PLANNING COMMISSION RESOLUTION NO. 16-10

A RESOLUTION Recommending Denial of Amendments to the Comprehensive Plan Land Use Map and Zoning Map Regarding COMP 16-002 and REZ 16-002

WHEREAS, Isaac Liu (Rich Trend Properties) submitted an application to amend the Comprehensive Plan Land Use Map from 1.2 to 1.3, and an application to amend the Zoning Map from R-1 to R-1(A); and

WHEREAS, the application was submitted on July 1, 2016 and was included on the docket of potential comprehensive plan amendments the city would consider in 2016-2017; and

WHEREAS, the Planning Commission of the city of Everett reviewed the proposed amendments, received public input at a duly advertised public hearing, and finds that:

1. A Determination of Nonsignificance (DNS) under the State Environmental Policy Act was issued on November 2, 2016 regarding the proposed action.

2. Notice of the application, SEPA determination and public hearing were provided as follows:

   a. A Notice of Public Hearing and Determination of Non-significance was published in the Everett Herald on November 4, 2016.
   b. A Notice of Public Hearing and Determination of Non-significance was sent to property owners within 500 feet of the proposal, neighborhood groups and those on the city's SEPA Notice mailing list.
   c. A 60-day notice to the Washington State Department of Commerce was provided on October 6, 2016.
   d. Two large signs (24" x 36") were posted on the property on November 5, 2016.

3. Amendment of the Comprehensive Plan Land Use Map must consider the factors outlined in Chapter 1, Introduction, Section VII.H of the Everett Comprehensive Plan, as follows:

   1. The proposed land use designation must be supported by or consistent with the existing policies of the various elements of the comprehensive plan.
   2. Have circumstances related to the subject property and the area in which it is located changed sufficiently since the adoption of the Land Use Element to justify a change to the land use designation? If so, the circumstances that have changed should be described in detail to support findings that a different land use designation is appropriate.
   3. Are the assumptions upon which the land use designation of the subject property is based erroneous, or is new information available which was not considered at the time

the Land Use Element was adopted, that justify a change to the land use designation? If so, the erroneous assumptions or new information should be described in detail to enable the Planning Commission and City Council to find that the land use designation should be changed.
4. Does the proposed land use designation promote a more desirable land use pattern for the community as a whole? If so, a detailed description of the qualities of the proposed land use designation that make the land use pattern for the community more desirable should be provided to enable the Planning Commission and City Council to find that the proposed land use designation is in the community's best interest.
5. Should the proposed land use designation be applied to other properties in the vicinity? If so, the reasons supporting the change of several properties should be described in detail. If not, the reasons for changing the land use designation of a single site, as requested by the proponent, should be provided in sufficient detail to enable the Planning Commission and City Council to find that approval as requested does not constitute a grant of special privilege to the proponent or a single owner of property.
6. What impacts would the proposed change of land use designation have on the current use of other properties in the vicinity, and what measures should be taken to assure compatibility with the uses of other properties in the vicinity?
7. Would the change of the land use designation sought by the proponent create pressure to change the land use designation of other properties in the vicinity? If so, would the change of land use designation for other properties be in the best long-term interests of the community in general?

4. The proposal is a site-specific amendment of the zoning map. Amendment of the Zoning Map for site-specific proposals must meet the criteria outlined in EMC 19.41.160.D.2:

   a. The proposed rezone is consistent with the Everett comprehensive plan; and
   b. The proposed rezone bears a substantial relation to public health, safety or welfare; and the proposed rezone promotes the best long-term interests of the Everett community; and
   c. The proposed rezone mitigates any adverse impact(s) upon existing or anticipated land uses in the immediate vicinity of the subject property.

5. The Planning Commission finds the following goals of the Growth Management Act (RCW 36.70A.020) applicable to this proposal:

   (1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
   (2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
   (4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

6. The Everett Comprehensive Plan indicates the Land Use Designation of 1.2 and 1.3 are both considered "single family detached residential" which "is applied to areas presently developed with predominantly single-family detached dwellings that the City intends to preserve as primarily single family neighborhoods. Other dwelling types will be allowed

under certain circumstances, such as duplexes, single family attached, or rearyard infill dwellings." (Chapter 2, Section V.D.1)

7. Table 9 in the Land Use Element identifies the density and zoning equivalency for various land use designations. A Land Use Designation of 1.2 is 5-10 dwellings per gross acre with an equivalent zoning of R-1 or R-2. A Land Use Designation of 1.3 is 10-12 dwellings per gross acre with an equivalent zoning of R-1(A) or R-2.

