



SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 03-091

REVISING THE EXISTING URBAN GROWTH AREA
FOR THE CITY OF MARYSVILLE; ADOPTING MAP AMENDMENTS
TO THE GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN;
AND ADOPTING COUNTY-INITIATED AREA-WIDE REZONES
PURSUANT TO CHAPTER 30.74 SCC; AND AMENDING
AMENDED ORDINANCE 94-120, AMENDED ORDINANCE 94-125,
AND ORDINANCE NO. 98-142

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 Arlington, Marysville and the Smokey Point area on June 28, 1995 (Amended Ordinance 94-120) after holding public hearings from April 19, 1994, through January 18, 1995, in conformance with the requirements of the GMA; and

WHEREAS, on June 28, 1995, the county council approved Amended Ordinance 94-125 which adopted a GMA Comprehensive Plan including a General Policy Plan and Future Land Use (FLU) map; and

WHEREAS, the county council amended the Final UGA for the City of Marysville (Ordinance 98-142) on January 11, 1999, 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 30.74 SCC to comply with the requirements of RCW 36.70A.130 and .470 to allow interested persons to propose amendments to the GMA comprehensive plan and/or development regulations; and

WHEREAS, Snohomish County Department of Planning and Development Services (PDS) staff, pursuant to the SCC 30.74.030, reviewed all proposals on the docket and

determined that twenty-one of the proposals could be reviewed and analysis could be completed within the time frame of the 2003 final docket review cycle; and

WHEREAS, the 2003 final docket includes the proposal to amend the General Policy Plan (GPP) FLU map submitted by Allen Creek Baptist Church; and

WHEREAS, pursuant to chapter 30.74 SCC, PDS completed final review and evaluation of the 2003 final docket including the proposals to amend the map of the comprehensive plan and/or rezones to implement proposals to amend the comprehensive plan map and forwarded a recommendation to the Snohomish County Planning Commission; and

WHEREAS, the planning commission held a public hearing on several docket proposals, including the Allen Creek Baptist Church proposal, on May 27, 2003 and forwarded a recommendation to the county council; and

WHEREAS, the county council held a public hearing on July 30, August 13, and September 10, 2003, to consider the entire record and hear public testimony on Ordinance 03-091, adopting map and text amendments to the comprehensive plan and implementing development regulations

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 94-120, Amended Ordinance 94-125 and Ordinance 98-142.
- B. The proposal by Allen Creek Baptist Church to expand the Marysville UGA to include 3.5 acres to be redesignated from Rural Residential to Public/Institutional Use is consistent with GPP Policy LU 1.A.9 and meets all of the conditions in this policy for expansion of an individual UGA to include public/institutional land.
- C. The proposed expansion to the Marysville UGA is consistent with GPP Policies LU 1.A.3 and LU 2.C.3 which require that new development within UGAs are provided with adequate infrastructure and services.
- D. The proposed UGA amendment is consistent with the following final review and evaluation criteria of SCC 30.74.04:
 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.
- E. The amendment to the GMA comprehensive plan satisfies the procedural and substantive provisions of and is consistent with the GMA.
- F. 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.
- G. Cities have been notified and consulted with regarding proposed amendments that affect UGAs or GPP FLU map designations within UGAs.
- H. There has been early and continuous public participation in the review of the proposed amendments.
- I. The GMA requires the county to adopt development regulations, including zoning maps that are consistent with the county's adopted GMA comprehensive plan.
- J. The proposed area-wide rezone (Exhibit C, Map 10a) is consistent with the following initial criteria for rezone requests in SCC 30.74.040:
1. Where applicable, the proposed rezone is necessary because an amendment to the future land use map of the GPP has also been proposed that meets the initial evaluation criteria listed in SCC 30.74.030.
 2. Public facilities and services necessary for development are available or programmed to be provided to the site of the proposed rezone, consistent with the GMA comprehensive plan or development regulations as determined by applicable service providers.
 3. The proposed rezone does not require a concurrent site plan approval because there is an absence of special site conditions and applicable GPP or subarea policies.
- K. The proposed area-wide rezone is consistent with the GMA comprehensive plan and consistent with the provisions of the GMA.
- L. The county council concludes that the proposed area-wide rezone implements the county's GMA comprehensive plan.

