Development Goals

- 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.
- Encourage economic development activities which take into consideration the capacities of the area's natural resources, public services and facilities.
- Promote the incorporation of transit, bicycle and pedestrian access in design of business, commercial and industrial developments.
- Encourage active cooperation between the City and local businesses concerning economic development issues, particularly those businesses which have specialized infrastructure, building design, transportation, or other needs.

Conclusions: The proposed rezone is consistent with the proposed Comprehensive Plan Land Use designation of General Commercial, the Monroe Comprehensive Plan, and North Kelsey Development Plan.

**Consistency with the Chapter 36.70A (Growth Management Act):**

Findings:

- Staff requested Expedited Review of the proposal from the Department of Commerce on May 04, 2010 (Exhibit 7a).
- The Department of Commerce emailed a Letter of Acknowledgement on April 26, 2010 with material ID # 15606 (Exhibit 7b).
- The Department of Commerce granted expedited review on May 20, 2010 (Exhibit 7c).
- Staff received no agency comments.

Conclusions: The proposal has met the Growth Management Act requirements.

**RECOMMENDATION**

Staff hereby recommends the Planning Commission forward a recommendation to the City Council to **APPROVE** the requested Rezone (RZ2010-02) to change the zoning from General Industrial to General Commercial as it complies with the Monroe Municipal Code, the Comprehensive Plan, and other State and Federal Regulations.

**F. Exhibits (EXHIBITS ARE ON FILE & AVAILABLE UPON REQUEST AND MAY BE AVAILABLE AT: [HTTP://WWW.CI.MONROE.WA.US/CITYGOV/DEPTS/COMMUNITY DEVELOPMENT/PLANNING/CODEAMEND/CODEAMEND.PHP](http://www.ci.monroe.wa.us/citygov/depts/community_development/planning/codeamend/codeamend.php)):**

1. Staff Report
2. Vicinity Map
3. Application
4. Proposed Zoning Map
5. Environmental Checklist
6. DNS
7. Department of Commerce
  - a. Expedited Review Request
  - b. Letter of Acknowledgement
  - c. Expedited Review Granted
8. Public Notice
  - a. Affidavit of Mailing
  - b. Affidavit of Posting
  - c. Proof of Publication