


CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: July 25, 2022

AGENDA ITEM:	
An ordinance of the City Of Marysville, Washington, proposing to designate an additional targeted area for property tax exemption for the value of new construction of industrial/manufacturing facilities.	
PREPARED BY:	DIRECTOR APPROVAL:
Haylie Miller, Community Development Director	
DEPARTMENT:	
Community Development	
ATTACHMENTS:	
1. Proposed Ordinance 2. Ordinance 3020 3. Ordinance 3211	
BUDGET CODE:	AMOUNT:
N/A	N/A
SUMMARY: In 2016, the Council approved Ordinance 3020 (Attachment 2) making certain underdeveloped or underutilized lands zoned for industrial/manufacturing uses eligible for ad valorem tax relief and adopting a process regarding such relief per RCW 84.25 and as outlined in MMC Chapter 3.104 Industrial/Manufacturing Property Tax Exemption . The tax exemption applies to properties within the Marysville Cascade Industrial Center (CIC). The CIC area will be modified (as shown in the proposed ordinance) to include a 10.18-acre parcel that recently converted from R 4.5 Single Family Medium to Light Industrial as approved by the City Council on March 7, 2022 (Ordinance 3211 – Attachment 3).	
RECOMMENDED ACTION: Hold a public hearing. Approve the proposed ordinance.	
RECOMMENDED MOTION: Move to adopt Ordinance No. _____, approving the designation of an additional targeted area for possible property tax exemption pursuant to the provisions of Chapter 84.25 RCW and Chapter 3.104 MMC.	

**CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO.**

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, TO DESIGNATE AN ADDITIONAL TARGETED AREA FOR PROPERTY TAX EXEMPTION FOR THE VALUE OF NEW CONSTRUCTION OF INDUSTRIAL/MANUFACTURING FACILITIES.

WHEREAS, Chapter 84.25 RCW provides for property tax exemption for the value of new construction of industrial/manufacturing facilities in targeted urban areas; and

WHEREAS, the City of Marysville qualifies for this property tax exemption based on the criteria of Chapter 84.25 RCW; and

WHEREAS, the City previously adopted Ordinance 3020, which designated a certain area for property tax exemption pursuant to RCW 84.25, which area is commonly known as the Marysville Cascade Industrial Center ("CIC"); and

WHEREAS, a 10.18-acre parcel located on the east side of 51st Avenue NE between the 14600 and 14800 Block, identified as APN 31053400300300 and as shown in Exhibit A attached hereto (referred to herein as the "Subject Site"), was rezoned from Medium-Density, Single-family (R-4.5) to Light Industrial (LI) on March 7, 2022 by Ordinance 3211; and

WHEREAS, the Subject Site is located directly adjacent to the CIC; and

WHEREAS, inclusion of the Subject Site in the CIC by additionally targeting the Subject Site for the property tax exemption contemplated by Chapter 84.25 RCW will promote new construction of industrial/manufacturing facilities that will provide employment opportunities for family living wage jobs.

WHEREAS, at a public hearing on July 25, 2022 the Marysville City Council reviewed and considered staff's recommendation; and

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

Section 1. The Subject Site, which is a 10.18-acre parcel located on the east side of 51st Avenue NE between the 14600 and 14800 Block, identified as APN 31053400300300 and as shown in **Exhibit A** attached hereto, is designated as an area where property owners can apply for and be granted a property tax exemption for the value of new construction of industrial/manufacturing facilities which qualify under Chapter 84.25 RCW and Chapter 3.104 MMC.

Section 2. 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 3. 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 4. 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 _____ day of _____, 2022.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
DEPUTY CITY CLERK

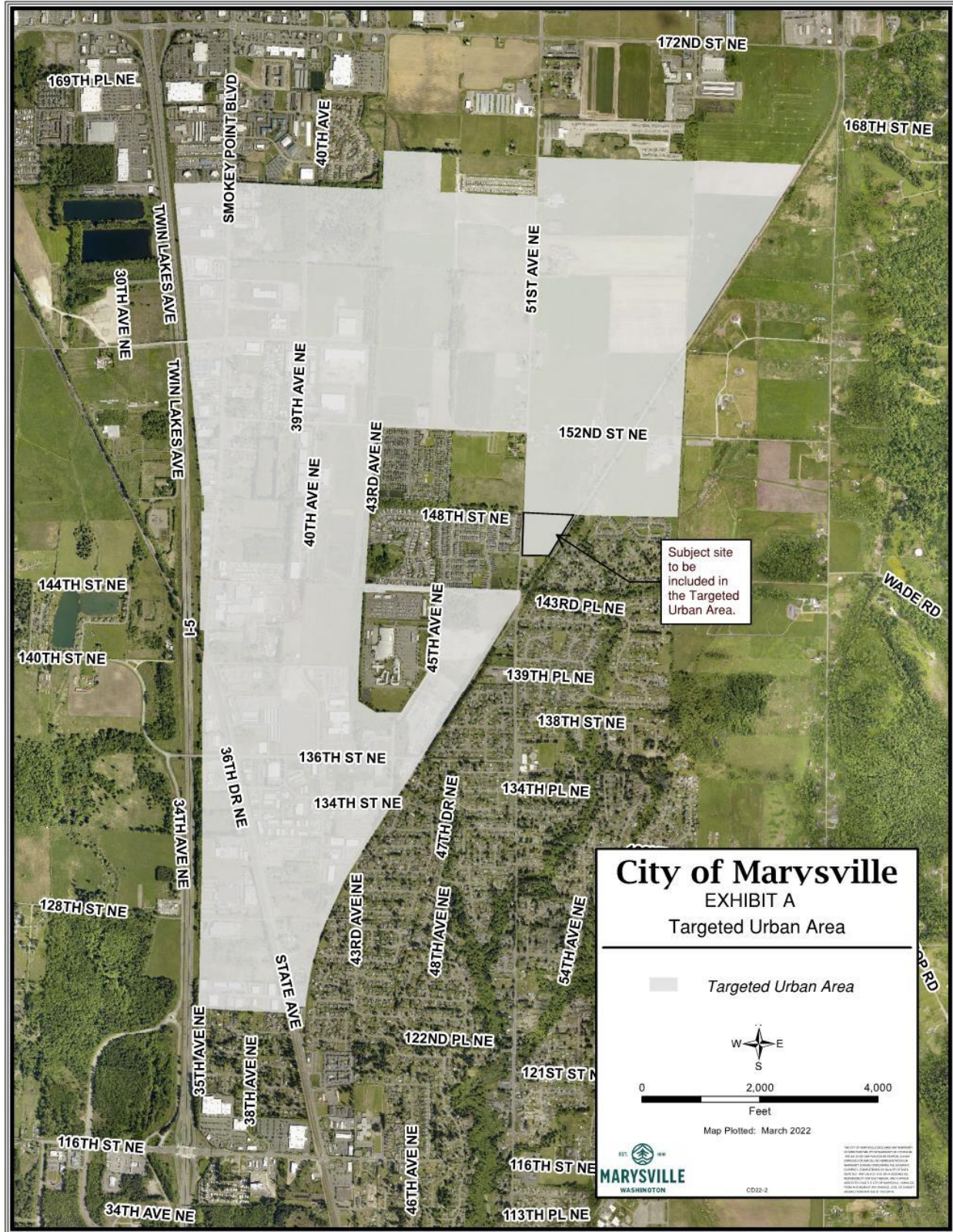
Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