- M. The county council concludes that the proposed area-wide rezone bears a substantial relationship to the public health, safety and welfare.
- N. Addendum No. 36 to the Final Environmental Impact Statement (EIS) was issued on May 23, 2003, for seven docket proposals including Allen Creek Baptist Church for this non-project action. This Addendum adds information and analysis of previously identified significant impacts and alternatives to the county's GMA Comprehensive Plan/General Policy Plan EIS dated April 11, 1994 (Draft EIS) and June 21, 1995 (Final EIS). The information in Addendum No. 36 expanded on previous identified alternatives, but did not substantially change the analysis of significant impacts and alternatives analyzed in the county's existing adopted environmental documents. No additional significant impacts beyond those identified in the original EIS were expected to occur.
- O. The SEPA requirements with respect to this proposed action have been satisfied by this document.
- P. The county council held a public hearing on July 30, August 13, and September 10, 2003 to consider the planning commission's recommendations.
- Q. The public was notified of the public hearings held by the planning commission and the county council by means of published legal notices in The (Everett) Herald and local newspapers.
- R. The proposal has been broadly disseminated and opportunities have been provided for written comments and public hearing after effective notice.

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 Ordinance 98-142, adopted on January 11, 1998, to modify Exhibits A and B which were therein incorporated and hereby adopts two new exhibits: (1) Exhibit A, Map 10 ("Proposed Comprehensive Plan Amendment, Allen Creek Baptist Church") which is a map that depicts the modified UGA boundary for the Marysville UGA; and (2) Exhibit B which is a county assessor's map that accurately depicts the revised UGA boundary for the Marysville UGA. Exhibits A and B are attached hereto and incorporated herein by this reference.

Section 4. The FLU 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 Ordinance 03-049 on June 4, 2003, is amended to show the boundary of the Marysville UGA as depicted in Exhibit

A, Map 10 which is attached hereto and incorporated by reference into this ordinance as if set forth in full.


Section 5. Based on the foregoing findings and conclusions, the county council hereby adopts the area-wide rezones as mapped in the following documents which are attached hereto and incorporated by reference into this ordinance as if set forth in full:

- A. Assessor maps showing the rezones incorporated herein as Exhibit B; and
- B. Map 10a and incorporated herein as Exhibit C.

Section 6. Severability. If any provision of this ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remainder of this ordinance. Provided, however, that if any provision of this ordinance is held invalid or unconstitutional, then the provision in effect prior to the effective date of this ordinance shall be in full force and effect for that individual provision as if this ordinance had never been adopted.

PASSED this 10th day of September, 2003.

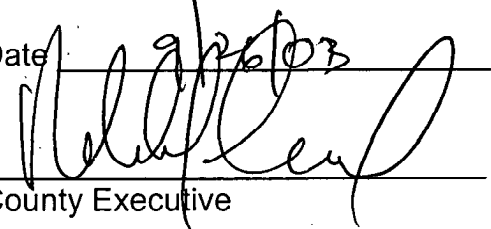
SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Gary Nelson, Council Chair

ATTEST:


Clerk of the County Council, *asst.*

- Approved
- Emergency
- Vetoed

Date: 9/26/03

County Executive

APPROVAL AS TO FORM ONLY

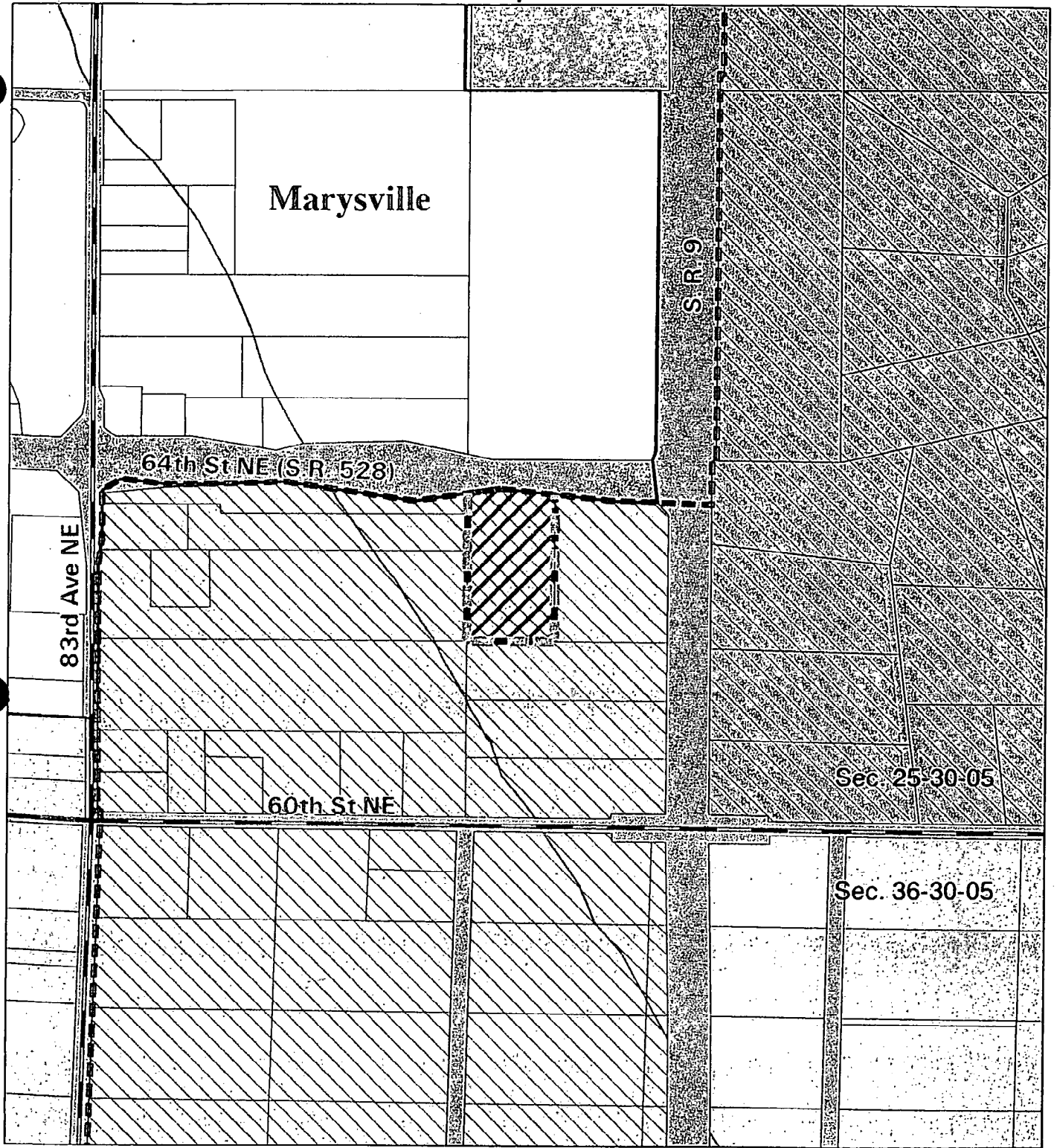
Deputy Prosecuting Attorney

ATTEST:

 Date: 9/24/03

D-14

Map 10








Snohomish County 2003 Docket
Proposed Comprehensive Plan Amendment
Allen Creek Baptist Church




May 2003

LEGEND

Existing County Plan Designations


-  Rural Residential (1 DU/5 Acres Basic)
-  Rural Residential-5 (1 DU/5 Acres)
-  Urban Low Density Residential (4-6 DU/Acre)
-  Urban Low Density Residential - Limited (4-5 DU/Acre for Marysville UGA Only)
-  Rural/Urban Transition Area

Proposed Plan Amendment

-  Allen Creek Baptist Church: Redesignate Rural Residential (1 DU/5 Acres Basic) and Rural/Urban Transition Area to Public/Institutional Use

