



SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 08-034

RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE
MAP AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT
ACT COMPREHENSIVE PLAN (GMACP) AND ZONING MAP AMENDMENTS
TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP FOR THE SOUTHWEST
URBAN GROWTH AREA (SW 35 MCNAUGHTON GROUP)

WHEREAS, RCW 36.70A.130 and .470 direct counties planning under the Growth
Management Act (GMA) to adopt procedures for interested persons to propose amendments and
revisions to the GMACP or development regulations; and

WHEREAS, the Snohomish County Council adopted chapter 30.74 SCC,
"Growth Management Act Public Participation Program Docketing," to comply with the
requirements of RCW 36.70A.130 and .470; and

WHEREAS, the Snohomish County Council has determined that the consideration of the
proposed amendments and revisions to the GMACP and development regulations would promote
a county purpose as established under RCW 36.70A.130, RCW 36.70A.470 and chapter 30.74
SCC; and

WHEREAS, on May 21, 2007, and May 29, 2007, the Snohomish County Council held
public hearings to receive public testimony on proposed county and non-county initiated
amendments to the GMACP for consideration on the 2007 Final Docket XII; and

WHEREAS, the Snohomish County Council, on June 25, 2007, approved, by Motion No.
07-182, a list of proposed comprehensive plan amendments for inclusion on Final Docket XII
and authorized the County Executive, through the Department of Planning and Development
Services (PDS), to process Final Docket XII consistent with chapters 30.73 and 30.74 SCC; and

WHEREAS, Final Docket XII, including the proposals to amend the map and text of the
GMACP were presented to the Planning Advisory Committee (PAC) of Snohomish County
Tomorrow (SCT); and

WHEREAS, pursuant to chapter 30.74 SCC, PDS completed final review and evaluation
of Final Docket XII, including the proposals to amend the map and text of the GMACP, and
forwarded recommendations to the Snohomish County Planning Commission; and

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FOR THE SOUTHWEST URBAN GROWTH AREA (SW35 MCNAUGHTON GROUP)

1 WHEREAS, the Snohomish County Planning Commission held a public hearing and
2 received public testimony on Final Docket XII on January 22, 2008, and January 29, 2008; and
3

4 WHEREAS, on January 29, 2008, the Snohomish County Planning Commission
5 deliberated on Final Docket XII at the conclusion of the public hearing and voted to recommend
6 adoption of the proposed GMACP and regulatory amendments, with certain modifications as
7 enumerated in its recommendation letter of February 26, 2008; and
8

9 WHEREAS, the Snohomish County Council held a public hearing on April 30, 2008,
10 continued to May 12 and June 3, 2008, to consider the entire record, including the Planning
11 Commission recommendations on Final Docket XII, and to hear public testimony on this
12 Amended Ordinance No. 08-034.
13

14 NOW, THEREFORE, BE IT ORDAINED:
15

16 **Section 1.** The county council makes the following findings:
17

18 A. The county council adopts and incorporates the foregoing recitals as findings as if set forth
19 fully herein.

20 B. The proposal by the McNaughton Group (SW 35) is to redesignate 2.67 acres from Urban
21 Low Density Residential to Urban Commercial and to rezone from R-9,600 to Community
22 Business and is located in the Southwest Urban Growth Area (SW UGA), northeast of the
23 intersection of 196th Street SE and 35th Avenue SE.

24 C. The GPP states that the county may use detailed planning processes to plan for Neighborhood
25 Commercial Centers showing the characteristics identified in GPP Policy LU 5.A.6 (a)
26 through (d). As of the effective date of this ordinance, the county has not conducted such
27 planning processes or adopted any plans for such centers. In the absence of such plans, these
28 characteristics may be used merely as guidelines in the review of proposed comprehensive
29 plan and zone amendments. These guidelines are not mandatory and do not have to be
30 completely or fully met until the county elects to undertake the planning process(es)
31 suggested in GPP Policy LU 5.A.6, at which time the characteristics should be fully
32 considered.

33 D. The proposal is consistent with the following characteristics identified in General Policy Plan
34 (GPP) Policy LU 5.A.6 which provides direction for more detailed planning processes for
35 sites within Urban Growth Areas that may be developed as Neighborhood Commercial
36 Centers:

37 1. *A variety of small-scale commercial uses, public buildings, and mixed-use development*
38 *within one-half mile or a fifteen minute walking distance for the majority of neighborhood*
39 *residents; The proposal site is in close proximity to several pending single family*
40 *residential developments in the neighborhood and within one-half mile of a designated*
41 *Urban Village site on Maltby Road.*

42 2. *Approximately 3 acres in size; The proposal site is approximately 3 acres in size.*

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1 . 3. *Served by public transportation;* The proposal site is within Community Transit's
2 identified Cathcart/Clearview/Maltby potential annexation area to the public transit benefit
3 area (PTBA) according to its recently adopted 6-year Transit Development Plan (TDP).
4 Due to substantial growth, the TDP determined that transit service can be reasonably
5 provided within this potential annexation area without reducing service in other areas
6 currently in the PTBA. The TDP recommends that Community Transit, by 2010, place on
7 the ballot for voter consideration identified PTBA annexation proposals, including the
8 Cathcart/Clearview/Maltby area. The area including SW 35 would be eligible for public
9 transit service once it is annexed to the PTBA.

