

City of Sedro-Woolley (Nicole McGowan)

Ensure soil clean up activities comply with applicable mitigation measures and conditions identified in the Mitigation Decision Document - Attachment A to Planned Action Ordinance 1837-15 for the SWIFT Center. Obtain an excavation and grading permit from the City of Sedro-Woolley prior to starting excavation work.

ORDINANCE NO. 1837-15

AN ORDINANCE OF THE CITY OF SEDRO-WOOLLEY, WASHINGTON APPROVING A PLANNED ACTION FOR THE CENTER FOR INNOVATION AND TECHNOLOGY (FORMERLY KNOWN AS THE NORTHERN STATE CAMPUS).

WHEREAS, the City of Sedro-Woolley (City), in partnership with the Port of Skagit and Skagit County initiated the preparation of a subarea plan for the redevelopment of The Center for Innovation and Technology (Center) consistent with the comprehensive plan; and

WHEREAS, the City passed Resolution No. 913-15 on April 8, 2015 declaring its intent to initiate a Planned Action Environmental Impact Statement in accordance with RCW 43.21C.440 and WAC 197-11-164 the purpose of which is to emphasize quality environmental review of early planning efforts and early public input to shape decisions concurrent with the preparation of the subarea plan. The basic steps in designating planned action projects are to prepare an environmental impact statement (EIS), designate the planned action projects by ordinance, and review permit applications for consistency with the designated planned action. The intent is to provide more detailed environmental analysis during formulation of planning proposals, rather than at the project permit review stage; and

WHEREAS, the designation of a Planned Action expedites the permitting process for subsequent implementing projects whose impacts have been previously addressed in a Planned Action environmental impact statement (EIS) and thereby encourages desired growth and economic development; and

WHEREAS, to ensure a robust and transparent public process, a Public Participation Plan which outlines opportunities for public involvement at the various stages of the Annexation, Subarea Plan and the Planned Action EIS processes was prepared and added as an exhibit to Resolution No. 913-15; and

WHEREAS, the State Environmental Policy Act (SEPA) and implementing rules provide for the integration of environmental review and land use planning and project review through the designation of "Planned Actions" by jurisdictions planning under the Growth Management Act (GMA); and

WHEREAS, a Draft Environmental Impact Statement (DEIS) was issued on September 18, 2015 with a 45-day public comment period. A public hearing on the DEIS was held on September 29, 2015; and

WHEREAS, the City received comments during the 45-day public comment period and those comments are addressed in the Final Environmental Impact Statement (FEIS) issued November 16, 2015; and

WHEREAS, the City adopted a Subarea Plan to help guide development within the Planned Action Area; and

WHEREAS, the Center Planned Action EIS identifies impacts and mitigation measures associated with planned development in the Center; and

WHEREAS, the City, with approval of this Planned Action Ordinance, will adopt development regulations and conditions which will help protect the environment and are specific to the Center, which will guide the location, form, and quality of desired development; and

WHEREAS, the City Council finds that adopting this ordinance is in the interest of the public and will advance public health, safety, and welfare;

NOW, THEREFORE, THE CITY OF SEDRO-WOOLLEY, WASHINGTON DOES ORDAIN AS FOLLOWS:

SECTION ONE: The City Council does hereby adopt the above listed recitals as set forth fully herein.

SECTION TWO: PURPOSE

The City Council declares that the purpose of this ordinance is to:

- A. Combine analysis of environmental impacts with the City's development of plans and regulations;
- B. Designate The Center as a Planned Action area and the land uses and activities described in the Center's Subarea Plan and EIS as planned actions for purposes of environmental review of subsequent implementing projects pursuant to the State Environmental Policy Act (SEPA), RCW 43.21C.440;
- C. Establish criteria and procedures, consistent with state law, that will determine whether subsequent projects will qualify as Planned Actions;
- D. Provide the public with information about Planned Actions and how the city will process implementing projects;
- E. Streamline and expedite the land use review and approval process by relying on the environmental impact statement (EIS) completed for the planned action; and

F. Apply the City's development regulations together with the mitigation measures and conditions described in the EIS and this ordinance (**Mitigation Decision Document, Attachment A**) to address the impacts of future development contemplated by the Planned Action.

SECTION THREE: FINDINGS

The City Council finds that:

A. The Center Subarea Plan and Planned Action Environmental Impact Statement have addressed all anticipated significant environmental impacts associated with the land uses and activities allowed and described in the plan except where stated that additional review may be required;

B. The thresholds described in the EIS are adequate to identify significant adverse impacts analyzed in The Center Subarea Plan and EIS;

C. The mitigation measures and conditions contained in **Mitigation Decision Document, Attachment A** of this ordinance, together with the City's development standards, are adequate to mitigate significant adverse environmental impacts, except where stated that additional review may be required;

D. The expedited permit review procedure for Planned Action projects described in the City's Consolidated Planning Procedures, Chapter 2.90 SWMC, will be a benefit to the public, provide protection to the environment and enhance economic development;

E. It is in the public interest to adopt the Planned Action ordinance;

F. Public involvement and review of the Center Subarea Plan and Planned Action EIS have been thorough, robust and adequate to ensure that the plan bears a substantial relationship to the public interest, health, safety and welfare; and

G. The uses and conditions described in **Mitigation Decision Document, Attachment A**, together with city development regulations, will implement the Subarea Plan.

SECTION 4: PROCEDURE AND CRITERIA FOR EVALUATING AND DETERMINING PROJECTS AS PLANNED ACTIONS

A. This Planned Action Ordinance will apply to project proposals within the approximately 225-acre area depicted in **Mitigation Decision Document, Attachment A**.

B. Land uses and activities described in The Center Subarea Plan and EIS, subject to the thresholds described therein and the mitigation measures and conditions described in **Mitigation Decision Document, Attachment A**, are Planned Actions pursuant to RCW 43.21C.440, except where stated that additional review under SEPA may be required.

C. A land use permit application for a site-specific project shall be designated as a planned action if it meets the criteria set forth in Sections 3, 4 and 7 of this ordinance and is otherwise consistent with the provisions of this ordinance and applicable laws, codes, and standards of the state and city.

D. Planned action projects will not require a SEPA threshold determination or the preparation of an environmental impact statement, but shall be conditioned on the basis of the **Mitigation Decision Document, Attachment A** to this ordinance and framework described in Sections 3, 4 and 7 of this ordinance and other applicable City development regulations.