Exhibit A



CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. 3020

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON,
MAKING CERTAIN UNDERDEVELOPED OR UNDERUTILIZED LANDS
ZONED FOR INDUSTRIAL/MANUFACTURING USES ELIGIBLE FOR AD
VALOREM TAX RELIEF AND ADOPTING A PROCESS REGARDING SUCH
RELIEF.**

WHEREAS, Engrossed Senate Bill 5761 providing for property tax exemption for the value of new construction of industrial/manufacturing facilities in targeted urban areas was enacted as chapter 84.25 RCW; and

WHEREAS, the City of Marysville is qualified to grant or deny this property tax exemption based on the act criteria, that it has planned under the growth management act, and has zoned lands for industrial and manufacturing use that are undeveloped and/or underutilized; and

WHEREAS, family living wage jobs pay at least an average of eighteen dollars per hour working two thousand eighty hours per year; and

WHEREAS, the City of Marysville finds that there is insufficient family living wage jobs for its wage earning population; and

WHEREAS, the City of Marysville has determined that the targeting of an industrial and manufacturing area for property tax exemption will assist in the new construction of industrial/manufacturing facilities that will provide employment for family living wage jobs; and

WHEREAS, there is the need for additional family wage jobs in Marysville to support the growing community, to diversify the economic base and have sustainable economic growth; and

WHEREAS, the City of Marysville passed Joint Resolution No. 2011-001 on December 12, 2011, supporting regional coordination of a manufacturing and industrial center and support to the Boeing Company and manufacturing and supplier expansion in the North Snohomish County area; and

WHEREAS, the City of Marysville has developable land, multi-modal transportation, the capacity to locate new manufacturing and industrial facilities, and a goal to advance economic development; and

WHEREAS, The City of Marysville has manufacturing and industrial land located within an innovation partnership zone; and

WHEREAS, the City of Marysville by passing this ordinance will help to achieve the planning goals mandated by the Growth Management Act under RCW 36.70A.020; and

WHEREAS, the notice of hearing given for the designation of the manufacturing-industrial targeted area and the adoption of this chapter meets the requirements of Engrossed Senate Bill 5761; and

WHEREAS, the City Council held a public hearing on April 25, 2016, concerning whether the area identified in Exhibit "B" should be designated as an area where property tax relief should be available to owners who construct new industrial or manufacturing facilities and provide living wage jobs; and

WHEREAS, the City Council has determined that the cost of administering this chapter will be at least \$500.00 per application.

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

SECTION 1. The area zoned which allows Industrial and Manufacturing uses and identified in Exhibit "B" is designated as an area where property owners can apply for and be granted a property tax exemption for the value of new construction of industrial/manufacturing facilities which qualify under chapter 84.25 RCW and this ordinance.

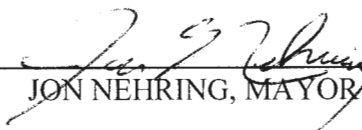
SECTION 2. Amendment of Municipal Code. A new chapter, 3.104, is added to the municipal code. The municipal code is amended as set forth in Exhibit "A."

SECTION 3. 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 3. 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 25 day of APRIL, 2016.

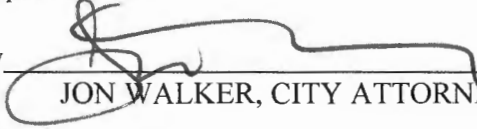
CITY OF MARYSVILLE

By 
JON NEHRING, MAYOR

Attest:

By 
APRIL O'BRIEN, DEPUTY CITY CLERK

Approved as to from:

By 
JON WALKER, CITY ATTORNEY

Date of publication: 4/30/16
Effective Date (5 days after publication): 5/5/16

EXHIBIT A

Chapter 3.104 Industrial/Manufacturing Property Tax Exemption

Section 3.104.010 Findings.

