

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. 3242

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, RELATING TO AMENDMENTS TO THE MARYSVILLE GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN, THE CITY'S OFFICIAL ZONING MAP, ORDINANCE NO. 3000, AS PREVIOUSLY AMENDED, AND THE CITY'S UNIFIED DEVELOPMENT CODE (MMC TITLE 22); AND APPROVING THE 2022 CITY-INITIATED COMPREHENSIVE PLAN AMENDMENT REQUEST KNOWN AS THE QUIL CEDA TANNERY REZONE, WHICH AMENDS THE COMPREHENSIVE PLAN'S LAND USE MAP DESIGNATION FOR PROPERTY LOCATED SOUTH OF 88TH STREET NE, WEST OF STATE AVENUE, GENERALLY NORTH OF 84TH STREET NE, AND EAST OF QUIL CEDA CREEK, AND REZONES SAID PROPERTY FROM 88-MIXED USE (88-MU) TO LIGHT INDUSTRIAL (LI), PURSUANT TO THE CITY'S ANNUAL COMPREHENSIVE PLAN AMENDMENT AND UPDATE PROCESS AND CONCURRENTLY REPEALS THE 88TH STREET MASTER PLAN AND MARYSVILLE MUNICIPAL CODE (MMC) CHAPTER 22C.085 AND AMENDS MMC SECTION 22A.010.160.

WHEREAS, on September 15, 2015 the Marysville City Council adopted Ordinance No. 3000 adopting an updated Growth Management Comprehensive Plan ("Comprehensive Plan") for the City of Marysville; and

WHEREAS, the Growth Management Act allows jurisdictions to amend comprehensive plans once a year, except in those situations enumerated in RCW 36.70A.130(2)(a); and

WHEREAS, on January 27, 1997 the Marysville City Council adopted Resolution No. 1839, providing for procedures for annual amendment and update of the City's Comprehensive Plan; and

WHEREAS, on May 27, 2002 the Marysville City Council adopted Ordinance No. 2406, adding former Chapter 18.10 to the Marysville Municipal Code (MMC) "Procedures for Legislative Actions" which established procedures for processing and review of legislative actions relating to amendments or revision to the Comprehensive Plan and development regulations; and

WHEREAS, on February 14, 2011 the Marysville City Council passed Ordinance No. 2852, adopting the Unified Development Code, which re-codified former Chapter 18.10 to Chapter 22G.020; and

WHEREAS, on June 20, 2011 the Marysville City Council passed Ordinance No. 2865, which adopted the 88th Street Master Plan and MMC Chapter 22C.085, 88th Street Master Plan – Design Guidelines; and

WHEREAS, the 2022 Comprehensive Plan amendments includes a Citizen Initiated Amendment Request known as the Quil Ceda Tannery Rezone which proposes to revise the Comprehensive Plan's Land Use Map designation for property depicted in the attached **Exhibit A**, which is located south of 88th Street NE, west of State Avenue, generally north of 84th Street NE, and east of Quil Ceda Creek (hereafter referred to as the "Proposed Rezone Area"), and to rezone said property from 88 Mixed Use (88-MU) to Light Industrial (LI). The 88th

Street Master Plan, together with MMC Chapter 22C.085, 88th Street Master Plan – Design Requirements, would be concurrently repealed with the proposed rezone; and

WHEREAS, since the adoption of the 88th Street Master Plan on June 20, 2011 the owner of the largest parcel within the 88th Street Master Plan Area (Assessor's Parcel Number 30052100203800) has been approached by several prospective developers interested in developing the property; however, the developers have been unable to craft a development proposal under the 88th Street Master Plan standards which is financially feasible due to the significant infrastructure costs and the site not being competitive for mixed use development; and

WHEREAS, the property owner desires to rezone from 88 Mixed Use (88-MU) to Light Industrial (LI) given the access constraints of the site and to allow for continuation and expansion of existing light industrial uses on site; and

WHEREAS, the City, in reviewing and amending its Comprehensive Plan and development regulations has complied with the notice, public participation and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, on April 11, 2022 the City issued a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) which addressed the environmental impacts of the Citizen Initiated Amendment Request, Quil Ceda Tannery Rezone, a non-project action proposal; and

WHEREAS, on February 18, 2022 the City submitted the proposed 2022 Comprehensive Plan Land Use Map and Official Zoning map amendments, and concurrent repeal of the 88th Street Master Plan (Material ID No. 2022-S-3697) to the State of Washington Department of Commerce for 60-day review in accordance with RCW 36.70A.106; and

