



CO0003152

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 03-098

ADOPTING TEXT AMENDMENTS TO THE GROWTH MANAGEMENT ACT
COMPREHENSIVE PLAN PURSUANT TO CHAPTER 30.74 SCC RELATED TO
RURAL BUSINESS ZONING, AMENDING AMENDED ORDINANCE 94-125

WHEREAS, RCW 36.70A.130 and 36.70A.470 direct counties planning under the Growth Management Act (GMA) to adopt procedures for interested persons to propose amendments and revisions to 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 – Phase 3 includes a proposal to amend policies in the General Policy Plan (GPP) related to Rural Business zoning submitted by the Snohomish County Council (County Council Koster B proposal); and

WHEREAS, pursuant to chapter 30.74 SCC, PDS completed final review and evaluation of the 2003 final docket – Phase 3, including the County Council Koster B proposal, and forwarded a recommendation to the Snohomish County Planning Commission; and

WHEREAS, the planning commission held public hearings on the 2003 final docket for the phase 3 proposals on June 10 and June 24, 2003 and forwarded a recommendation to the county council; and

WHEREAS, the county council held public hearings on August 13, and September 10, 2003 to consider the entire record and hear public testimony on Ordinance 03-098, adopting text amendments to the comprehensive plan.

NOW, THEREFORE BE IT ORDAINED:

Section 1. The county council makes the following findings of fact and conclusions regarding the proposal to amend the comprehensive plan on the 2003 final docket – Phase 3:

- A. The County Council Koster B proposal to amend the General Policy Plan (GPP) to allow Rural Business zoned sites closer than one mile from an existing UGA boundary is consistent with GPP Objective LU 6.F to provide for small-scale, commercial developments that support the immediate rural population with necessary goods and services and GPP Policy LU 6.F.2 that Rural Business zoning and development standards provide appropriate rural locations for small-scale retail and service uses and minimize impacts to residential areas, resource lands and critical areas.
- B. The County Council Koster B proposal to allow expansion of only existing Rural Business zoned sites located less than two and a half miles from existing rural commercial and/or rural industrial designated or zoned sites, up to the allowable five-acre maximum, is consistent with GPP Objective LU 6.F to provide for small-scale, commercial developments that support the immediate rural population with necessary goods and services and GPP Policy LU 6.F.2 that Rural Business zoning and development standards should provide appropriate rural locations for small-scale retail and service uses and minimize impacts to residential areas, resource lands and critical areas.
- C. The County Council Koster B proposal is consistent with the following final review and evaluation criteria of SCC 30.74.060(2):
 - 1. The proposed amendments maintain consistency with other elements of the GMA comprehensive plan;
 - 2. All applicable elements of the GMA comprehensive plan support the proposed amendments;
 - 3. The proposed amendments more closely meet the goals, objectives and policies of the GMA comprehensive plan as discussed in the specific findings; and
 - 4. The proposed GMA comprehensive plan text amendments are consistent with the countywide planning policies (CPPs).
- D. The amendments maintain the GMA comprehensive plan's consistency with the multi-county policies adopted by the Puget Sound Regional Council.
- E. The county has notified and consulted with cities regarding proposed amendments that affect UGAs or FLU map designations within UGAs.

- F. There has been early and continuous public participation in the review of the proposed amendments.
- G. Addendum No. 36 to the Final Environmental Impact Statement (EIS), issued on May 23, 2003, addresses the County Council Koster B proposal. 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
- H. The SEPA requirements with respect to this proposed action have been satisfied by these documents.
- I. The county council held public hearings on August 13, and September 10, 2003 to consider the planning commission's recommendations.
- J. 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.
- K. The proposal has been broadly disseminated and opportunities have been provided for written comments and public hearing after effective notice.

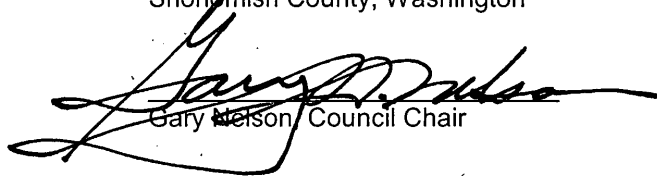
Section 2. The county council bases its findings of facts and conclusions on the entire record of the planning commission and the county council, including all testimony and exhibits.

Section 3. Based on the foregoing findings and conclusions, the Snohomish County GMA Comprehensive Plan – General Policy Plan adopted as Exhibit A in Section 4 of Amended Ordinance No. 94-125 on June 28, 1995, and last amended by Ordinance No. 03-049 on June 4, 2003, is amended as indicated in Exhibit A (GPP Text Amendments) which is attached hereto and incorporated by reference into this ordinance as if set forth in full.

Section 4. 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.

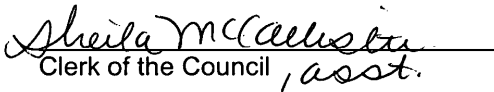
PASSED this 10th day of September, 2003.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Gary Nelson, Council Chair

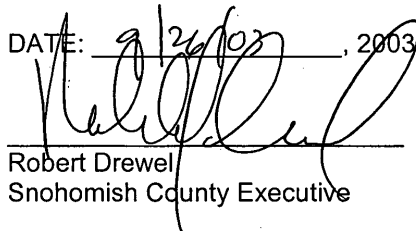
ATTEST:



Sheila McCallister
Clerk of the Council, asst.

- APPROVED
- EMERGENCY
- VETOED

DATE: 9/26/03, 2003



Robert Drewel
Snohomish County Executive

ATTEST: Laura Nelson

Approved as to form only:

Deputy Prosecuting Attorney

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EXHIBIT A

GPP TEXT AMENDMENTS

1. County Initiated Amendments (County Council Koster B)

Amend Policy 6.F.7 on pages LU-29 and LU-30 to read as follows:

6.F.7 New Rural Business zones may only be approved in Rural Residential plan designations if they meet the following locational criteria:

(a) A minimum of six hundred residential dwelling units shall be located within a two and one-half mile radius of the proposed site.

(b) The site is located along a county road or state highway with at least one hundred feet of street frontage or at an intersection of two public roads.

(c) No ~~new other~~ areas designated or zoned for commercial uses shall be located closer than two and one-half miles in the rural area.

(d) The total area zoned for Rural Business at any given location shall not include more than five acres of net usable area. Net usable area shall be the total site area less critical areas and their required buffers, roads, detention/retention areas, and biofiltration swales. Parcels within a Rural Business location shall have common boundaries unless separated by public rights-of-way.

(e) The size and configuration of the area to be zoned must be capable of accommodating setbacks, buffers, critical area protection, and other site planning and design techniques that permit small-scale, rural commercial development characteristics.

(f) ~~Sites shall be located no closer than one mile to a UGA boundary.~~