There are insufficient family living wage jobs, as those jobs are defined by RCW 84.25.030, for Marysville's wage earning population. It is the purpose of this chapter to encourage new manufacturing and industrial uses on undeveloped and underutilized lands zoned for industrial and manufacturing uses in the area identified in this chapter.

Section 3.104.020 Adoption by reference.

Chapter 84.25 RCW as currently enacted or subsequently amended is hereby adopted by reference.

Section 3.104.030 Definitions.

The following definitions shall apply to this chapter:

"Authorized representative" or "duly authorized representative" means the Director of the Community Development Department or his or her designee.

"City" means the City of Marysville.

Section 3.104.040 Application and fees

An owner of property seeking a tax exemption under this chapter shall submit an application to the Director of Community Development prior to the application for any building permit for the project. The application shall be on a form established by the Director, along with the required fees. The initial application fees to the city shall be \$500.00 plus any amount required by the county assessor in administering this chapter. If the application is approved, the city shall pay the application fee to the county assessor for deposit in the county current expense fund, after first deducting that portion of the fee attributable to the city's administrative costs in processing the application. If the application shall result in a denial by the city, the city shall retain that portion of the fee attributable to its own administrative costs and refund the balance to the applicant.

Section 3.104.050 Certificate of tax exemption, approval, denial, termination, and appeal

(1) The Director of Community Development or his or her designee shall make the determination whether a holder of a conditional acceptance of tax exemption qualifies for a certificate of tax exemption upon the completion of the new construction of a manufacturing/industrial facility and a certificate of occupancy issued. The Director shall also review each certificate of tax exemption annually for compliance with this chapter.

(2) If the Director determines that the property is not qualified for an exemption under this chapter or that it no longer meets the criteria of this chapter for eligibility for a tax exemption, he or she shall notify the owner of the property, as shown in the assessor's records, of the determination to deny or terminate the tax exemption. The notification shall be by certified mail, return receipt requested, and by regular first class mail. A recognized courier service may be substituted for first class mail. A copy shall also be sent to the Snohomish County Assessor.

(2) The owner may appeal the determination by filing a written notice of appeal specifying the factual and legal basis on which the determination of termination is alleged to be erroneous. Such appeal must be served on the city clerk within thirty (30) days of the date the notice was placed in the mails.

(3) The Chief Administrative Officer of the city shall hold a hearing within thirty days of the notice of appeal. The parties may be heard at the hearing and the Chief Administrative Officer may use the procedures set forth in chapter 34.05 RCW to control the conduct of the hearing and admission of evidence.

(4) The Chief Administrative Officer shall issue a decision affirming, modifying, or repealing the determination of termination based on the evidence admitted at the hearing. A copy of the decision shall be served on the owner within thirty (30) days of the hearing by certified mail, return receipt requested, and by regular first class mail. A recognized courier service may be substituted for first class mail. A copy shall also be sent to the Snohomish County Assessor.

(5) An aggrieved party may appeal the decision of the Chief Administrative Officer to the superior court as provided in RCW 34.05.510 through RCW 34.05.598.

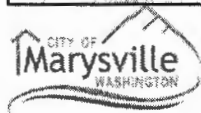
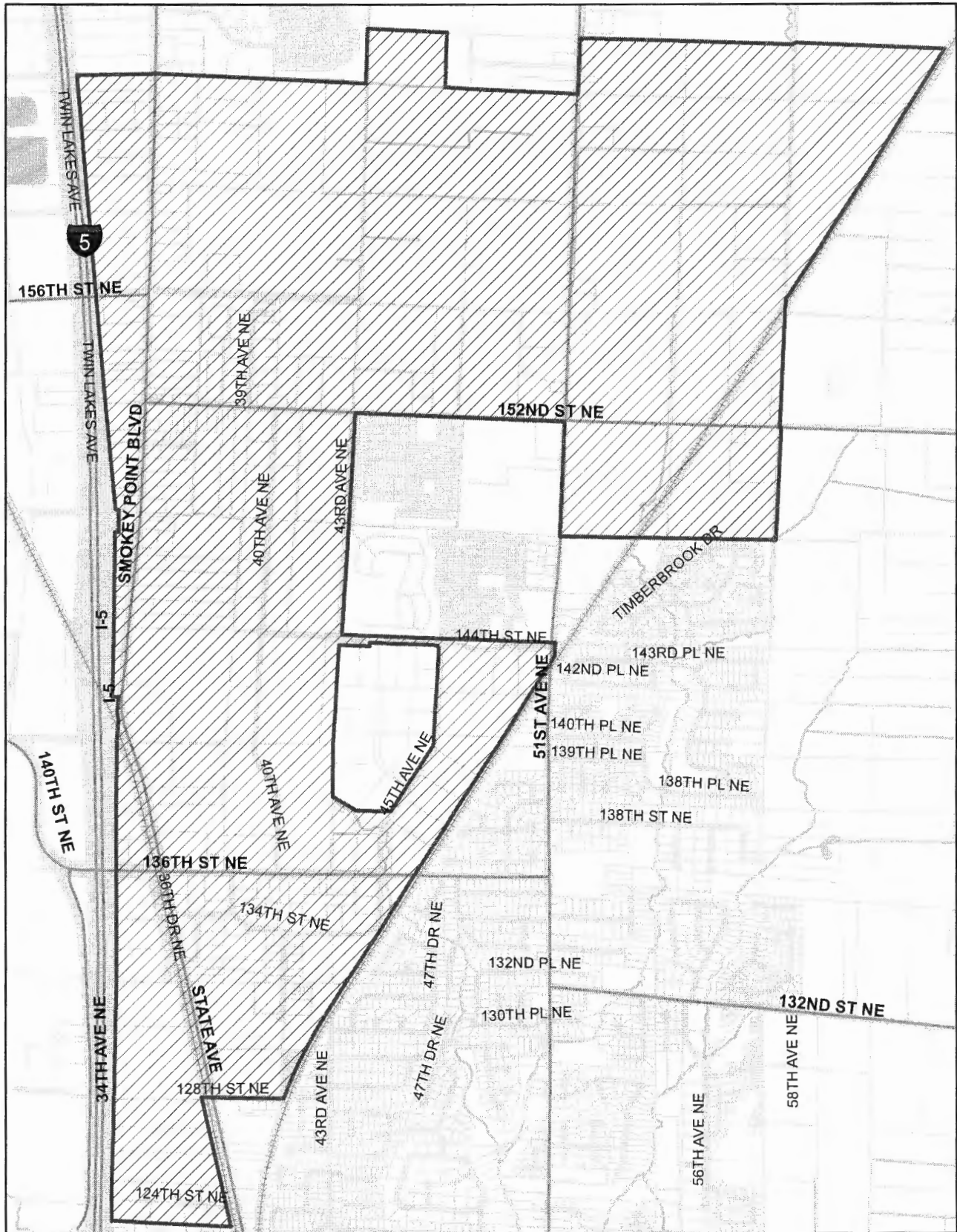




EXHIBIT - B
ESB 5761 Property Tax
Exemption Boundary

10/22/2015

 Property Tax Exemption Area
 Open Right-of-way

 Parcels
 Marysville city limits

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. 3211

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON RELATING TO THE MARYSVILLE GROWTH MANAGEMENT COMPREHENSIVE PLAN, ORDINANCE NO. 3000, AND THE CITY'S OFFICIAL ZONING MAP, ORDINANCE NO. 2852, AS PREVIOUSLY AMENDED, AND THE CITY'S UNIFIED DEVELOPMENT CODE (MMC TITLE 22); AND APPROVING THE 2021 CITIZEN INITIATED COMPREHENSIVE PLAN AMENDMENT REQUEST (CASCADE BUSINESS PARK), WHICH AMENDS THE COMPREHENSIVE PLAN'S LAND USE MAP DESIGNATION FOR PROPERTY LOCATED ON THE EAST SIDE OF 51ST AVENUE NE BETWEEN THE 14600 AND 14800 BLOCK, AND REZONES SAID PROPERTY FROM MEDIUM-DENSITY, SINGLE-FAMILY (R-4.5) TO LIGHT INDUSTRIAL (LI), PURSUANT TO THE CITY'S 2021 ANNUAL COMPREHENSIVE PLAN AMENDMENT AND UPDATE PROCESS.

WHEREAS, on September 15, 2015 the Marysville City Council enacted 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 February 14, 2011 the Marysville City Council adopted Ordinance No. 2852, adding Chapter 22G.020 to the Marysville Municipal Code (MMC) entitled "Procedures For Legislative Actions" which establishes procedures for processing and review of legislative actions relating to amendments or revision to the Comprehensive Plan and Development Regulations; and

WHEREAS, the 2021 Comprehensive Plan amendments include a Citizen Initiated Amendment Request (Cascade Business Park), which proposes to revise the Comprehensive Plan's Land Use Map designation for properties depicted in the attached **Exhibit A**, which is located on the east side of 51st Avenue NE between the 14600 and 14800 Block, and to rezone said property, from Medium-Density, Single-family (R-4.5) to Light Industrial (LI); and

WHEREAS, on November 29, 2021, the City issued a State Environment Policy Act Threshold Determination of Non-significance (DNS), which addresses the environmental impacts of the Citizen Initiated Amendment Request (Cascade Business Park), a non-project proposal; and

WHEREAS, the City has submitted the proposed 2021 Comprehensive Plan Land Use Map and Official Zoning Map amendments to the State of Washington Department of Commerce for 60-day review in accordance with RCW 36.70A.106, which was assigned Submittal ID 2021-S-3435; and

WHEREAS, the Marysville Planning Commission, after review of the proposed 2021 Comprehensive Plan Land Use Map and Official Zoning Map amendment, held public workshops on June 22, 2021 and December 14, 2021, and held a public hearing on January 11, 2022, and received testimony from property owners, staff and other interested parties following public notice; and

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

WHEREAS, on March 7, 2022 the Marysville City Council reviewed the Planning Commission's recommendation relating to the proposed 2021 Comprehensive Plan Land Use Map and Official Zoning Map amendments;

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

Section 1. With regards to the proposed rezone of the properties depicted in the attached **Exhibit A** (which are located on the east side of 51st Avenue NE between the 14600 and 14800 Block) from Medium-Density, Single-family (R-4.5) to Light Industrial (LI), the Council hereby finds:

1. There is a demonstrated need for additional zoning as the type proposed;
2. The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties;
3. There have been significant changes in the circumstances of the properties to be rezoned or surrounding properties to warrant a change in classification; and
4. The properties are practically and physically suited for the uses allowed in the proposed zone reclassification.

Section 2. The City Council hereby finds the revisions to the Comprehensive Plan's Land Use Map resulting from the 2021 Citizen Initialed Amendment Request (Cascade Business Park) are:

1. Consistent with the City's Comprehensive Plan and Zoning Code;
2. Consistent with the State Growth Management Act and the State Environmental Policy Act;
3. Warranted by significant changes in circumstances; and
4. Warranted by sufficient benefit or cost to the public health, safety, and welfare.

Section 3. Amending the City of Marysville Comprehensive Plan. The City Council hereby amends the Marysville Growth Management Comprehensive Plan and Ordinance No. 3000, as previously amended, by adopting the 2021 Citizen Initiated Amendment Request (Cascade Business Park), which amends the land use designation for the properties depicted in the attached and incorporated **Exhibit A**, which is located on the east side of 51st Avenue NE between the 14600 and 14800 Block, from Medium-Density, Single-family (R-4.5) to Light Industrial (LI) and amends Figure 4-2 of the Land Use Element. This amendment is subject to the condition set forth in Section 2 of the attached and incorporated **Exhibit B**. 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 4. Amending the City's Official Zoning Map and MMC Title 22 Unified Development Code. The City Council hereby amends the City's Official Zoning Map, Ordinance No. 2852, as previously amended, and the City's Unified Development Code MMC Title 22, by adopting the 2021 Citizen Initiated Amendment Request (Cascade Business Park), which rezones the properties depicted in the attached **Exhibit A** from R-4.5 (Medium-Density, Single-family) to LI (Light Industrial). This amendment is subject to the condition set forth in Section 2 of the attached **Exhibit B**. This amendment shall be attested by the signature of the Mayor and City Clerk, with the seal of the municipality affixed, shall be included with the Official Zoning Map on file in the office of the City Clerk, and shall be available for public inspection.

Section 5. Section 22A.010.160, Amendments, of the Marysville Municipal Code is hereby amended as follows by adding reference to this adopted ordinance in order to track amendments to the City's Unified Development Code:

"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>3211</u>	Cascade Business Park – Zoning Map Amendment	<u>March 15</u> , 2022"

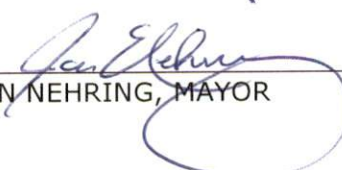
Section 6. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

Section 7. 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 8. 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 7th day of March, 2022.

CITY OF MARYSVILLE

By: 
JON NEHRING, MAYOR

Attest:

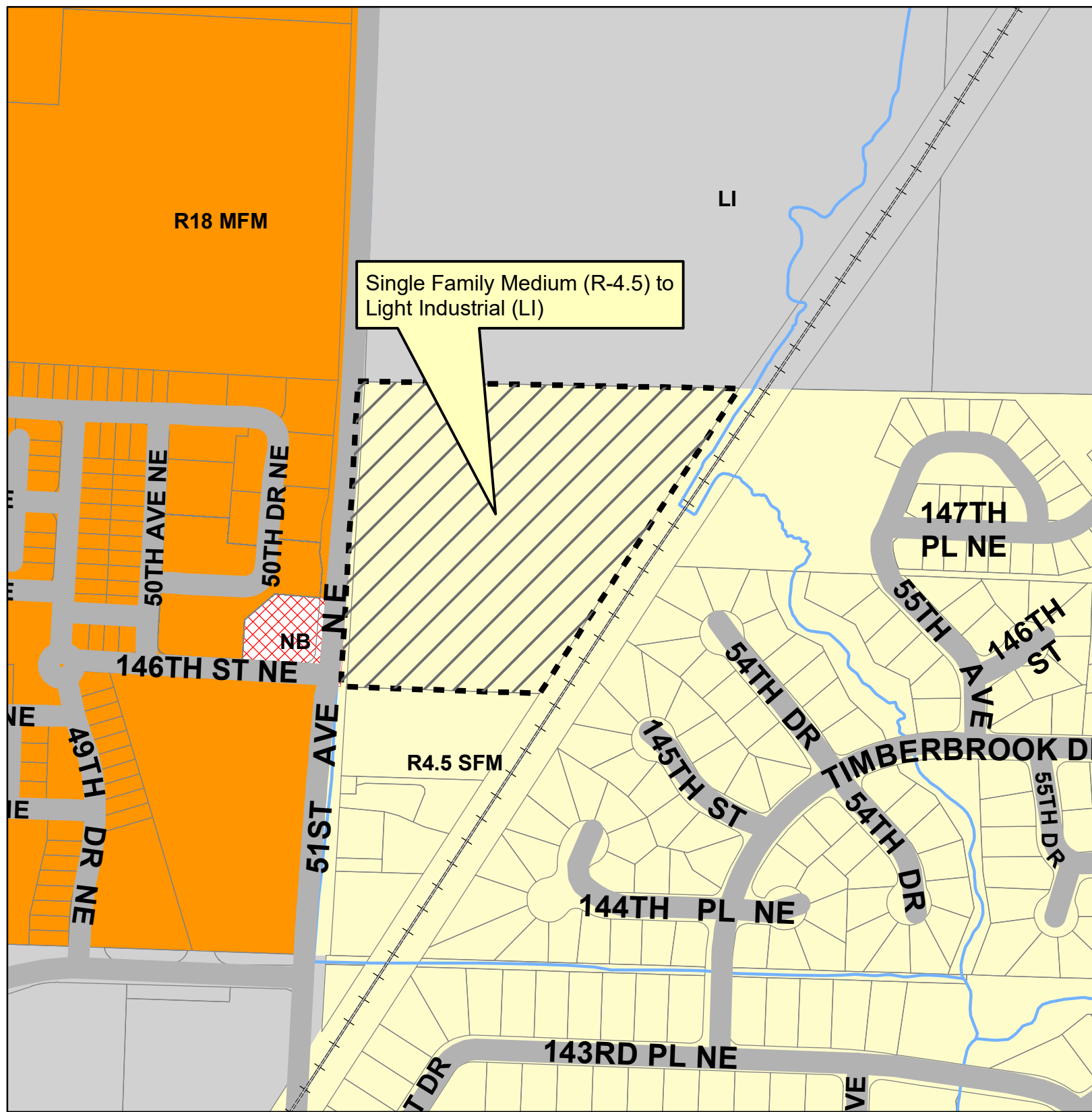
By: 
Deputy CITY CLERK, Genevieve Geddis

Approved as to form:

By: 
JON WALKER, CITY ATTORNEY

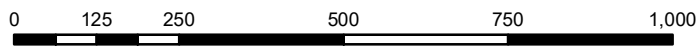
Date of Publication: March 10, 2022

Effective Date: March 15, 2022



Cascade Business Park Comp Plan Map Amendment

- | | | | |
|-----------------------|---------------------------|----------------|--|
| Neighborhood Business | R18 Multi-Family Medium | Amendment Area | |
| Light Industrial | R4.5 Single Family Medium | Railroad | |



Feet
Item 11 - 15

Map Plotted: December 2021

CD21-14.mxd



MARYSVILLE
WASHINGTON

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STAFF REPORT - Cascade Business Park Comp. Plan Map Amendment

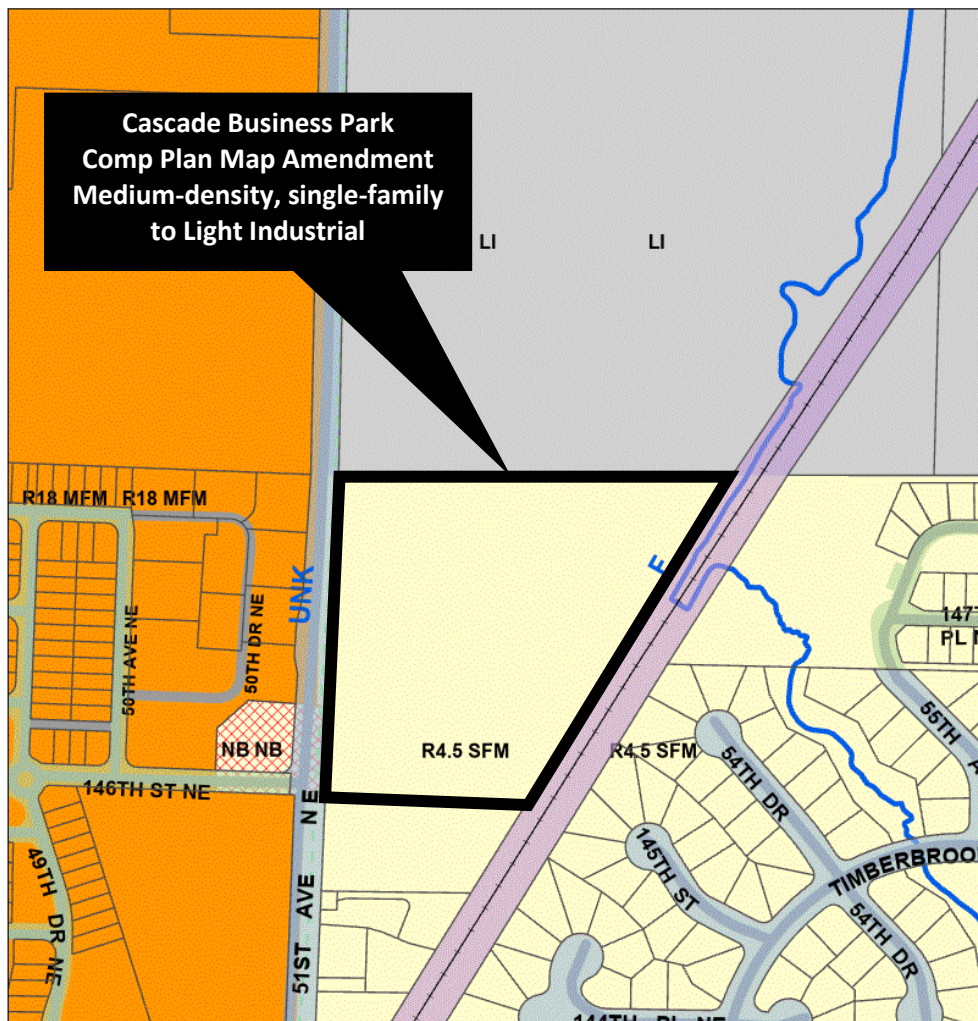
Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION									
Project Title	Cascade Business Park – Comprehensive Plan Map Amendment			Date of Report	January 19, 2022				
File Number	PA21-001			Attachments	See Section 3.0 for links to Exhibits				
Administrative Recommendation	Approve the NON-PROJECT ACTION citizen-initiated Comprehensive Plan Map Amendment and Concurrent Rezone of a 10.18 acre parcel of property from Medium-density, Single-family (R-4.5) to Light Industrial (LI), subject to the condition outlined in Section 2.0.								
BACKGROUND SUMMARY									
Applicant	NP Arlington MIC Industrial, LLC								
Request	The applicant is requesting approval of a NON-PROJECT ACTION citizen-initiated Comprehensive Plan Map Amendment and Concurrent Rezone of a 10.18 acre parcel of property from Medium-density, Single-family (R-4.5) to Light Industrial (LI).								
SEPA Status	A SEPA Determination of Non-Significance was issued on November 29, 2021. The appeal period expired December 13, 2021; no appeals were filed.								
Location	East side of 51 st Avenue NE between the 14600 and 14800 Block			APN(s)	31053400300300				
Acreage (SF)	10.18 acres (443,440 SF)			Section	34	Township	31N	Range	05E
Comprehensive Plan	SFM	Zoning	R-4.5	Shoreline Environment			N/A		
Water Supply	Current	Proposed		Sewer Supply	Current		Proposed		
	None	None			None	None			
Present Use of Property	Vacant farmland								
REVIEWING AGENCIES									
Marysville	Local Agencies & Districts		State & Federal		County		Other		
<input type="checkbox"/> Building <input type="checkbox"/> Fire District <input checked="" type="checkbox"/> Engineering Services <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works	<input checked="" type="checkbox"/> Arlington (city) <input type="checkbox"/> Arlington Airport <input type="checkbox"/> Community Transit <input type="checkbox"/> Frontier <input type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> PUD No. 1		<input type="checkbox"/> BNSF <input checked="" type="checkbox"/> COMMERCE <input checked="" type="checkbox"/> DAHP <input checked="" type="checkbox"/> DOE <input type="checkbox"/> US Army Corp of Engineers <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT		<input type="checkbox"/> Health District <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/>		<input type="checkbox"/> Puget Sound Clean Air <input type="checkbox"/> Puget Sound Energy <input checked="" type="checkbox"/> Stillaguamish Tribe <input checked="" type="checkbox"/> Tulalip Tribes		
ACTION									
<input type="checkbox"/> Administrative	<input type="checkbox"/> City Council	<input type="checkbox"/> Quasi-Judicial	<input checked="" type="checkbox"/> Planning Commission						
Date of Action	January 25, 2022	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied	<input type="checkbox"/> Continued					
STAFF CONTACT									
Name Chris Holland	Title Planning Manager	Phone 360.363.8207	E-mail cholland@marysvillewa.gov						

