

**ORDINANCE NO. 1980-20**

**AN ORDINANCE OF THE CITY OF MILTON, WASHINGTON, APPROVING THE BRIDGE POINT I-5 SEATTLE PLANNED DEVELOPMENT (PD) MASTER PLAN, MILTON PROJECT NOS. LUA2019-0008, LUA2019-0009 AND LUA2019-0010, SUBJECT TO CONDITIONS, AND ESTABLISHING AN EFFECTIVE DATE**

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WHEREAS, the City of Milton Comprehensive Plan designates a 142 acre tract in the northwest portion of the City, known as the Lloyd Property, as a Planned Development District; and

WHEREAS, a portion of the property has been developed as a senior housing/assisted living development under a valid master plan permit for the entire site, which has since expired; and

WHEREAS, 118 acres of the site remain that do not have a valid master plan permit, and are currently being mined by Land Lloyd Development Co. ("Owner"), which plans to complete mining operations in the next few years; and

WHEREAS, Bridge Development Co. ("Applicant") has been authorized by the Owner to seek approval of a master plan permit and is contracted to purchase the property; and

WHEREAS, the Applicant submitted a complete application on March 29, 2019 seeking approval of a master plan for developing the site with four industrial/warehouse buildings totaling approximately 2,043,024sf (the "Project"). Along with the building construction, the project will include demolition of existing structures, grade and fill activities, paved parking and truck maneuvering areas, landscaping, storm water facilities, water and sanitary sewer extensions, a street vacation, frontage road improvements, off-site roadway improvements along Milton Road/5th Avenue, and at the intersection of Milton Road/Porter Way and Porter Way/Pacific Highway; and

WHEREAS, public notices of the Project were duly published and posted in accordance with MMC Chapter 17.71; and

WHEREAS, environmental review of the Project was performed by the City of Milton ("City") under the State Environmental Policy Act, RCW Chapter 43.21C ("SEPA"), related administrative regulations, and the MMC, following which a Mitigated Determination of Non-Significance ("MDNS") was issued on September 30, 2019; and

WHEREAS, administrative appeals of the MDNS were timely filed on October 14, 2019 by the City of Federal Way and the Puyallup Tribe; and

WHEREAS, the Applicant entered into a Stipulated Dismissal Settlement Agreement with the Puyallup Tribe on October 30, 2019, and the Puyallup Tribe subsequently withdrew their appeal of the MDNS; and

WHEREAS, the Applicant agreed to voluntary mitigation conditions to be incorporated into a Modified MDNS, which the City issued on October 30, 2019, and as a result the City of Federal Way withdrew its appeal of the MDNS; and

WHEREAS, an open record public hearing was held before the City of Milton Hearing Examiner on October 31, 2019, following which the Hearing Examiner issued a

recommendation of approval of the Project to the Milton City Council; and

WHEREAS, the City Council has considered the Hearing Examiner recommendation and its attachments, and has considered the MDNS, Modified MDNS, the recommendations of the City staff, and the testimony and other facts elicited at the public hearing on the Project, and has found that the master plan as conditioned is consistent with the Milton Comprehensive Plan, the Milton Municipal Code, and the requirements of SEPA, and makes appropriate provision for the public health, safety and welfare;

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

Section 1. The City Council adopts the findings and conclusions set forth in the Hearing Examiner's Recommendation to the City of Milton City Council, dated November 19, 2019, attached hereto as Exhibit 1; except the City Council hereby modifies Finding of Fact #13 of the Hearing Examiner's Recommendation to expressly allow the following uses for the site:

| <b>AUTHORIZED USES WITHIN MASTER PLAN</b>   |           |
|---|-----------|
| Accessory Parks and Recreation Facilities   | Permitted |
| Air Separation Facilities   |           |
| Battery Storage, Distribution, and Processing   |           |
| Breweries (no customers visiting premises)  |           |
| Contractor Business   |           |
| Enclosed salvage and wrecking operations  |           |
| Film processing plant   |           |
| Lumber and wood product manufacturing or assembly   |           |
| Major Utility facilities  |           |
| Manufacturing, assembling, processing, and packaging  |           |
| Medical equipment manufacturing plant   |           |
| Minor Utility facilities  |           |
| Mini-warehouses   |           |
| Prepared material, manufacturing, processing or package plants                                  |           |
| Prepared metal processing and assembly plants   |           |
| Professional and business office  |           |
| Wireless Communications facilities  |           |
| Soil Mixing   |           |
| Warehousing and distribution facilities and storage of equipment, commodities, and products     |           |
| Storage/Warehousing and distribution, bonded and located within a designated foreign trade zone |           |
| Truck terminals   |           |
| Vehicle repair facility   |           |
| Wholesaling   |           |

Section 2. The City Council finds and declares that adoption of the master plan for the Project, as conditioned herein, is consistent with the Milton Comprehensive Plan, development regulations, and RCW Chapter 43.21C, and will serve the public health, safety and welfare.

Section 3. Based on the foregoing, the City Council adopts and approves the master plan identified as Bridge Point I-5 Seattle Planned Development (PD) Master Plan, Milton Project Nos. LUA 2019-0008, LUA2019-0009 and LUA2019-0010, as described in the Hearing Examiner's Recommendation to the City of Milton City Council, dated November 19, 2019, attached hereto as Exhibit 1, subject to the conditions of approval set forth in said recommendation and in the Modified MDNS.

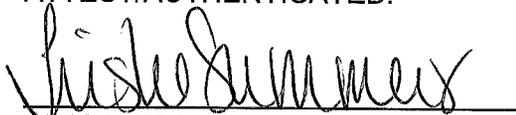
Section 4. The City Council adopts the Exhibit List for this hearing entitled, "Exhibit to Staff Report Dated October 31, 2019 (given to Council December 2, 2019)," as the final exhibit list setting forth all of the documents considered by the City Council in this matter, attached hereto as Exhibit 2.

Section 5. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Passed by the Milton City Council the 10<sup>th</sup> day of February 2020, and approved by the Mayor, the 10<sup>th</sup> day of February, 2020.

  
SHANNA STYRON SHERRELL, MAYOR

ATTEST/AUTHENTICATED:

  
CITY CLERK

APPROVED AS TO FORM:

BY:   
CITY ATTORNEY

FILED WITH THE CITY CLERK: 2-10-20  
PASSED BY THE CITY COUNCIL: 2-10-20  
PUBLISHED: 2-17-20  
EFFECTIVE DATE: 2-17-20  
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