8. The Planning Commission finds several Land Use and Housing Element policies were applicable to this proposal, including Policy 2.1.1 (wide range of housing opportunities), 2.1.2 (increased densities and infill), 2.1.9 (well-designed infill), 4.1.1 (wide range of housing types), 4.1.2 (housing alternatives to large lot single family), and 4.2.1 (protect existing single family neighborhoods).

9. The change from R-1 to R-1(A) zoning would affect the uses and development standards subsequent development would be required to comply with.

   a. Single-family attached would change from a required cluster development subject to public hearing and decision in the R-1 zone to a permitted use in the R-1(A) zone.
   b. Minimum lot area would change from 6,000 square foot (sf) minimum in the R-1 zone to 5,000 sf minimum in the R-1(A) zone.
   c. Maximum lot coverage would increase from 35% in the R-1 zone to 40% in the R-1(A) zone.
   d. Landscaping requirements would change from a lawn in the R-1 zone to ornamental effects landscaping in the R-1(A) zone.

WHEREAS, the Planning Commission of the City of Everett concludes that:

1. The Everett Comprehensive Plan supports a wide range of housing opportunities, increased densities and infill housing types, including alternatives to large lot single family detached dwellings. See Land Use Policies 2.1.1 and 2.1.2; Housing Element Policies 4.1.1, 4.1.2.

2. The Everett Comprehensive Plan protects existing single family neighborhoods from substantial changes. See Housing Policy H4.2.1, Land Use Policy 2.1.9, Land Use Background and Land Use Concept.

3. In order to amend the Everett Comprehensive Plan Land Use Map, the City must give consideration to promoting a more desirable land use pattern and not find that approval is a grant of special privilege. The Planning Commission finds that properties to the east, west, north and south all have different land use designations. The Planning Commission concludes that this application would create an island of land use inconsistent with the neighborhood, thereby not promoting a more desirable land use pattern.

4. The Planning Commission concludes that there are no circumstances related to the property and area that have changed sufficiently to justify a change in the designation.

5. The Planning Commission concludes that there were no erroneous assumptions in designating this property as a 1.2 Land Use.

6. The Zoning Code requires that a map amendment be consistent with the Comprehensive Plan. Since the Planning Commission concludes that the application is not consistent with the Comprehensive Plan, an amendment of the Zoning Map is not warranted.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommends that the City Council DENY this application to amend the comprehensive plan land use designation from 1.2 to 1.3 and to amend the zoning map from R-1 (single-family detached low-density residential) to R-1(A) (single-family attached, low-density residential).

PASSED and APPROVED this 6th day of December, 2016.

Planning Commission Chair

Planning Commission Secretary

For: Commissioner Zelinski, Commissioner Beck, Commissioner Sand, Commissioner Adams, and Chair Holland