E. The Director of the City of Sedro-Woolley Department of Building and Planning (Director), or the Director's designee, is hereby authorized to designate a project described in and proposed by a land use permit application as a planned action pursuant to RCW 43.21C.440 if the project application meets the following conditions:

(1) The project is located within the boundaries of the Center Subarea Plan and as adopted by the City Council on December 9, 2015, or as thereafter amended;

(2) The use described in and proposed by the project application is among or consistent with the uses and intensities of uses described as permitted within the Center Subarea Plan and by the table of uses, conditions and mitigation measures listed in **Mitigation Decision Document, Attachment A**;

(3) The project's significant environmental impacts are among or consistent with those that have been adequately addressed in The Center Planned Action EIS and the Center Subarea Plan (except where stated that additional review under SEPA may be required), and the project is determined by the Director to be a use that implements the Subarea Plan and the Comprehensive Plan;

(4) The Director has determined that the project's significant environmental impacts, if any, have been mitigated through the application of the **Mitigation Decision Document, Attachment A**, and the framework described in this ordinance, and that mitigation measures as well as other city requirements and conditions constitute sufficient mitigation for any significant environmental impacts associated with the proposed project unless otherwise stated in the Planned Action EIS and the **Mitigation Decision Document, Attachment A**;

(5) The proposed project is in compliance with all applicable local, state and federal regulations and development standards; and

(6) The proposed project is not an essential public facility as defined in RCW 36.70A.200, unless an essential public facility is accessory to or part of a residential, office, school, commercial, recreational, service, or industrial development that is designated a planned action under this subsection; and

F. Upon designation by the Director that the project qualifies as a planned action, the project shall not be subject to a SEPA threshold determination, an environmental impact statement, or any additional review under SEPA.

G. All uses listed in **Mitigation Decision Document, Attachment A** to this Ordinance shall be considered as planned actions. In addition to the uses listed in **Mitigation Decision Document, Attachment A**, all land subdivisions, short plats, long plats and binding site plans shall be considered as planned actions. Future development, as described in the Subarea Plan and Planned Action EIS shall be considered planned actions unless otherwise stated in the Planned Action EIS and **Mitigation Decision Document, Attachment A**. If future development is not considered a planned action, then additional review under SEPA may be required to evaluate impacts that were not considered in the Planned Action EIS. A determination that a project qualifies as a planned action shall be defined as a Review Process II decision, per Chapter 2.90 SWMC, Consolidated Planning Procedures. No appeal of a Director's determination that a project listed in **Mitigation Decision Document, Attachment A** qualifies as a planned action is provided.

H. The determinations and notice for land use applications shall be provided in Chapter 2.90 SWMC or other applicable land use permit or regulatory requirements under City ordinances, unless explicitly modified by this ordinance, and state or federal laws. However, projects which qualify as planned actions will not be subject to further procedural review under SEPA.

I. The planned actions authorized and designated by this ordinance shall be limited to those land uses which are located within the Center Subarea Plan and addressed in the EIS.

J. Being designated a planned action means that a proposed project has been reviewed in accordance with this ordinance and procedures and found to be consistent with the Subarea Plan and environmental analysis. The significant environmental impacts have been analyzed as a part of the plan, and mitigation measures have been identified, including but not limited to compliance with existing City ordinances and codes except as specifically modified for the Center Subarea Plan in this planned action ordinance and contained within **Mitigation Decision Document, Attachment A**.

K. Planned actions will not be subject to further procedural review under SEPA. However, projects will be subject to conditions designed to mitigate significant adverse environmental impacts which are likely to result from the project proposal, and projects will be subject to permit requirements as appropriate under state and City laws and ordinances. The planned action designation shall not excuse a project from meeting the City's applicable land use permit requirements apart from the SEPA process.

SECTION FIVE: DISQUALIFIED PROJECTS

Projects which are not consistent with the subarea plan and the environmental analysis of the Planned Action EIS shall not be considered as planned actions, but may continue through another permit process, and may use or incorporate relevant elements of the environmental review analysis completed for the Center Subarea Plan.

SECTION SIX: ENVIRONMENTAL DOCUMENTS

A planned action for a site-specific land use permit application shall be based on the environmental analysis contained in the Center Planned Action EIS, or as hereafter amended. This Planned Action EIS, including potential mitigation measures, is hereby incorporated in this ordinance and adopted by reference. The **Mitigation Decision Document, Attachment A** to this ordinance, is based upon the analysis in the EIS. **Mitigation Decision Document, Attachment A**, together with the existing City codes, ordinances, and standards, shall provide the framework for the decision by the City to impose conditions on a planned action project. Other environmental documents and studies listed in the EIS and the Center Subarea Plan may also be used to assist in analyzing impacts and determining appropriate mitigation measures in accordance with Section 4 of this ordinance.

SECTION SEVEN: PLANNED ACTION AND PROCESS

Applications for planned actions shall be reviewed pursuant to the following process:

A. Development applications shall meet the application requirements of the City's planned action review procedure, Chapter 2.90 SWMC. Applications shall be made on forms provided by the City and shall include a SEPA Checklist or revised SEPA Checklist or such other environmental review forms provided by the City. The Checklist may be incorporated into the form of the application;

B. The Director shall determine whether the application is complete as provided for in Chapter 2.90 SWMC.

C. If the project application is within the area designated for planned actions in this ordinance, the application shall be reviewed to determine whether the proposed development is consistent with and meets all of the qualifications specified in Section 4E of this ordinance.

D. Upon review of a complete application by the City, the Director shall determine whether the project qualifies as a planned action. If the project does qualify, the Director shall notify the applicant, and the project should proceed in accordance with the appropriate permit procedure. No additional SEPA review, threshold determination or EIS shall be required.

E. A proposal that qualifies as a planned action shall not require public notice unless the underlying project permit requires that the City notify the public of a pending application. If notice is required, the notice shall state that the project has qualified as a planned action.

F. If the project is determined not to be a planned action, the Department shall notify the applicant and prescribe a SEPA review procedure consistent with the City of Sedro-Woolley's SEPA procedures and state laws. The notice shall describe the elements of the application that result in disqualification as a planned action. The Department may choose to limit the scope of the SEPA review to those issues and environmental impacts not previously addressed in the EIS and Subarea Plan. Furthermore, the Department and the applicant shall have access to the EIS and Subarea Plan, as well as other environmental documents, to assist in meeting SEPA requirements.

SECTION EIGHT: PROMULGATION AND RULES

The Director is authorized to promulgate rules and procedures necessary for the implementation of this ordinance.

SECTION NINE: MONITORING AND REVIEW

A. The City shall monitor the progress of development in the designated Planned Action area to ensure that it is consistent with this ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts, and with the mitigation measures and improvements planned for the Center.

B. This Planned Action ordinance shall be reviewed no later than December 31, 2020 by the Director to determine continuing relevance of its assumptions and findings with respect to environmental conditions in the Planned Action area, the impacts of development, and required mitigation measures. Based upon this review the City may propose amendments to this ordinance and/or may supplement or revise the Planned Action EIS.

SECTION TEN: CONFLICT

In the event of a conflict between the ordinance or any mitigation measures imposed pursuant thereto and any ordinance or regulation of the City, the provisions of this Ordinance shall control.

SECTION ELEVEN: EFFECTIVE DATE

This Ordinance, being an exercise of a power specifically delegated to the City legislative body shall be deemed annexed to the City (5) five days after its passage, approval and publication as provided by law.

SECTION TWELVE: SEVERABILITY


Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances

SECTION THIRTEEN: CORRECTIONS

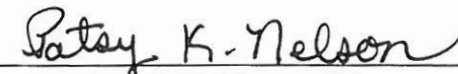
The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's or clerical errors, references, ordinance numbering, section and subsection numbers and any references thereto.

PASSED AND ADOPTED this 9th day of December, 2015.