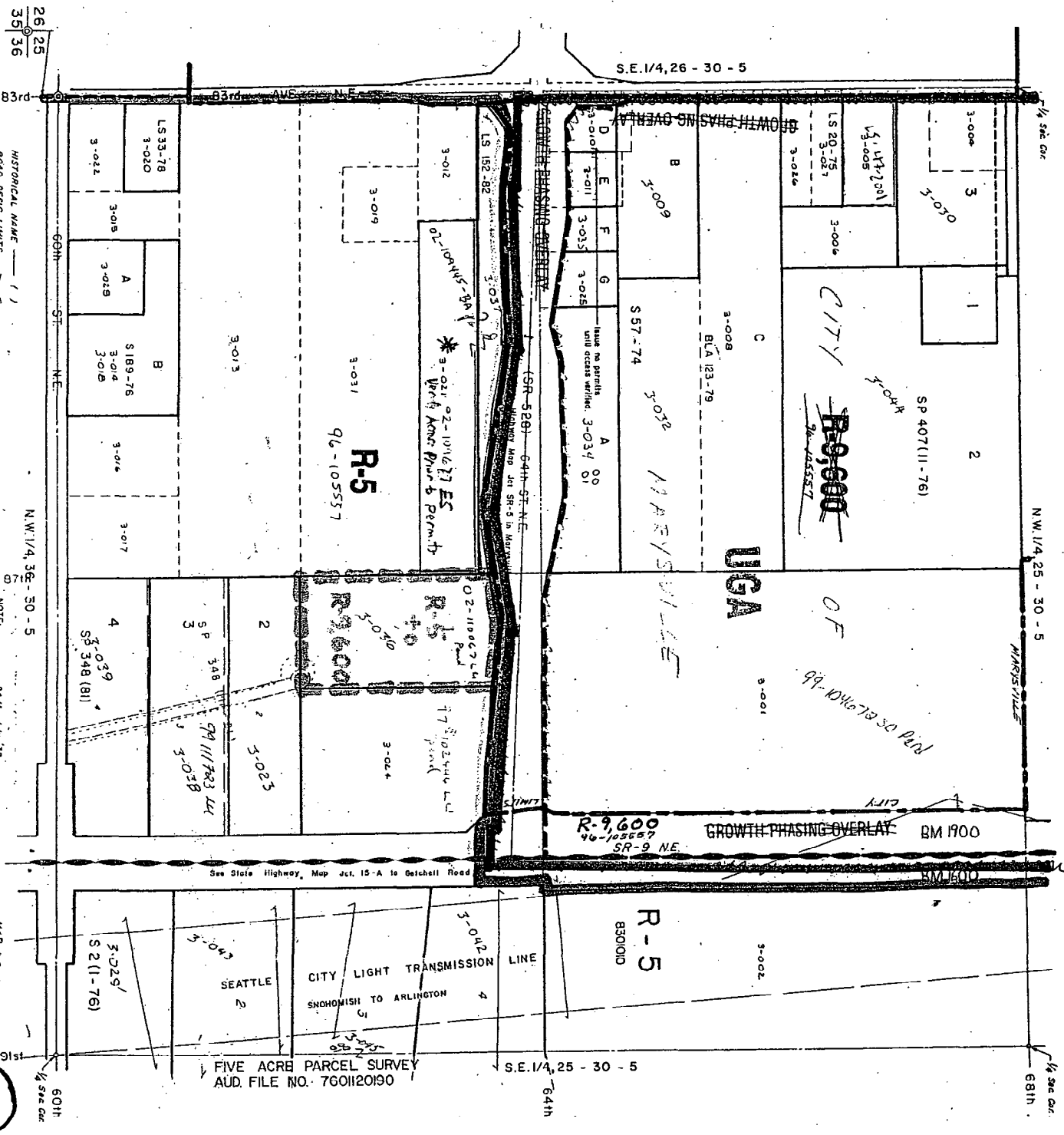
 Expand Marysville UGA.

 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. Open water bodies: aerial photo update 1998. Produced by Snohomish County Planning Div., GIS Team; cbl; c:/dock/dock03/allencreek_ftu.ami

Scale in Feet 0 250 500



COMP PLAN SITE SENSITIVE SECTION
 SHORELINE ENVIRONMENT
 MARYSVILLE C.P.

NOTE:
 This is not a survey. It is a parcel map
 used for location of property only

S.W. 1/4, 25 - 30 - 5

Scale 1" = 200'

23

26 25
 35 36

HISTORICAL NAME
 ROAD BEING LIMITS

N.W. 1/4, 26 - 30 - 5

MAR 03 1952

60th
 1/4 Sec. Cor.