Against: Commissioner Tisdel

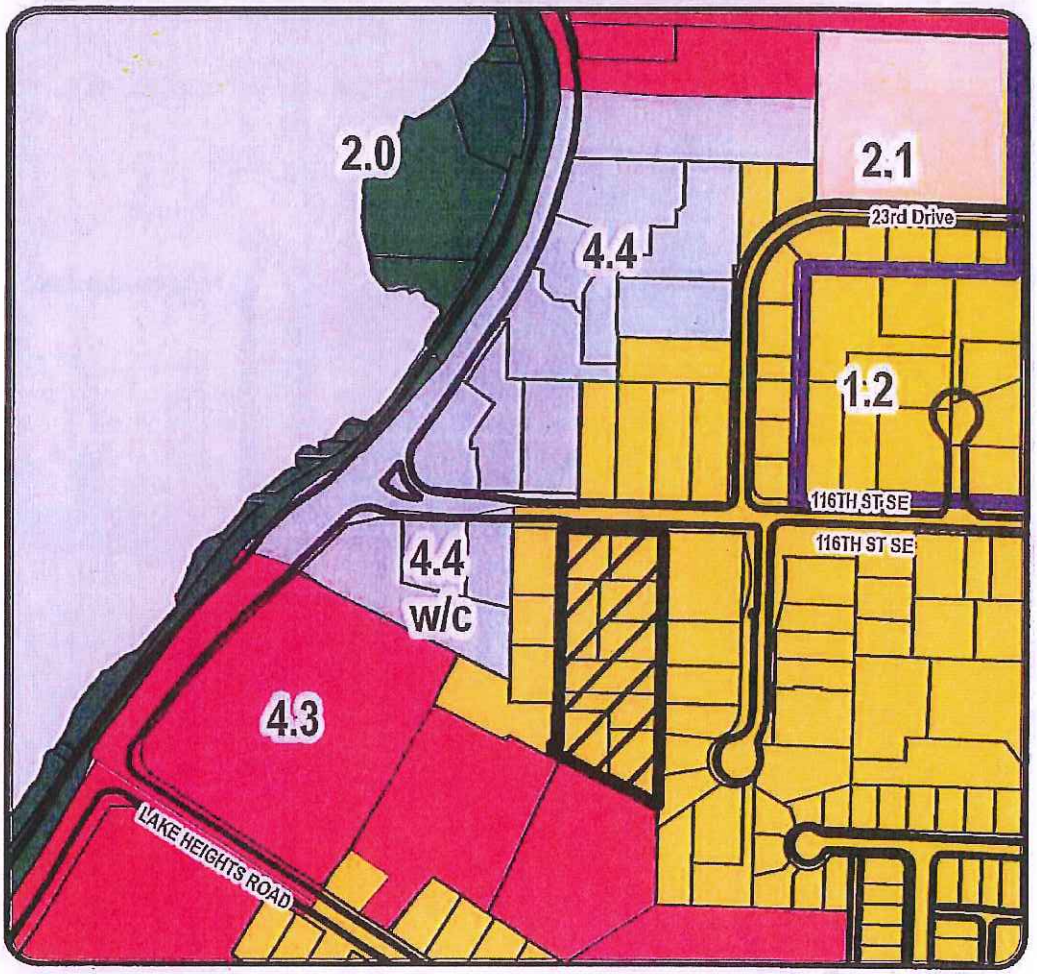
Absent: Commissioner Jordison, Commissioner Lark, and Commissioner Dunn

Abstain: None

Silverlake Townhomes

Comprehensive Plan Amendment

1.2 Single Family detached (5-10 du/ac) to
1.3 Single Family detached (10-12 du/ac)

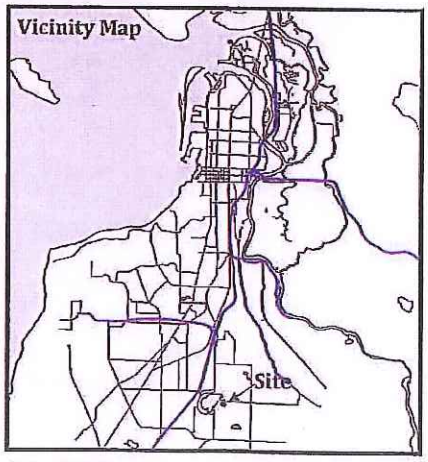


Comprehensive Plan Legend:

- Action Area (1.49 Acres)
- 2.0 Park
- 1.2 Single Family Detached, 5-10 DUA
- 1.3 Single Family Detached, 10-12 DUA
- 1.6 Multiple Family, 20-29 DUA
- 4.3 Community Business, Office
- 4.4 Mixed Use Commercial, Multiple Family
- Everett City Limits