SIGNED AND APPROVED THIS 10th day of December, 2015

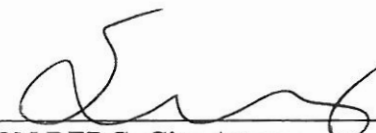


MIKE ANDERSON, Mayor



PATSY NELSON, Finance Director

Approved as to form:



ERON BERG, City Attorney

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ATTACHMENT A

MITIGATION DECISION DOCUMENT

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ACRONYMS AND ABBREVIATIONS

Center	The Center for Innovation and Technology
CFR	Code of Federal Regulations
City	City of Sedro-Woolley
County	Skagit County
DES	State of Washington Department of Enterprise Services
DEIS	Draft Environmental Impact Statement
Ecology	Washington State Department of Ecology
EIS	Environmental Impact Statement
FEIS	Final Environmental Impact Statement
JARPA	Joint Aquatic Resources Permit Application
Port	Port of Skagit
RCW	Revised Code of Washington
SEPA	State Environmental Policy Act
UGA	Urban Growth Area
WAC	Washington Administrative Code

1 INTRODUCTION

1.1 Introduction and Purpose

The State Environmental Policy Act (SEPA) requires environmental review for project and non-project proposals that are likely to have adverse impacts upon the environment. In order to meet SEPA requirements for review of a Subarea Plan for the Center for Innovation and Technology (the Center, formerly referred to as the Northern State Property), the City of Sedro-Woolley (City), in partnership with Skagit County (County) and the Port of Skagit County (Port), conducted a Planned Action Environmental Impact Statement in accordance with RCW 43.21.C.031(2) and WAC 197-11-164. The purpose of utilizing the planned action review process was to emphasize quality environmental review of early planning efforts and early public input to shape decisions.

The City issued the Draft Environmental Impact Statement (DEIS) for the Center for Innovation and Technology (the Center) Subarea Plan on September 18, 2015 and the Final Environmental Impact Statement (FEIS) on November 16, 2015. The DEIS together with the FEIS is referenced herein as the “EIS”. The EIS has identified significant beneficial and adverse impacts that are anticipated to occur with the future development of the Center, together with a number of possible measures to mitigate those significant adverse impacts.

The purpose of this Mitigation Document is to establish specific mitigation measures, based upon significant adverse impacts identified in the EIS. The mitigation measures shall apply to future development proposals which are located within the Center Planned Action Area (see Figure A-1), and which are consistent with the Preferred Concept Plan reviewed in the EIS (see Figure A-2).

1.2 Location

The Center property is located in the northeast corner of the City of Sedro-Woolley (see Figure A-1). The Center has been in the Sedro-Woolley Urban Growth Area (UGA) since 1997. Annexation of the property into the City was approved by City Council on September 9, 2015. The annexation became effective on September 19, 2015. The Center is located north of State Route (SR) 20 and east of Fruitdale Road. The approximately 225-acre property consists of four large tax parcels (P380607, P39356, P100646, and P100632). The Center is bordered on the north, east, and south by the Skagit County Northern State Recreation Area. Residential and rural uses of varying densities border the west side of the Center.

1.3 General Interpretation

Where a mitigation measure includes the words “shall” or “will,” inclusion of that measure in project plans is mandatory in order to qualify a project as a Planned Action. Where “should” or “would” appear, the mitigation measure may be considered by the project applicant as a source of additional mitigation, as feasible or necessary, to ensure that a project qualifies as a Planned Action.

Unless stated specifically otherwise, the mitigation measures that require preparation of plans, conduct of studies, construction of improvements, conduct of maintenance activities, etc., are the responsibility of the applicant or designee to fund and/or perform.

2 PROPOSAL AND PLANNED ACTIONS

2.1 Proposal

The proposal is to promote development of a destination mixed-use campus accommodating education, research and development, hospitality, manufacturing and commercial venues, all within the historic character and great public spaces of the Center. It is envisioned that redevelopment within the Center will include the renovation and adaptive reuse of existing historically contributing buildings (and appropriate new construction) within the Core Area of the Center (see Figure A-3). Adjacent to the historic core area, additional uses would be allowed in the Influence Area including manufacturing and fabrication.

The Proposed Action consists of several related decisions by the City of Sedro-Woolley (with involvement, as appropriate by the County and the Port) regarding The Center Subarea Plan, including:

- Approval of the FEIS as a document that is adequate for SEPA compliance, decision making, and implementation of the upfront SEPA process;
- Adoption and implementation of the associated Planned Action Ordinance for the project; and
- Adoption of The Center Subarea Plan and approval of amendments to the Sedro-Woolley Municipal Code (Titles 2, 14, 15, 16, and 17) that are necessary to carry out the intent of the Subarea Plan.

2.2 Summary of Subarea Plan

The Subarea Plan establishes a set of goals and policies along with a land use plan that promoted redevelopment and respects the character of the historic district. The land use plan organizes and directs future uses to three defined development spaces called the “Core,” the “Influence” and the “Open Space” Areas (see Table 1 and Figure A-3). The land use plan is a major mitigating measure, directing appropriate uses to specific areas within the Center.

- The Core includes the historic central section of the Center, where the primary functions of the Northern State Hospital once existed, and includes the Administration Building, Hub Building, and Wards.
- The Influence Areas include the support facilities of the former hospital (the Powerhouse, Maintenance Buildings, and shops) and the largely undeveloped property south of Thompson Drive.
- The surrounding Open Space area is intended to preserve natural systems and open spaces while providing a buffer between adjacent land uses. Infrastructure and parking is also allowed within this area.

The following table specifies the appropriate uses allowable within the Center and directs those uses to specific areas within the Center (see Table A-1). Development activities, with the exception of

infrastructure and recreational and public activities, would be restricted to locations in the designated Core or Influence Areas.

Table A-1. Permitted Uses and Their Locations

Uses	Core Area	Influence Area	Open Space
Public Uses (such as a museum, library, interpretive center, and government uses)	Allowed	Allowed	Limited recreational use and public parking allowed
Education and Workforce Training	Allowed	Allowed	Prohibited
Research and Development	Allowed	Allowed	Prohibited
Assembly and Fabrication	Prohibited	Allowed	Prohibited
Office	Allowed	Allowed	Prohibited
Restaurant and Retail	Allowed	Allowed	Prohibited
Hospitality	Allowed	Allowed	Prohibited
Specialty Residential	Allowed	Allowed	Prohibited
Trails	Allowed	Allowed	Allowed
Surface Parking	Allowed	Allowed	Allowed
Structured Parking	Prohibited	Allowed	Prohibited

2.3 Preferred Alternative

The preferred alternative assumes that the Subarea Plan and related development regulation amendments, including an update to the Public zone, are approved. Future development is guided by the goals and policies of the Subarea Plan. Permitted uses are defined, and siting of those uses is directed toward appropriate locations within the Center.

Preferred Alternative

The preferred development alternative is based on Alternative 3: High Intensity Site Development, with some modification (See Figure A-2). The Preferred Alternative does not include a new building in the open lawn southeast of the Denny/Administrative Building. A building in that location was identified in the DEIS as creating an impact to historic resources that could not be mitigated.

The preferred alternative assumes that uses and locations of development comply with the Subarea Plan goals and policies and generally conform to the Concept Plan (see Figure A-2). In this alternative:

- Total development is constrained to a total of 950,000 square feet of building space (exclusive of parking structures).
 - The defined Core Area, consisting of approximately 400,000 square feet of existing historically contributing buildings and facilities, would be renovated in phases for appropriate adaptive reuse.
 - Architecturally inappropriate buildings in the Core Area would be demolished.
 - Demolition of two cottages in the designated Influence Area that are identified as “contributing” on the National Register of Historic Places application, but that have lost historic integrity through extensive alterations.
 - Demolition of former apartment buildings in the Influence Area that are currently used as office space which are not identified as contributing to the historic district.
 - Assumes construction of new buildings in the Core Area totaling approximately 130,000 square feet. These buildings would be situated approximate to the former locations of historical buildings that have been demolished.
 - Approximately 400,000 square feet of additional building space would be constructed in the designated Influence Areas.
 - Additional new loop roads would be constructed south of Thompson Drive and north of the Northern State Road to serve new development.
 - A parking garage would be constructed.
- Existing long-term leases would be honored (or revised with mutual agreement).
- Public access opportunities would be enhanced through development of parking, trails, recreational opportunities, and buildings open to the public.

2.4 Development Thresholds

The EIS analysis and mitigation measures are based on the following development thresholds (see Table A-2). Proposed projects that exceed these thresholds should not be designated as Planned Actions and should require additional environmental review.

Table A-2. Development Thresholds

Development	Maximum Threshold
Building Space (not including parking)	
Core Area	530,000 square feet
Influence Areas	400,000 square feet
Total	950,000 square feet
Traffic Trips	
Total Daily Trips	6,213 trips
Evening Peak	666 trips
Impervious Surface	
Buildings (assumed non-pollution generating surfaces)	24.1 acres
Roads and Parking (assumed pollution generating surfaces)	19.7 acres
Total Impervious Surface	43.8 acres
Utilities Demand	
Potable Water / Sewer Demand	48,830 gallons per day
Wetlands (<i>Based on analysis of first phase of development</i>)	
Wetland Impacts	0.139 acres
Wetland Buffer Impacts	0.329 acres

3 DEVELOPMENT STANDARDS

Based on the Center Subarea Plan goals, policies, and land use map; the following standards will apply to proposed developments within the Planned Action Area (Figure A-1). These requirements will be applied in addition to City development regulations including, but not limited to Sedro-Woolley Municipal Code (SWMC) Titles 2, 14, 15, 16, and 17).

3.1 General Building Location and Orientation

1. Construction of new buildings and rehabilitation of existing buildings in the Core Area should be limited to the general area of former footprints or now-demolished historic structures from the Historic District's "Period of Significance" (1909-1959); together with allowance for some building expansion. The locations of historic buildings identified in the National Register of Historic Places are shown in Figure A-4. Buildings are categorized as "contributing" to the historic character of the district, or "non-contributing" as defined in the nomination form for the National Register of Historic Places.
2. New buildings (and their front entries) located in the Core Area and Influence Area should be positioned along the existing narrow east-west roads consistent with the original Olmsted Concept that defined the site. Lawns and plantings should surround each distinctly-defined building in the landscape.

3.2 Internal Streets in Core Area

To protect the historic character of the facility, the roadway system remaining from the Period of Significance should guide the placement, size, and design feeling of any new or replacement roadways. The road system within the Center dating from the Period of Significance should remain in place. Ownership and maintenance of the roadway should not be the responsibility of the City. The character of the roads, pathways and related improvements, for both new and existing, shall retain a rural campus character defined by lawns and plantings growing to the edge of the road surfaces without curbs.

3.3 Parking

To maintain the campus character and promote interactions between uses, required parking for existing and proposed uses may be distributed through the Center. Parking requirements will be based on types of use and ratios defined in SWMC 17.36, but the Director of the Planning Department will have discretion to adjust these numbers based on opportunities for shared parking between uses.

Parking should be restricted on streets that are less than 24 feet in width to maintain access for emergency vehicles. Required parking for existing and proposed uses may be distributed throughout the site to satisfy building/use parking requirements. However large parking in the Influence Area is preferred over large parking lot construction in the Core.

3.4 Signage, Landscaping and Lighting

Internal signage, landscaping and lighting shall be consistent with the design guidelines and approved by the Port. Signage, landscaping and lighting visible from Fruitdale Road shall be consistent with City Codes and approved by the City (SWMC 17.40 and 17.50).

4 MITIGATION MEASURES

Based on the EIS, this Mitigation Measures section identifies significant adverse environmental impacts that are anticipated to occur as a result of development of planned action projects. The EIS mitigation measures are intended to minimize impacts that are not sufficiently addressed in existing local, state, and federal laws and regulations. Mitigation measures identified in the EIS are reiterated here for inclusion in proposed projects to mitigate related impacts and to qualify as Planned Action projects.

Consistency review under the Planned Action, development plan review, and other permit approvals will be required for specific development actions under the Proposed Action pursuant to WAC 197-11-172. Additional project conditions may be imposed on planned action projects based upon the analysis of the proposal in relationship to independent requirements of the City, state or federal requirements or review criteria.

Any applicant for a project within the Planned Action area may propose alternative mitigation measures, if appropriate and/or as a result of changed circumstances, in order to allow equivalent substitute mitigation for identified impacts. Such modifications shall be evaluated by the City's SEPA Responsible Official prior to any project approvals by the City.

In combination, regulations applicable to each element of the environment and mitigation measures identified in the EIS and documented in this Mitigation Document that are applied to any planned action proposal will adequately mitigate all significant environmental impacts associated with planned action proposals, except for those impacts that are identified as "significant unavoidable adverse impacts."

Table A-3 identifies for each element of the environment analyzed in the EIS for the proposed action:

- Summary of significant environmental impacts and unavoidable adverse impacts
- Mitigation measures established by this Mitigation Document for the Planned Action study area.
- Phasing for implementation of mitigation measures

**Table A-3. Mitigation Measures
Based on Preferred Alternative**

Elements	Impacts	Mitigation Measures	Phasing
Earth			
<ul style="list-style-type: none"> Geotechnical 	<p>Significant Impacts</p> <ul style="list-style-type: none"> Presence of thick and unengineered fills is difficult for shallow foundation construction. Long-term foundation settlement could be problematic due to compressible soils. Construction activities such as clearing of vegetation and topsoil, and removal of existing structures, foundations, asphalt, and other existing on-site improvements could cause temporary erosion. Soils temporarily exposed during construction could be eroded by stormwater runoff. <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> With adherence to applicable codes and regulations, no significant unavoidable adverse impacts are anticipated relative to earth resources. 	<ol style="list-style-type: none"> Thick fill occurrences may be abated by altering or moving building footprints to avoid locally adverse areas, or by undertaking excavation and replacement with structural fill suitable for building support. A ground improvements strategy would be implemented to mitigate long-term consolidation settlement of soft clays. These methods typically involve placement and compaction of rock aggregate into the subsurface. Implementation of standard best management practices and erosion control measures as required by City stormwater management codes and grading permits and State Construction Stormwater permits will minimize the potential short-term impacts from construction. 	<ol style="list-style-type: none"> In coordination City grading and building permits, Construction Stormwater permits, and with construction. In coordination City grading and building permits, Construction Stormwater permits, and with construction. In coordination City grading and building permits, Construction Stormwater permits, and with construction.
Energy and Air			
<ul style="list-style-type: none"> Energy and Air Quality 	<p>Significant Impacts</p> <ul style="list-style-type: none"> Increased development forecasted to generate approximately 23,574 metric tons of carbon dioxide equivalent per year from stationary sources, energy use, and transportation. Emissions from construction including dust, particulate matter, and exhaust from heavy equipment. Potential exposure to asbestos during renovation of historic structures. Point source emissions from fabrication and operation of Omniprocessor and other products that may be produced at the Center. <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> With adherence to applicable codes and regulations, and additional identified mitigation measures, no significant unavoidable adverse impacts are anticipated relative to air quality resources. 	<ol style="list-style-type: none"> Consider commuter trip reduction program as the Center approached maximum density build out. Best management practices during construction to reduce dust and emissions. Obtain and comply with air permits for point source emissions as needed. 	<ol style="list-style-type: none"> Implement after new construction and building renovation in the Center exceeds a total of 600,000 square feet. In coordination with City grading and building permits and during construction Prior to operating equipment that requires point source emissions permit.
Water			
<ul style="list-style-type: none"> Wetlands & Streams 	<p>Significant Impacts:</p> <ul style="list-style-type: none"> Approximately 93 acres would be set aside as open space to minimize potential future impact to wetlands and streams. Improvements to existing stormwater management system to meet current regulatory requirements as new development occurs. Increased potential of wetland and buffer impact relative to Alternatives 1 and 2. 	<ol style="list-style-type: none"> Compliance with City Critical Areas Ordinance and state and federal water-related laws. For impacts to wetlands, wetland buffers, and stream buffers associated with the first phase of development, Implement mitigation plan as described in the EIS after it is approved through state and federal permitting processes. For future development beyond the first phase that may impact streams and wetlands, additional SEPA 	<ol style="list-style-type: none"> Required as part of permit application and review process Required as part of permit application and review process Required as part of permit application and review process

Elements	Impacts	Mitigation Measures	Phasing
	<ul style="list-style-type: none"> Potential first phase of development would impact category III wetland for new stormwater outfall. <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> With application of water-related codes and regulations and identified mitigation measures, no significant unavoidable adverse impacts to water resources are anticipated. 	<p>review including wetland and stream delineation, mitigation planning, and local, state, and federal permitting will be required.</p>	
<ul style="list-style-type: none"> Storm water Runoff 	<p>Significant Impacts</p> <ul style="list-style-type: none"> Development to occur primarily within areas previously developed or disturbed. Approximately 93 acres would be set aside as open space. Net new development would increase total impervious surfacing from current level of 11.6% to 19.4% of the Center. Upgrading of existing stormwater management system to meet current codes as development occurs. <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> With application of water-related codes and regulations, no significant unavoidable adverse impacts to water resources are anticipated under any of the proposed alternatives. 	<ol style="list-style-type: none"> Compliance with City Stormwater Manual and Department of Ecology Construction Stormwater General Permit for new development including retention and treatment of stormwater. 	<ol style="list-style-type: none"> Required as part of permit application and review process, per City and State stormwater permit requirements.
Vegetation and Wildlife	<p>Significant Impacts</p> <ul style="list-style-type: none"> Subarea Plan restricts new development in designated Open Space area (approximately 45% of the Center.) Potential for impacts from encroachments into wetland and stream buffers. <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> With adoption of the Subarea Plan and application of local, state, and federal natural resource-related codes and regulations, no significant unavoidable adverse impacts to plant and animal resources are anticipated. 	<ol style="list-style-type: none"> Compliance with Subarea Plan Land Use Map Compliance with City Critical Areas Ordinance and state and federal natural resource and water-related laws Maintain, if feasible, the inactive smokestack at the Powerhouse that provides important roost for Vaux's Swift. Additional SEPA review and mitigation plan required if removal of the smokestack is proposed. 	<ol style="list-style-type: none"> Required as part of City permit application review process. Required as part of City permit application review process. Mitigation plan would be reviewed and approved by City prior to issuing demolition permit.
Environmental Health			
<ul style="list-style-type: none"> Soil and Groundwater Impacts 	<p>Significant Impacts</p> <ul style="list-style-type: none"> Redevelopment would drive proactive remediation of soil and groundwater impacts <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> With adherence to environmental health-related codes and regulations, no significant unavoidable environmental health impacts are anticipated. 	<ol style="list-style-type: none"> Implement institutional and engineered controls to limit exposure to contaminants in areas with confirmed soil or groundwater impacts. 	<ol style="list-style-type: none"> Prior to issuance of building certificates of occupancy in areas with confirmed soil or groundwater impacts.
<ul style="list-style-type: none"> Asbestos and Lead Paint 	<p>Significant Impacts</p> <ul style="list-style-type: none"> Asbestos and lead paint in historic buildings likely to be addressed over time as structures are renovated. <p>Unavoidable Adverse Impacts</p>	<ol style="list-style-type: none"> Abatement of asbestos and lead paint in structures as they are renovated or demolished. 	<ol style="list-style-type: none"> Prior to issuance of building certificates of occupancy or in coordination with demolition permit for each respective building suspected of containing asbestos and lead paint

Elements	Impacts	Mitigation Measures	Phasing
	<ul style="list-style-type: none"> With adherence to environmental health-related codes and regulations, no significant unavoidable environmental health impacts are anticipated. 		
Land Use Compatibility	<p>Significant Impacts:</p> <ul style="list-style-type: none"> Subarea Plan establishes policies that encourage a mix of uses within the Center that would be synergistic and compatible with adjacent recreation and residential uses. With increased activity and development at the Center, local demand for housing and convenience goods is expected to increase <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> With adoption of the Subarea Plan and application of the City zoning and development regulations, no significant unavoidable land use impacts are anticipated. 	<ol style="list-style-type: none"> Adopt Subarea Plan, City Code amendments, and Planned Action Ordinance 	<ol style="list-style-type: none"> Prior to issuance of first building permit
Recreation	<p>Significant Impacts:</p> <ul style="list-style-type: none"> Allow public access to Center Potential trail connectivity between Center and Northern State Recreation Area Possible increased use of Northern State Recreation Area <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> Increased activity is expected in the adjacent Northern State Recreation Area, but with the mitigation measures to create a trails plan and funding strategy, no significant unavoidable adverse impacts to recreation opportunities are anticipated 	<ol style="list-style-type: none"> Participation in a coordinated trails plan with County Parks (<i>Skagit County has committed through an interlocal agreement to lead the trail plan effort</i>) 	<ol style="list-style-type: none"> The Trails Plan and Funding Strategy will take place from 2017-2019 in collaboration with Skagit County Comprehensive Park Plan update
Historic Resources	<p>Significant Impacts</p> <ul style="list-style-type: none"> Subarea Plan and Preferred Alternative Conceptual Plan organizes uses and new construction to appropriate areas. No adverse impacts assuming development and adherence to a design guideline manual that complies with Secretary of Interior's Standards for Treatment of Historic Properties. <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> With adoption and application of the Subarea Plan and design guidelines, no significant unavoidable adverse impacts to historic resources are anticipated. 	<ol style="list-style-type: none"> Adopt Subarea Plan, City Code amendments, and Planned Action Ordinance to encourage development in alignment with Preferred Alternative Adopt and comply with design guidelines that align with Secretary of the Interior Standards for the Treatment of Historic Properties Possible short term effort to 'mothball' vacant historic structures (<i>Port and DES are pursuing funding for this effort</i>) If it is determined necessary to demolish a 'contributing' historic building, a mitigation plan will be developed implemented in compliance with Department of Archaeology and Historic Preservation Mitigation Options and Documentation Standards. 	<ol style="list-style-type: none"> Prior to the issuance of any building or demolition permit. The Port of Skagit will adopt design guidelines and review proposals for consistency with the guidelines. On-going effort. Mitigation plan to be submitted prior to issuance of demolition permit for historic 'contributing' buildings
Cultural Resources	<p>Significant Impacts:</p> <ul style="list-style-type: none"> None anticipated in areas of proposed new development. <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> With application of archaeological-related codes and regulations, no significant unavoidable adverse impacts to archaeological resources are anticipated. 	<ol style="list-style-type: none"> If artifacts are unexpectedly discovered, work should cease and appropriate notification given and an assessment should be undertaken. 	<ol style="list-style-type: none"> Mitigation condition should be included in any grading permits issued for the Center.

