



PLANNING COMMISSION RESOLUTION NO. 18-10

A Resolution Recommending that the City Council Amend Chapter 20.04 Regarding State Environmental Policy Act Categorical Exemption Thresholds for Infill Development, and Repealing Ordinance No. 3128-09, an Ordinance Establishing a Planned Action for Downtown Everett

WHEREAS, the Planning Commission finds the following:

1. In order to accommodate infill development and thereby realize the goals and policies of comprehensive plans adopted according to chapter 36.70A RCW (Growth Management Act), the Legislature authorized local government to establish categorical exemptions from the requirements of the State Environmental Policy Act (SEPA); and
2. Chapter 43.21C.229 RCW sets forth the criteria for a city to adopt exemptions from SEPA, including actions related to development to fill in an urban growth area where current density and intensity of use in the area is lower than called for in the goals and policies of the city's comprehensive plan; and
3. The criteria set forth in chapter 43.21C.229 RCW also include that the development is not inconsistent with the comprehensive plan or exceed the density or intensity of use called for in the goals and policies of the applicable comprehensive plan; and
4. The criteria set forth in chapter 43.21C.229 RCW also include that the city considers the specific probable adverse environmental impacts of the proposed action and determines that these specific impacts are adequately addressed by the development regulations or other applicable requirements of the comprehensive plan, subarea plan element of the comprehensive plan, planned action ordinance, or other local, state, or federal rules or laws; and
5. The criteria set forth in chapter 43.21C.229 RCW also require that the city's applicable comprehensive plan was previously subjected to environmental analysis through an environmental impact statement or has prepared an environmental impact statement that considers the proposed use or density and intensity of use in the area proposed for an exemption; and
6. The city's comprehensive plan was subject to environmental analysis, including 2015 Draft and Final Supplemental EIS for the City of Everett GMA Comprehensive Plan; 2009 Planned Action Draft and Final Supplemental EIS for the City of Everett Downtown Plan; 2006 SEPA

Addendum for the Downtown Plan and Development Standards; 2004 Draft and Final Supplemental EIS for the City of Everett 10-Year Comprehensive Plan; 2003 Addendum to the EIS for Everett Station Area Plan and Development Regulations and Design Standards; 1994 Everett Growth Management EIS; and

7. Chapter 43.21C.229 RCW limits the categorical exemptions for infill development to either: residential development; mixed-use development; or commercial development up to sixty-five thousand square feet, excluding retail development; and
8. The Metro Everett Subarea Plan recommended for adoption (PC Resolution No. 2018-03) includes a policy and action (LU-6) to increase the project-level environmental review exemptions under SEPA in order to realize the goals and policies of the Metro Everett Plan; and
9. The City adopted a Planned Action Ordinance under the State Environmental Policy Act (SEPA) for Downtown Everett (Ordinance No. 3128-09) on June 10, 2009 based on the 2006 adoption of the Everett Downtown Subarea Plan, which the Planning Commission has recommended (Planning Commission Resolution No. 18-03) to be repealed; and
10. The purpose of a Planned Action Ordinance is to expedite the permitting process for subsequent implementing projects whose impacts have been previously addressed; and
11. The SEPA exemptions for infill development provide similar objectives to the Planned Action Ordinance; and
12. Public notice and opportunity to comment on these amendments was provided through electronic and mail notice to interested parties, a legal notice of public hearing published in the Everett Herald on May 16, 2018, notice to the Washington State Department of Commerce on May 14, 2018, and a public hearing held by the Planning Commission on June 5, 2018.

And, WHEREAS, the Planning Commission concludes the following:

1. The density and intensity of use in the Metro Everett area is lower than called for in the goals and policies of the city's comprehensive plan.
2. The proposed amendments are authorized and consistent with the State Environmental Policy Act, Chapter 43.21C RCW.

NOW, THEREFORE, THE PLANNING COMMISSION RESOLVES THE FOLLOWING:

1. The Planning Commission recommends that the City Council amend the existing regulations for State Environmental Policy Act Categorical Exemptions, Infill Development, codified in Everett Municipal Code (EMC) 20.04.140 as set forth in attached Exhibit 1.

2. The Planning Commission recommends that the City Council repeal Ordinance No. 3128-09, An Ordinance Establishing a Planned Action for Downtown Everett.

Planning Commission Chair

Date

Planning Commission Secretary

For:

Against:

Absent:

Abstain: