

SNOHOMISH COUNTY COUNCIL  
SNOHOMISH COUNTY, WASHINGTON  
ORDINANCE NO. 00-094

REVISING THE EXISTING MALTBY URBAN GROWTH AREA  
AND REVISING THE SNOHOMISH COUNTY GROWTH  
MANAGEMENT COMPREHENSIVE ACT FUTURE LAND USE MAP;  
AMENDING AMENDED ORDINANCE 96-073 AND AMENDED  
ORDINANCE 94-125 PURSUANT TO CHAPTER 32.07 SCC

WHEREAS, the Growth Management Act, chapter 36.70A RCW (GMA) requires Snohomish County to designate an urban growth area (UGA) within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature (RCW 36.70A.110(1)); and

WHEREAS, the Snohomish County Council designated a Final UGA for Maltby (Amended Ordinance 96-073) on November 27, 1996, after holding public hearings from October 14, 1996, through November 27, 1996, in conformance with the requirements of the GMA; and

WHEREAS, RCW 36.70A.130 and 36.70A.470 direct counties planning under the GMA to adopt procedures for interested persons to propose amendments and revisions to the comprehensive plan or development regulations; and

WHEREAS, the county council adopted chapter 32.07 SCC to comply with the requirements of RCW 36.70A.130 and .470; and

WHEREAS, nineteen proposals to amend the comprehensive plan and implementing development regulations, including a proposal to amend the boundary for the Maltby UGA, were submitted to the county for consideration for inclusion on the 2000 final docket; and

WHEREAS, the county council, after holding a public hearing, considered recommendations from the Snohomish County Department of Planning and Development Services (PDS), and included a proposal to amend the Maltby UGA on the 2000 final docket of proposed amendments to the plan and development regulations; and

WHEREAS, county council Motion 99-469 established the final docket of proposed amendments to the GMA comprehensive plan and development regulations, including, the proposal by Maltby Christian Assembly to amend the Maltby UGA, for the 2000 annual docketing cycle.

WHEREAS, PDS staff, pursuant to SCC 32.07.040, reviewed all remaining proposals of the 1996, 1997, 1998 and 1999 final dockets and determined that thirteen of the proposals could be reviewed and analysis could be completed within the time frame of the 2000 consolidated final docket review cycle including proposals to amend UGA boundaries, and forwarded a recommendation to the Snohomish County Planning Commission; and

WHEREAS, the 2000 consolidated final docket includes a proposal to amend the Maltby UGA, submitted by Maltby Christian Assembly; and

WHEREAS, pursuant to chapter 32.07 SCC, PDS completed final review and evaluation of the 2000 consolidated final docket, including the proposals to amend the map and text of the comprehensive plan, and forwarded a recommendation to the Snohomish County Planning Commission; and

WHEREAS, the planning commission held a public hearing on the 2000 consolidated docket, including proposals to amend UGA boundaries, on September 20, 2000 and forwarded a recommendation to the county council; and

WHEREAS, the county council held public hearings on December 6, December 13 and December 20, 2000, to consider the entire record and hear public testimony on Ordinance 00-094, adopting revisions to the Maltby UGA.

NOW, THEREFORE, BE IT ORDAINED:

**Section 1:** The county council makes the following findings of fact and conclusions:

- A. The county council hereby adopts and incorporates by reference the findings and conclusions adopted and the legislative records developed in adopting Amended Ordinance 96-073.
- B. The proposed expansion of the Maltby UGA is consistent with the Snohomish County Comprehensive Plan, General Policy Plan (GPP) Policy LU 1.A.9 since the proposal will not expand the UGA boundary for residential purposes.