Elements	Impacts	Mitigation Measures	Phasing
Aesthetics	<p>Significant Impacts:</p> <ul style="list-style-type: none"> Proposed removal of recent construction buildings that conflict with historic master plan and architecture will improve historic character New construction has potential to also detract from aesthetics. <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> Implementing the Subarea Plan policies and establishing a Design Guideline Manual will be fundamental mitigation measures to avoid adverse impacts relative to aesthetic resources. 	<ol style="list-style-type: none"> Adopt Subarea Plan, City Code amendments, and Planned Action Ordinance to encourage development in alignment with Preferred Alternative Adopt and comply with design guidelines that align with Secretary of the Interior Standards for the Treatment of Historic Properties 	<ol style="list-style-type: none"> Prior to the issuance of any building or demolition permit. The Port of Skagit will adopt design guidelines and review proposals for consistency with the guidelines.
Transportation	<p>Significant Impacts:</p> <ul style="list-style-type: none"> Seven intersections are projected to fall below level of service standards by 2035 based on projected regional growth with or without redevelopment of the Center Total daily trips at the Center forecasted to increase to 6,213. Peak hour evening traffic would increase to 666 trips. 1,550 parking spaces would be provided Truck traffic is estimated at 24 to 48 trips per day. <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> Increased activity on the Center proposed in the Preferred Alternative is expected to increase the volume of traffic, but with application of identified mitigation measures, no significant unavoidable adverse impacts are anticipated relative to vehicular traffic, public transit, non-motorized systems, or parking. 	<ol style="list-style-type: none"> Payment of transportation impact fees per City code. Improvement of Fruitdale Road, including repair of slide area and constructing pedestrian paths or sidewalks where they are lacking between McGarigle Road and entrance to the Center (<i>City, County, Port, and Janicki Bioenergy have established agreements to share in costs of road design</i>) Improvement of primary entrance to Center, which depending on design, may require land dedication for right of way. (<i>City, County, Port, and Janicki Bioenergy have established agreements to share in costs of road design</i>) Submittal of truck haul route plan and schedule. 	<ol style="list-style-type: none"> Impact fees to be paid in coordination with issuance of building permits Fruitdale Road improvements (SR20 to Kalloch Road) will take place prior to issuing certificate of occupancy of the 2nd building. Fruitdale Road primary entrance improvement will take place prior to issuing certificate of occupancy of the 2nd building. Truck route designations and access plan to be submitted to the City prior to issuing building permit for the 1st building.
Utilities	<p>Significant Impacts:</p> <ul style="list-style-type: none"> Water demand would increase to 43,830 gallons per day. Internal systems overall condition questionable. Increased stress on internal sewer system may require additional evaluations <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> The Center is served by existing water, sewer, stormwater, power, and telecommunications utilities. While on-site upgrades to these systems likely will be needed to support redevelopment, each utility system has capacity to support the Alternatives, so no unavoidable adverse impacts are anticipated. 	<ol style="list-style-type: none"> With development projects, additional hydraulic modeling and utility testing should be required to determine adequacy of internal systems 	<ol style="list-style-type: none"> Prior to building permit issuance for each respective structure.

Elements	Impacts	Mitigation Measures	Phasing
Public Services	<p>Significant Impacts</p> <ul style="list-style-type: none"> • Secondary emergency access road to Fruitdale Road currently does not meet standards for emergency vehicle access. • Need for emergency vehicle turnouts throughout Center. • Concern for lack of northerly site access to Campus via SR 9. • Concern in regard to patient transportation from isolated buildings to emergency vehicles. • Concern in regard to night time emergency response and intra- site communication. <p>Unavoidable Adverse Impacts</p> <ul style="list-style-type: none"> • Increased intensity of activity at the Center will require mitigation measures to ensure that police and fire services can respond in the event of emergencies. With the implementation of the identified mitigation measures, no unavoidable adverse impacts are anticipated. 	<ol style="list-style-type: none"> 1. Provide gate on secondary access road connection at Fruitdale Road and maintain road to meet standards for emergency vehicle access (<i>Port and Department of Enterprise Services coordinating to identify funding sources</i>) 2. Provide emergency vehicle turn out spaces and circulation plan 3. As needed, install repeater systems or other technologies to support communications for emergency response. 4. Provide for on-site emergency all-terrain vehicle with Firelite Transport Darley FD-202 (2-seat 4-wheel drive all-terrain vehicle). 5. Provide 2 sets of night vision gear. 	<ol style="list-style-type: none"> 1. The Department of Enterprise Services will be notified to address the emergency access road, immediately. 2. Internal circulation network to be upgraded to accommodate emergency vehicle access in coordination with build-out of Central Core and Northern Influence Area. 3. Prior to issuance of certificate of occupancy of respective buildings 4. All-terrain vehicle to be approved by the City Police Chief prior to issuance of the certificate of occupancy of the 1st building. 5. Night vision gear to be approved by the City Police Chief prior to issuance of the certificate of occupancy of the 1st building.

4.1 Additional Permits and Approvals

The EIS identified potentially applicable federal, state, and local laws and rules that apply to Planned Actions and that can serve to mitigate adverse environmental impacts. It is assumed that all applicable federal, state, and local regulations would be applied. The following list identifies the primary set of applicable laws regulations, but other laws and regulations may apply depending on the proposed action.

Depending on the scope of development and the site, the following approvals could be required:

U.S. Army Corps of Engineers

- Clean Water Act Section 404 Permit (for any impacts to jurisdictional wetlands)
 - Endangered Species Act Section 7 Consultation
 - National Historic Act Section 106 Consultation¹

Washington State Department of Ecology

- Clean Water Act Section 401 Water Quality Certification (for projects affecting wetlands or waterways)

Washington State Department of Fish and Wildlife

- Hydraulic Project Approval (for any project with physical impacts to a waterway)

Northwest Clean Air Agency

- Asbestos surveys (associated with building renovation/demolition)
- Air permits associated with existing or future operations

City of Sedro-Woolley

- Grading, excavation and erosion-control permits
- Building permit
- Demolition permits
- Mechanical permits
- Plumbing permits
- Concurrency authorization
- Certificates of occupancy
- Street use permits (temporary—construction related)

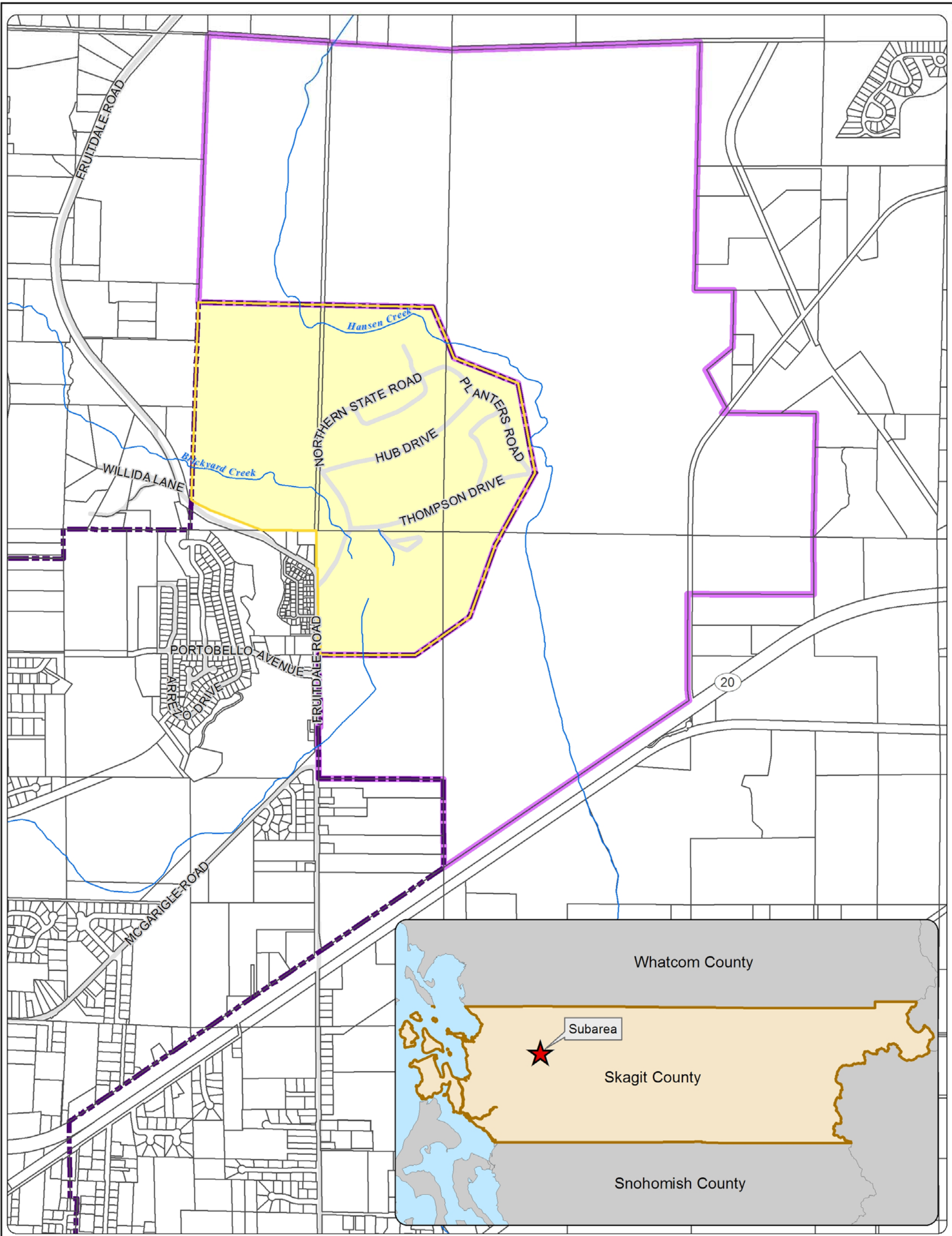
¹ Other historical and cultural resources regulations may apply, the Washington State Department of Archaeology and Historic Preservation maintains a list of federal and state laws related to historic and cultural resources at <http://www.dahp.wa.gov/learn-and-research/preservation-laws>

- Street improvements (e.g., sidewalks, curb cuts)
- Lot line adjustment, binding site plan and/or subdivision approvals
- Stormwater management permits
- Sewer utility permits
- Water utility permits (coordinated with Skagit Public Utility District)
- Street right-of-way vacation

FIGURES



Path: X:\0624_04 Port of Skagit08_SubareaPlan\Projects\FigA1_CenterPlannedActionArea.mxd
 Print Date: 10/29/2015
 Approved By: mstringer
 Produced By: jmillar
 Project: 0624_04.01-01



Source: Aerial photograph obtained from Esri ArcGIS Online; parcels, roads and streams datasets obtained from Skagit County; city limits dataset obtained from City of Sedro-Woolley.

Property address:
 24909 Hub Drive
 Sedro-Woolley, Washington

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


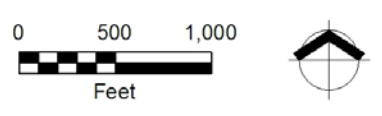
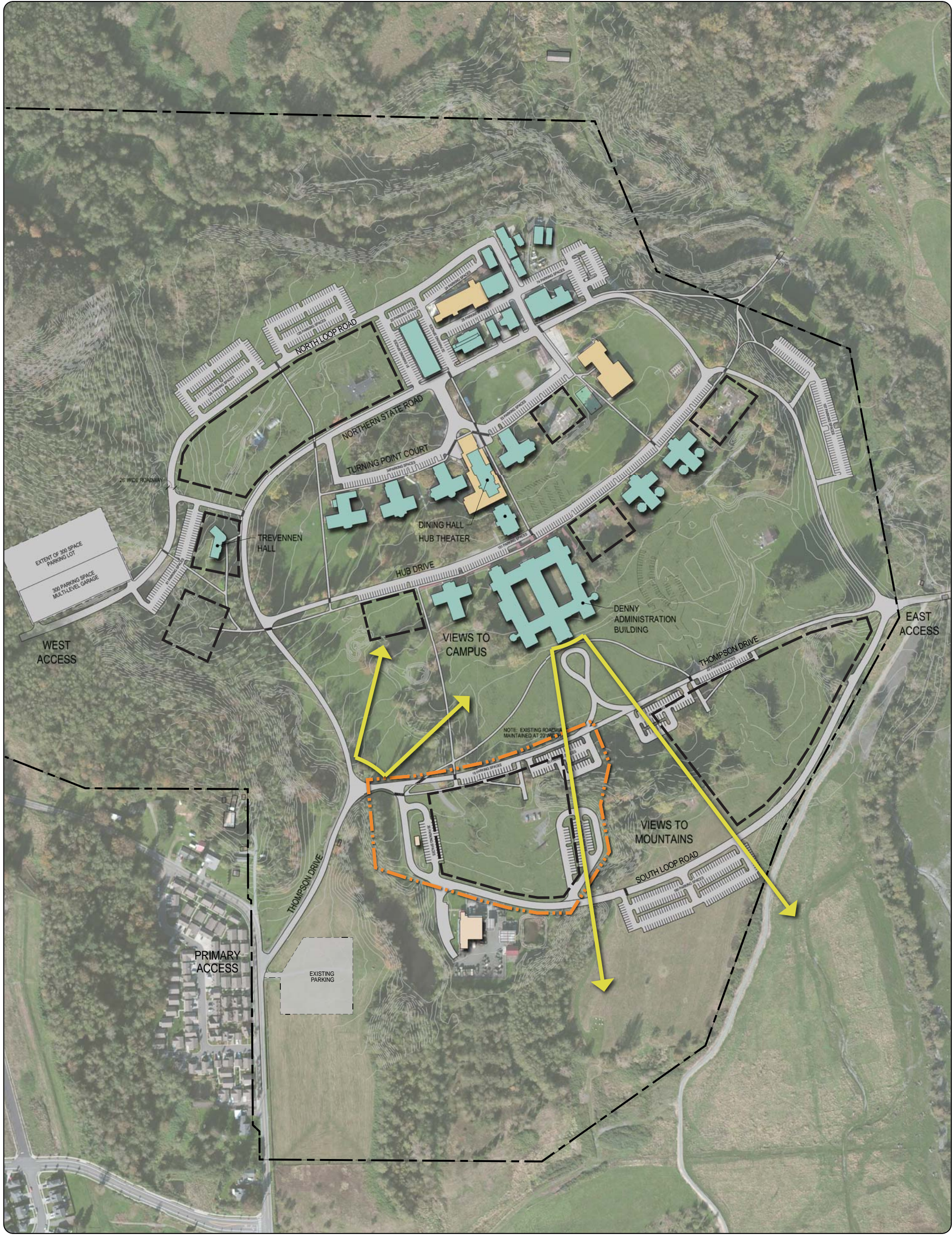
- Legend**
-  Center Subarea
 -  Northern State Recreational Area
 -  Parcel Boundary
 -  City Limits (Post Annexation)
 -  Stream

Figure A-1
The Center Planned Action Area

Sedro-Woolley, Washington





Source: Aerial photograph obtained from Esri ArcGIS Online; parcels and roads obtained from Skagit County.

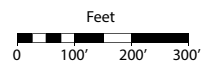
Exhibit A-2 Conceptual Site Plan

Port of Skagit
Sedro-Woolley, Washington

Legend

- Contributing Buildings to Historic District
- Non-Historic Buildings to be Retained
- New Building Locations
- First Phase of Development
- Property Boundary
- View Indicator

Note: 1,575 Proposed Parking Spaces



Project: 0624.04.01-01 Produced By: criley Approved By: mastinger Print Date: 6/6/2015

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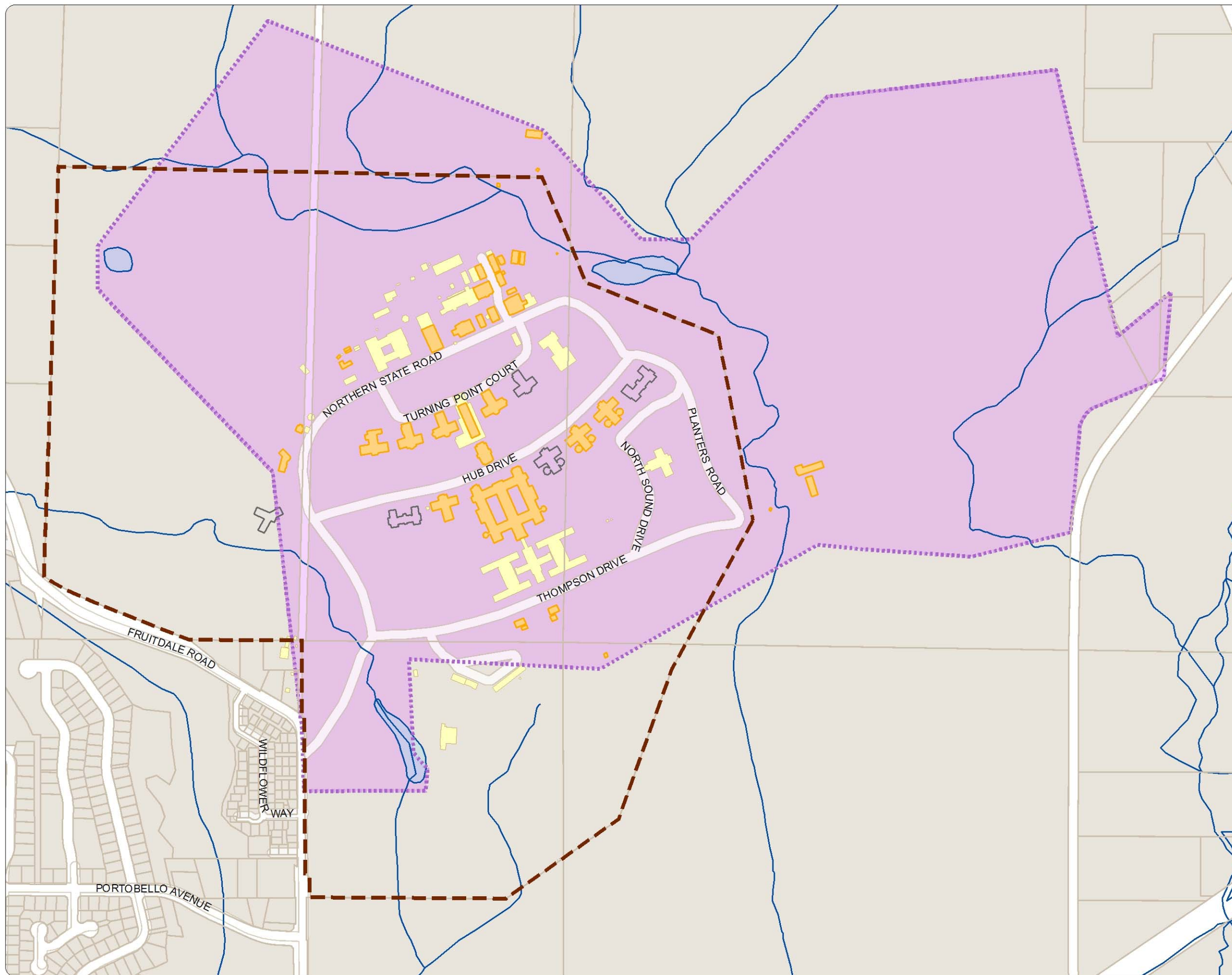


Exhibit A-3
Subarea Land Use Map
 Sedro-Woolley, Washington










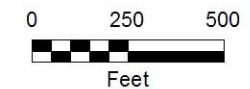
Exhibit A-4 Historic District Boundaries and Contributing Buildings

Center Property
Sedro-Woolley, Washington



Legend

-  Buildings Contributing to Historic District
-  Non-contributing Buildings
-  Former Buildings (Demolished)
-  National Historic District (approx.)
-  Site Boundary
-  Parcel Boundaries
-  Streams (County)



Source: Parcels, and streams from Skagit County.



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