SURROUNDING USES

	Comprehensive Plan	Zoning	Land Use
Site	Medium-density, Single-family	R-4.5	Vacant farmland
North	Light Industrial	LI	Vacant farmland and farm house
East	Medium-density, Single-family	R-4.5	BNSF Railway and Timberbrook single-family subdivision
South	Medium-density, Single-family	R-4.5	Emmanuel Baptist Church
West	Medium-density, Multi-family	R-18	McKendree Park Condominium Community

Vicinity Map



- | | | | |
|-----------------------|-------------------------|---------------------------------|---------------------------|
| General Commercial | 88 - Mixed Use | R12 Multi-Family Low | R4.5 Single Family Medium |
| Downtown Commercial | General Industrial | R6-18 Multi-Family Low | Public-Institutional |
| Community Business | Light Industrial | R8 Single Family High Small Lot | Recreation |
| Neighborhood Business | R28 Multi-Family High | R6.5 Single Family High | Open |
| Mixed Use | R18 Multi-Family Medium | R4-8 Single Family High | |

1.0 FINDINGS AND CONCLUSIONS

- 1. **Proposal:** The owner, NP Arlington MIC Industrial, LLC, requests an amendment to the City of Marysville Comprehensive Plan Land Use Map and to the Zoning Map. The 10.18 acre site is located on the east side of 51st Avenue NE between the 14600 and 14800 Block and is identified as Assessor Parcel Number (APN) 31053400300300. The proposal is to change the land use designation from Single-family, Medium Density to Light Industrial and the zoning from LI to R-4.5. The property is currently vacant farmland.

A separate PROJECT-ACTION Preliminary Binding Site Plan was approved for the applicant, which included subdividing approximately 311 acres into eleven (11) lots and construction of seven (7) new industrial buildings, totaling approximately 2,915,303 SF (See File No. PA21-006).

- 2. **Process:** The request is part of the annual comprehensive plan docket process identified by project number PA21-001 with the required review process specified in WAC 365-169-640 *Comprehensive Plan Amendment Procedures* and Marysville Municipal Code (MMC) Chapter 22G.020, *Procedures for Legislative Actions*.

- 3. **Public Notice:** The applicant filed the docket request on June 16, 2021 and public notice was provided in accordance with MMC 22G.010.090. Subsequent to providing public notice, the applicant held a public meeting via Zoom on July 19, 2021 at 5PM. The only attendees were the applicant, applicant representatives and Marysville city staff. No members from the public or other agencies attended the public meeting.

Public Notice of the Public Hearing before the Planning Commission was provided in accordance with MMC 22G.020.060, including publication in the Everett Herald on December 28, 2021, scheduling a public hearing before the PC on January 11, 2022 at 6PM. Two signs were posted on the subject property, and the public hearing notice was mailed to property owners located within 300 feet of the subject property, posted at the Marysville and Lakewood Post Offices, on Channel 21 and the city’s website.

- 4. **Interjurisdictional Coordination:** Staff provided 60-day notice of the proposal to state agencies via the Washington State Department of Commerce (DOC) on November 30, 2021 and it was processed by DOC with Submittal ID 2021-S-3435. As of the date of this staff recommendation, no comments have been received from state agencies.

- 5. **State Environmental Policy Act (SEPA):** A SEPA NON-Project Action environmental checklist for the proposal was completed by the applicant and a Determination of Non-Significance was issued on November 29, 2021. A fourteen (14) day public comment and appeal period expired on December 13, 2021. No appeal was filed.

- 6. **Public Comment:** One public comment was received from The Tulalip Tribes – Natural Resources Department, dated December 8, 2021, regarding stormwater treatment and protection of critical areas for the PROJECT Action Cascade Industrial Park Binding Site Plan, which included subdividing approximately 311 acres into eleven (11) lots and construction of seven (7) new industrial buildings, totaling approximately 2,915,303 SF. The Binding Site Plan received preliminary approval on May 12, 2021.

No public or agency comments were received on the NON-PROJECT Action Comprehensive Plan Map Amendment and Concurrent Rezone.

- 7. **Analysis and Criteria:** On January 29, 2021 a Project Action application was filed with the City of Marysville requesting approval of a Binding Site Plan (BSP), subdividing approximately 311-acres into 11 lots and construction of 7 new industrial buildings,

totaling approximately 2,915,303 SF. The applicant also proposed to fill a number of regulated wetlands and relocate Edgecomb Creek along the west boundary of the existing BNSF Railway within Tract 998. The Preliminary BSP was approved on May 12, 2021.