Geographic Information System

0 75 150 300 Feet



July 2016

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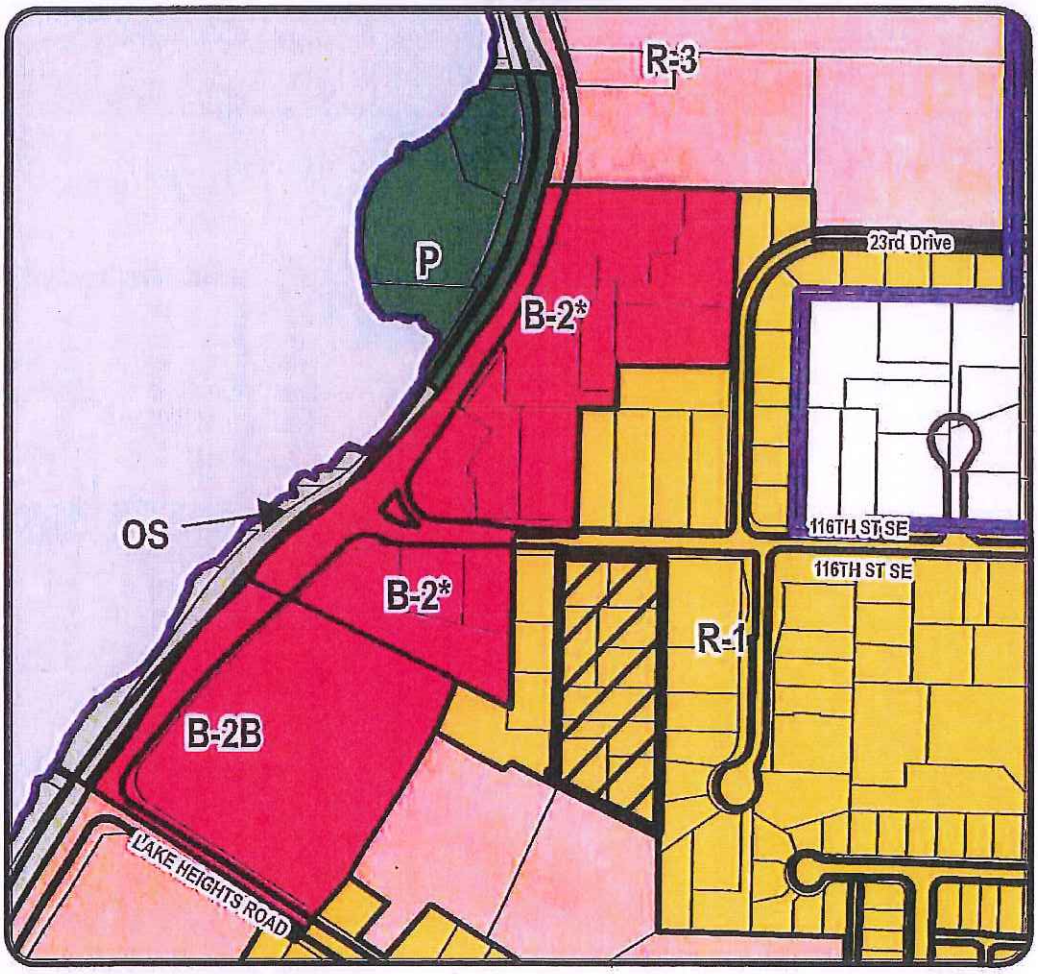
Silverlake Townhomes

Zoning Amendments

R-1 Single Family detached Low Density
R-1A Single Family Attached

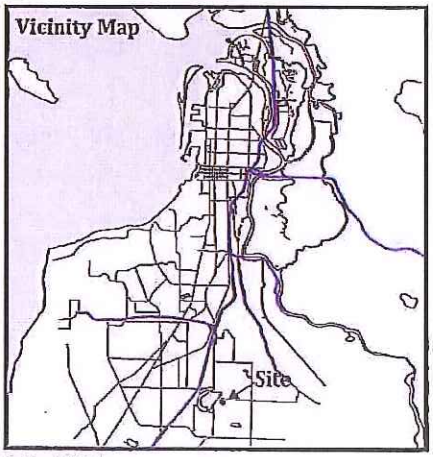


Zoning Legend:

- Action Area (1.49 Acres)
- OS Open Space
- Park
- R-1 Single Family, Low Density
- R-3 Single Family, Medium Density
- B-2 Community Business
  B-2B Office
- Everett City Limits

Geographic Information System

0 75 150 300 Feet



July 2016