- C. The proposed expansion of the Maltby UGA involves the addition of 13 acres to the UGA for development of a church and does not activate the buildable lands requirements in Countywide Planning Policy UG-14 because the expansion is not for residential, commercial or industrial uses. The proposal does involve the addition of commercially designated and zoned land to the UGA and, therefore, to ensure the development of the UGA expansion area for only church uses, the property owner has recorded a concomitant agreement restricting the use of the property to church and church-related activities.
- D. The proposed expansion to the Maltby UGA is consistent with GPP Policies LU 1.A.3 and LU 2.C.3 which require that new development within UGAs is provided with adequate infrastructure and services, including sanitary sewers.
- E. The proposed UGA amendment is consistent with the following final review and evaluation criteria of SCC 32.07.080:
  - 1. The proposed amendment maintains consistency with other elements of the GMA comprehensive plan;
  - 2. All applicable elements of the GMA comprehensive plan support the proposed amendment;
  - 3. The proposed amendment meets the goals, objectives, and policies of the GMA comprehensive plan as discussed in the specific findings; and
  - 4. The proposed UGA amendment is consistent with the countywide planning policies.
- F. The amendment to the GMA comprehensive plan satisfies the procedural and substantive provisions of and is consistent with the GMA.
- G. The amendment maintains the GMA comprehensive plan's consistency with the multi-county policies adopted by the Puget Sound Regional Council and with the countywide planning policies for Snohomish County.
- H. Cities have been notified and consulted regarding proposed amendments that affect UGAs or GPP FLUM designations within UGAs.
- I. There has been early and continuous public participation in the review of the proposed amendments.
- J. A Draft Supplemental Environmental Impact Statement (DSEIS) was issued on September 12, 2000 for this non-project action. The DSEIS addressed six of the

twelve 2000 final docket proposals (City of Everett Park Site, Heichel, Maltby Christian Assembly, Pilot Wheel Ranch, Wellington-Morris and Snohomish County Department of Public Works). A Final SEIS, including response to comments on the DSEIS, was prepared following the 30-day comment period and was issued on November 28, 2000. The purpose of the SEIS was to analyze potential significant adverse environmental impacts of the proposals and any alternatives that were not previously identified in the two EIS documents and a series of addenda prepared for the Snohomish County GMA Comprehensive Plan – General Policy Plan and Transportation Element between 1994 and 1999.

- K. The recommended amendments are within the scope of analysis contained in the FSEIS and associated adopted environmental documents.
- L. The SEPA requirements with respect to this proposed action have been satisfied by this document.
- M. The county council held public hearings on December 6, December 13 and December 20, 2000 to consider the planning commission's recommendations.

**Section 2.** The county council bases its findings of facts and conclusions on the entire record of testimony and exhibits, including all written and oral testimony before the planning commission and county council.

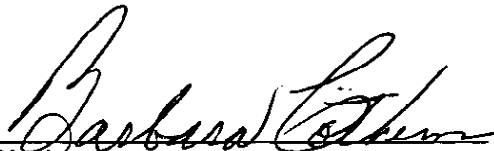
**Section 3.** The county council hereby amends Amended Ordinance 96-073 as adopted on November 27, 1996, to repeal Exhibits A and B which were therein incorporated and to replace and incorporate therein two new exhibits: (1) Exhibit A, which is a map that depicts the modified boundary for the Maltby UGA; and (2) Exhibit B, which is a county assessor's map that accurately depicts the revised UGA boundary for the Maltby UGA. Exhibits A and B are attached hereto and incorporated herein by this reference.

**Section 4.** The Future Land Use Map of the Snohomish County GMA Comprehensive Plan-General Policy Plan which was adopted as Map 4 to Exhibit A in Section 4 of Amended Ordinance 94-125 on June 28, 1995, and last amended by Emergency Ordinance 00-050 on July 26, 2000, is amended to show the redesignation of properties from Rural Residential and Rural/Urban Transition Area to Urban Commercial and to modify the boundary of the Maltby UGA as depicted in Exhibit A adopted in Section 3 of this ordinance.


**Section 5. Severability.** If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings Board (Board), or 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. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

PASSED this 20<sup>th</sup> day of December, 2000.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

  
Chairperson

ATTEST:

  
Clerk of the Council, *asst.*

- APPROVED
- EMERGENCY
- VETOED

DATE: 12-27-00

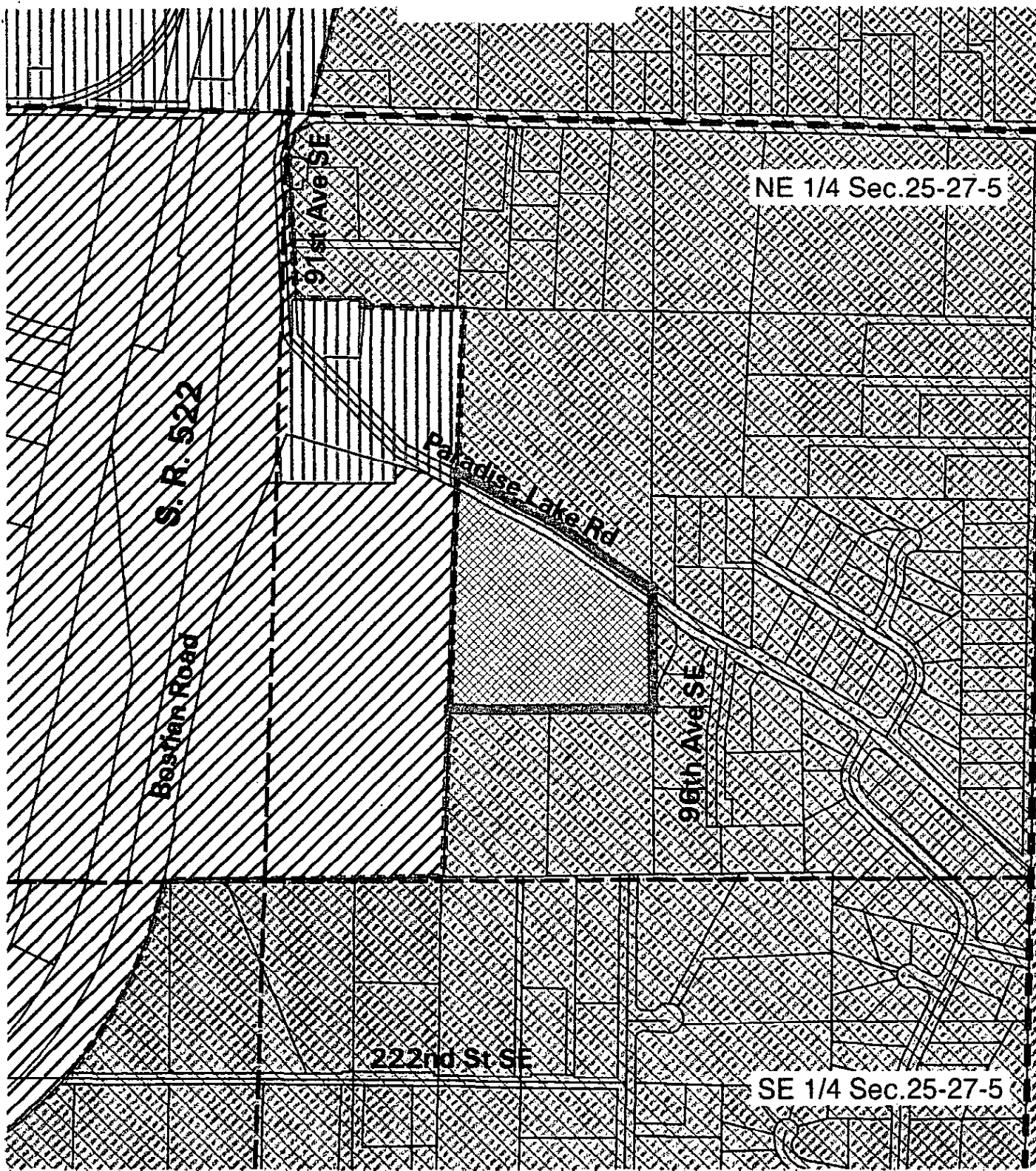
  
Snohomish County Executive

ATTEST: 

Approved as to form only:

  
Deputy Prosecuting Attorney

Exhibit A



2000 Docket

**Proposed Comprehensive Plan Amendment**  
**Maltby Christian Church**



Sept. 2000



LEGEND

Existing County Plan Designations

- Rural Residential (1 DU/5 Acres Basic)
- Urban Commercial
- Urban Industrial
- Rural/Urban Transition Area

Proposed Plan Amendment

- Maltby Christian Church: Redesignate Rural Residential-5 Basic and RUTA to Urban Commercial.
- Expand Maltby UGA.

- Incorporated Cities
- Existing Urban Growth Area Bdy.

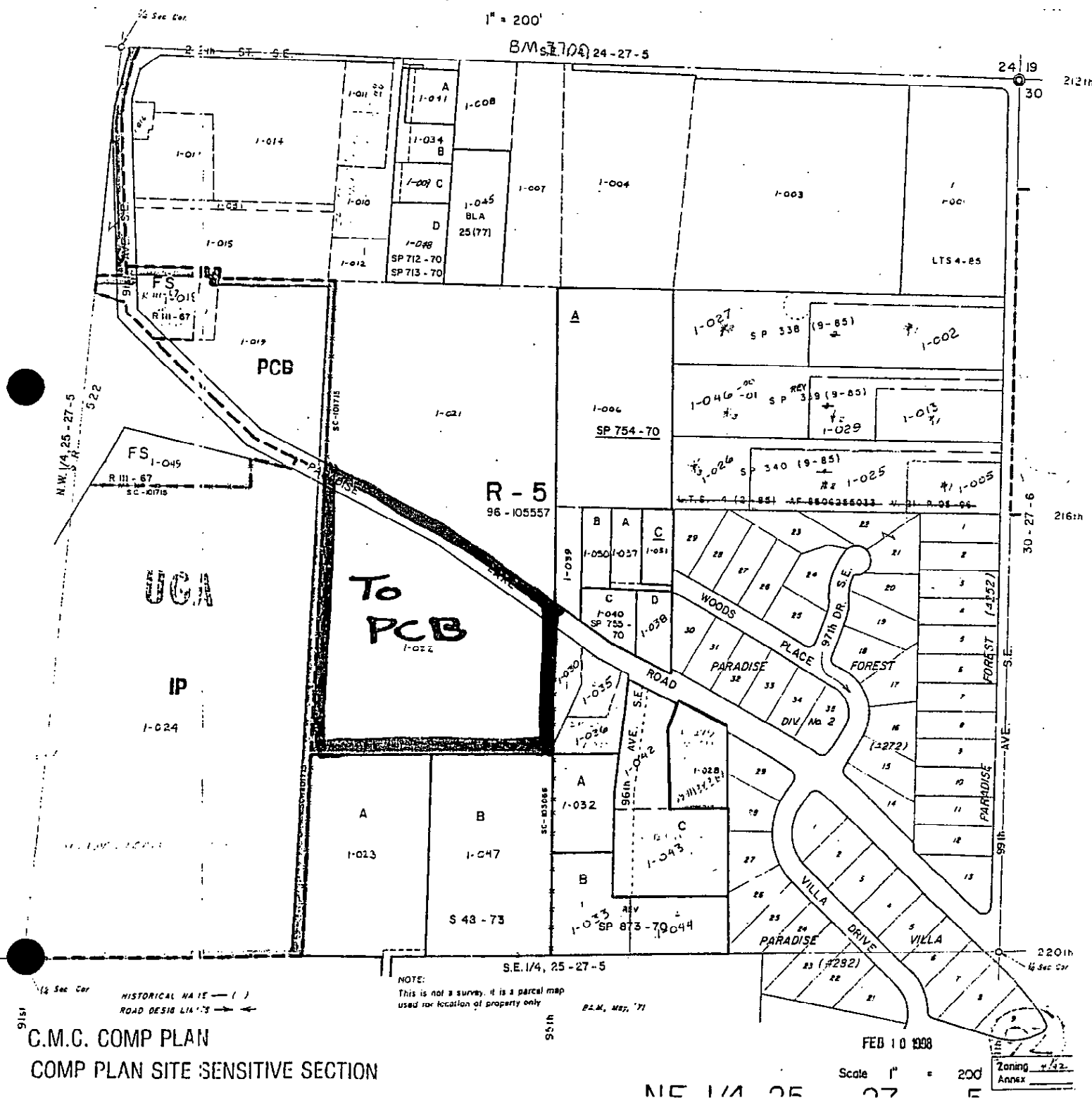
This map is a graphic representation derived from the Snohomish County Geographic Information System. It does not represent survey accuracy. Property lines are for illustrative purposes and depict only generalized parcels. Produced by Snohomish County Planning Division, Cartography Section; cbi; e:\dock\con00\malt.amf

Scale in Feet  
 0 250 500 750

Exhibit B

1" = 200'

B.M. 2704 24-27-5



NOTE:  
This is not a survey, it is a parcel map  
used for location of property only

B.M. 2704 '71

C.M.C. COMP PLAN  
COMP PLAN SITE SENSITIVE SECTION

FEB 10 1998

Scale 1" = 200'

NE 1/4 25-27-5

Zoning Annex