FIVE ACRE PARCEL SURVEY
 AUD. FILE NO. 7601120190

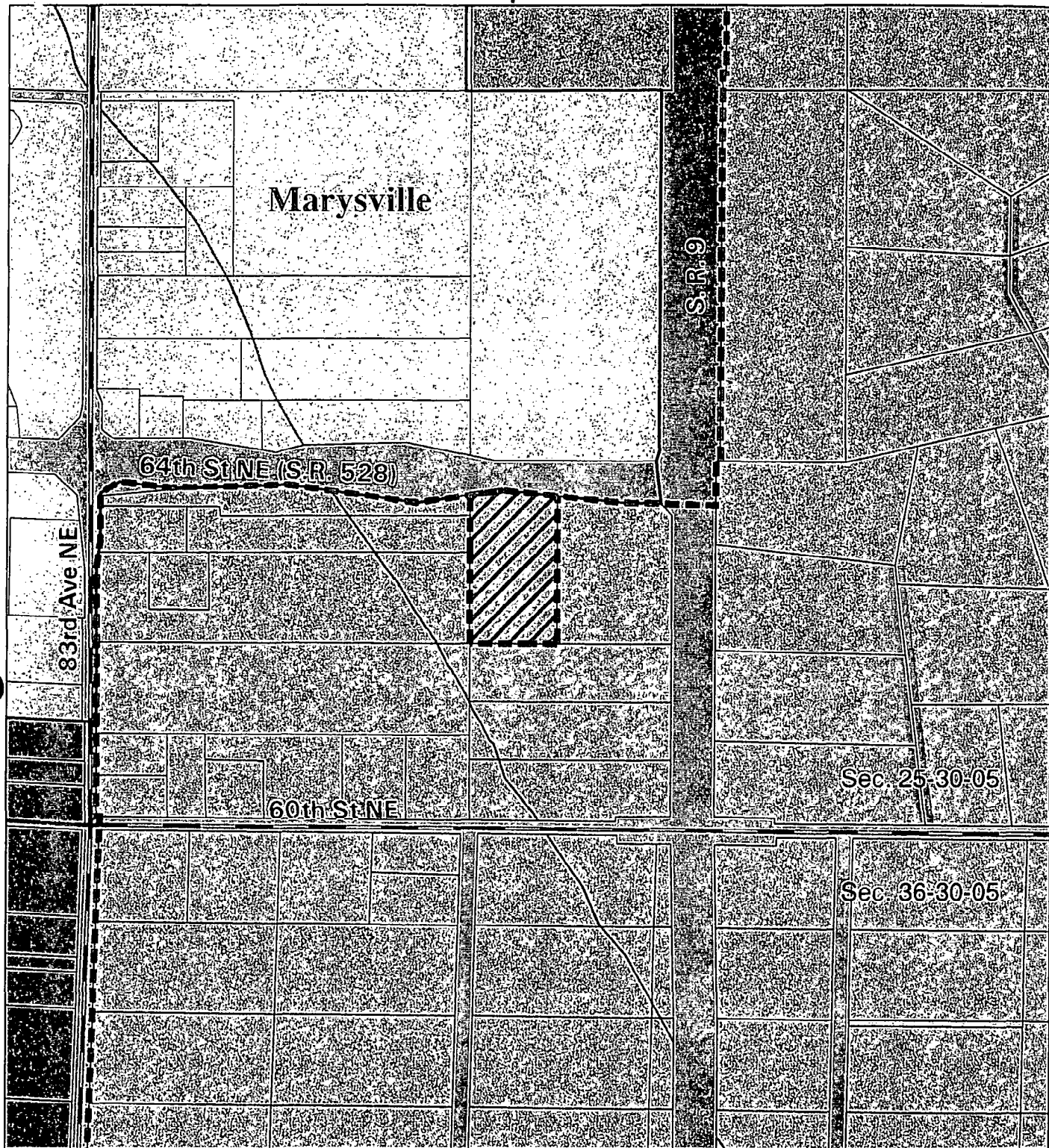
S.E. 1/4, 25 - 30 - 5

S.E. 1/4, 26 - 30 - 5

N.W. 1/4, 25 - 30 - 5

68th
 1/4 Sec. Cor.

Map 10a






Snohomish County 2003 Docket
 Implementing Rezone
Allen Creek Baptist Church

444
 Snohomish County


May 2003

LEGEND

Existing Zoning:

-  Rural-5 Acre
-  Residential 9,600
-  Residential 7,200

Proposed Rezone:

-  Allen Creek Baptist Church:
 Rezone from
 Rural-5 Acre
 to
 Residential 9,600

-  Incorporated Cities
-  Existing Urban Growth Area Bdy.

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Scale in Feet 0 250 500