WHEREAS, the Marysville Planning Commission, after review of the proposed 2022 Comprehensive Plan Land Use Map and Official Zoning Map amendment and concurrent repeal of the 88th Street Master Plan, held public workshops on June 14, July 12, and September 13, 2022, and held a duly-advertised public hearing on September 27, 2022, and received testimony from staff and other interested parties; and

WHEREAS, the Planning Commission prepared and provided its written recommendation that the proposed amendments be approved by the Marysville City Council; and

WHEREAS, the City Council of the City of Marysville finds that from time to time it is necessary and appropriate to review and revise provisions of the City's Comprehensive Plan and development code (MMC Title 22); and

WHEREAS, on November 28, 2022 the Marysville City Council reviewed the Planning Commission's recommendation related to the proposed 2022 Comprehensive Plan Land Use Map and Official Zoning Map amendments, and concurrent repeal of the 88th Street Master Plan;

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

Section 1. City Council Findings on Comprehensive Plan Amendment. With respect to the 2022 Citizen Initiated Amendment Request, Quil Ceda Tannery Rezone, the City Council finds as follows:

- (1) The 2022 Citizen Initiated Amendment Request, Quil Ceda Tannery Rezone, is consistent with the City's Comprehensive Plan and Unified Development Code;
- (2) The 2022 Citizen Initiated Amendment Request, Quil Ceda Tannery Rezone, is consistent with the State Growth Management Act and the State Environmental Policy Act;
- (3) There is a demonstrated need for additional zoning as the type proposed;
- (4) The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties;
- (5) There have been significant changes in the circumstances of the property to be rezoned or surrounding properties to warrant a change in classification; and
- (6) The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

Section 2. Amendment of Comprehensive Plan Maps. The City Council amends the Marysville Growth Management Comprehensive Plan and Ordinance No. 3000, as previously amended, by adopting the 2022 Citizen Initiated Amendment Request, Quil Ceda Tannery Rezone, which amends the land use designation for the properties depicted in the attached and incorporated **Exhibit A**, which is located south of 88th Street NE, west of State Avenue, generally north of 84th Street NE, and east of Quil Ceda Creek (hereafter referred to as the "Proposed Rezone Area"), and to rezone said property from 88-Mixed Use (88-MU) to Light Industrial (LI), and authorize staff to amend Figures 4-2 and 4-64 of the Land Use Element. This amendment shall be included with the Comprehensive Plan filed in the office of the City Clerk and shall be available for public inspection.

Section 3. Amendment of Official Zoning Map. The City Council hereby amends the City's Official Zoning Map, Ordinance No. 3000, as previously amended, and the City's Unified Development Code MMC Title 22, by adopting the 2022 Citizen Initiated Amendment Request, Quil Ceda Tannery Rezone, which rezones the Proposed Rezone Area from 88-Mixed Use (88-MU) to Light Industrial (LI). This amendment shall be attested by the signature of the Mayor and City Clerk, with the seal of the municipality affixed, shall be include with the Official Zoning Map on file in the office of the City Clerk, and shall be available for public inspection.

Section 4. Repeal of 88th Street Master Plan. The City Council repeals the existing 88th Street Master Plan that was adopted by Ordinance 2865.

Section 5. City Council Findings on Marysville Municipal Code Amendments. The amendments to MMC Title 22, consisting of repealing MMC Chapter 22C.085, 88th Street Master Plan, are consistent with the following required findings of MMC 22G.010.520:

- (1) The amendments are consistent with the purposes of the comprehensive plan;
- (2) The amendments are consistent with the purpose of MMC Title 22;
- (3) There have been significant changes in the circumstances to warrant a change; and

- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the action.

Section 6. Repeal of Marysville Municipal Code Chapter 22C.085. The City Council repeals MMC Chapter 22C.085, 88th Street Master Plan – Design Requirements, which was adopted by Ordinance 2865.

Section 7. Amendment Tracking. MMC Section 22A.010.160, entitled "Amendments," is hereby amended as follows by adding reference to this adopted ordinance in order to track amendments to the City's Unified Development Code (all unchanged provisions of MMC 22A.010.160 remain unchanged and in effect):

"22A.010.160 Amendments.

The following amendments have been made to the UDC subsequent to its adoption:

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
<u>3242</u>	Repeal of Chapter 22C.085, 88 th Street Master Plan	<u>December 7</u> , 2022"

Section 8. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 9. Corrections. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections

Section 10. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this 28th day of November, 2022.


CITY OF MARYSVILLE

By:



JON NEHRING, MAYOR

Attest:

By:


DEPUTY CITY CLERK, Genevieve Eddis

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: 12.2.2022

Effective Date: 12.7.2022
(5 days after publication)

Exhibit A