The Comprehensive Plan designation for the majority of the Project Action application is Light Industrial (LI) with the exception of APN 31053400300300, which is designated as Single-family, Medium-density (R-4.5). Industrial uses are not permitted in the R-4.5 zone. In order to develop this parcel with industrial uses, a Comprehensive Plan Map amendment and concurrent rezone is required to be reviewed by the Planning Commission and approved by Marysville City Council.

The proposed map amendments have been evaluated for consistency with the GMA Planning Goals outlined in RCW 36.70A.020 that encourages development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

The proposed map amendments would implement the following City of Marysville Comprehensive Plan Policies:

Land Use Policy LU-4: Encourage growth that will transform Marysville from a residentially dominated community to one that provides a balanced, though not equal, proportion of both residences and employment. This will include the Marysville-Arlington Manufacturing Industrial Center (MIC) and the Smokey Point Master Plan Area as a major employment center.

Land Use Policy LU-5: Encourage citizen participation in all decisions affecting growth in the community.

Land Use Policy LU-9: Encourage a harmonious blend of opportunities for living, working, and culture for the residents of Marysville through planned retention and enhancement of its natural amenities; by judicious control of residential, commercial, and industrial development; and by recognition of the City's role in the region.

Industrial Land Use Policy LU-163: Limit industrial development to Urban Growth Areas.

Industrial Land Use Policy LU-164: Urban level facilities and services must be provided prior to, or concurrent with, development to mitigate the subsequent impacts of industrial developments. These services, include, but are not limited to, sanitary and storm sewers, water, police and fire protection, and roadways.

Industrial Land Use Policy LU-165: Encourage the availability of local employment opportunities by fostering the retention and development of long-term working or trading activities that create or add value to the community.

Industrial Land Use Policy LU-167: Locate industrial development in compact, well-defined centers within Urban Growth Areas.

Industrial Land Use Policy LU-168: Require that industrial development sites have good access, adequate public facilities and services, suitable topography and soils, and minimum impact on residential areas.

Industrial Land Use Policy LU-169: Minimize the impact of industrial developments on adjacent land uses through appropriate landscaping, screening, buffers, graduated land use intensity, and similar methods.

Industrial Land Use Policy LU-175: Support the development and growth of the Marysville-Smokey Point MIC by supporting a concentrated manufacturing and industrial base and by planning for future growth and infrastructure improvements.

Economic Development Policy ED-1: Through its plans, regulations, infrastructure investments, and public services encourage more manufacturing, wholesale, retail, warehouse, distribution, assembling, processing, producer's services, office-using and high technology firms to locate within Marysville.

Economic Development Policy ED-4: Separate and buffer newer commercial and industrial areas from residential areas.

Economic Development Policy ED-4: Separate and buffer newer commercial and industrial areas from residential areas.

The proposed Comprehensive Plan Map Amendment from Single-family, Medium Density to Light Industrial and Concurrent Rezone from LI to R-4.5 is supported by the Comprehensive Plan Policies outlined above and would be compatible with the PROJECT Action Cascade Industrial Park BSP. Additionally, the proposed map amendment and concurrent rezone is compatible with and mitigates any adverse impacts upon existing or anticipate land uses in the immediate vicinity.

2.0 STAFF RECOMMENDATION

Staff recommends the Planning Commission hold a public hearing on the annual docket request on **Tuesday, January 11, 2022 at 6:00PM**. Following the public hearing, and subject to change based on testimony heard, Staff recommends the Planning Commission forward a recommendation of **APPROVAL** to Marysville City Council, amending the Comprehensive Plan Map from Single-family, Medium Density to Light Industrial and the zoning from LI to R-4.5, subject to the following condition:

The applicant shall be required to dedicate right-of-way for the ultimate design width of 51st Avenue NE, as approved by the City Engineer, pursuant to MMC 12.02A.110(1)(d).

3.0 EXHIBITS

The following Exhibits can be accessed electronically via the links provided in the exhibit headers below. Exhibits 1 through 15 are for the NON-PROJECT Action Comprehensive Plan Amendment Request. Exhibits 16 through 26 are part of the PROJECT Action Binding Site Plan and are for informational purposes and to show the proposed future development of Cascade Business Park.

Cascade Business Park NON-PROJECT Action Comp. Plan Amendment Exhibits

- Exhibit 1: Land Use Application
- Exhibit 2: Comprehensive Plan Map Amendment Response Form
- Exhibit 3: Legal Description
- Exhibit 4: Vicinity Map
- Exhibit 5: Land Use Map
- Exhibit 6: Cascade Business Park PROJECT Action Parcels
- Exhibit 7: SEPA Checklist
- Exhibit 8: Title Report
- Exhibit 9: SEPA DNS

- Exhibit 10: Department of Commerce Acknowledgement Letter
- Exhibit 11: Tulalip Tribes Comment Letter
- Exhibit 12: Notice of Public Hearing
- Exhibit 13: Applicant's response to Tulalip Tribes Comment Letter
- Exhibit 14: Staff Recommendation
- Exhibit 15: DRAFT PC Recommendation

Cascade Business Park PROJECT Action Binding Site Plan Exhibits

- Exhibit 16: Geotechnical Report
- Exhibit 17: Cultural Resources Assessment
- Exhibit 18: Noise Study
- Exhibit 19: Critical Areas Assessment Report
- Exhibit 20: Critical Areas Mitigation Plan
- Exhibit 21: Traffic Impact Analysis
- Exhibit 22: Traffic Impact – Phase Analysis
- Exhibit 23: Preliminary Binding Site Plan
- Exhibit 24: Full Binding Site Plan Set
- Exhibit 25: SEPA MDNS
- Exhibit 26: Binding Site Plan Approval