10 4. *Compatible with adjacent uses;* The proposal would be compatible with the surrounding
11 future single family residential neighborhood because amenities such as pedestrian access
12 to the site will be provided as adjoining development is completed.

13 E. The proposal is consistent with the following Countywide Planning Policies (CPPs):

14 1. CPPs UG-5 and UG-11, which ensure that the siting and development of urban growth
15 areas support pedestrian, bicycle and transit compatible design and encourages mixed use
16 that is pedestrian friendly and transit compatible.

17 2. CPP OD-1 "Promote development within urban growth areas in order to use land
18 efficiently."

19 3. CPP OD-8 "Encourage land use, economic and housing policies that co-locate jobs and
20 housing to optimize use of existing and planned transportation systems and capital
21 facilities."

22 4. CPP HO-2 "Make adequate provisions for existing and projected housing needs of all
23 economic segments of the county."

24 F. A Determination of Nonsignificance was issued on December 26, 2007, for the proposed
25 amendment. PDS, as the lead agency, determined that this proposal does not have a
26 probable, significant adverse impact on the environment.

27 G. The county council includes in its findings and conclusions the final review and evaluation of
28 the proposal completed by PDS in accordance with chapter 30.74 SCC, which is hereby made
29 a part of this ordinance as if set forth herein.

30
31 **Section 2.** The county council makes the following conclusions:

32
33 A. The proposal by the McNaughton Group (SW 35) to redesignate 2.67 acres from Urban Low
34 Density Residential to Urban Commercial and to rezone from R-9,600 to Community
35 Business and located in the Southwest Urban Growth Area (SW UGA), northeast of the
36 intersection of 196th Street SE and 35th Avenue SE, more closely meets the goals, objectives
37 and policies of the GPP than the existing plan designation.

38 B. The proposed Future Land Use (FLU) map and zoning map amendments are consistent with
39 the following final review and evaluation criteria of SCC 30.74:

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- 1 1. The proposed amendments maintain consistency with other elements of the GMACP.
- 2 2. All applicable elements of the GMACP support the proposed amendments.
- 3 3. The proposed amendments meet the goals, objectives, and policies of the GMACP as
- 4 discussed in the specific findings.
- 5 4. The proposed amendments are consistent with the CPPs.
- 6 5. The proposed amendments comply with the GMA.
- 7 6. New information is available which was not considered at the time the plan or regulation
- 8 was amended.
- 9 C. The revisions to the FLU map are consistent with the forecasted population and employment
- 10 growth for the succeeding 20-year period, consistent with the forecast promulgated by the
- 11 Washington State Office of Financial Management.
- 12 D. The amendments are consistent with the GMA requirement that the comprehensive plan of a
- 13 county or city be an internally consistent document (RCW 36.70A.070).
- 14 E. The amendments to the GMACP satisfy the procedural and substantive requirements of the
- 15 GMA.
- 16 F. The amendments maintain the GMACP's consistency with the CPPs for Snohomish County.
- 17 G. The proposed amendments meet the goals, objectives and policies of the GMACP as
- 18 discussed in the specific findings.
- 19 H. All SEPA requirements with respect to this non-project action have been satisfied.
- 20 I. The County complied with state and local public participation requirements under the GMA
- 21 and chapter 30.73 SCC.

22 **Section 3.** The county council bases its findings and conclusions on the entire record of the
23 county council, including all testimony and exhibits. Any finding, which should be deemed a
24 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.
25

26 **Section 4.** Based on the foregoing findings and conclusions, the Snohomish County GMA
27 Comprehensive Plan – General Policy Plan Future Land Use Map last amended by Ordinance
28 No. 07-139, is amended as indicated in Exhibit A to this ordinance which is attached hereto and
29 incorporated by reference into this ordinance as if set forth in full.
30

31 **Section 5.** Based on the foregoing findings and conclusions, the area-wide zoning map, last
32 amended by Ordinance No. 07-139, is amended as indicated in Exhibit B to this ordinance,
33 which is attached hereto and incorporated by reference into this ordinance as if set forth in full.
34

35 **Section 6.** The county council directs the Code Reviser to update SCC 30.10.060 pursuant to
36 SCC 1.02.020(3).
37

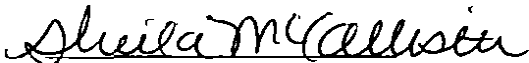
1 **Section 7. Severability.** If any section, sentence, clause or phrase of this ordinance shall be held
2 to be invalid or unconstitutional by the Growth Management Hearings Board, or a court of
3 competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
4 constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided,
5 however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by
6 the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect
7 prior to the effective date of this ordinance shall be in full force and effect for that individual
8 section, sentence, clause or phrase as if this ordinance had never been adopted.

9
10 PASSED this 3rd day of June, 2008.

11
12 SNOHOMISH COUNTY COUNCIL
13 Snohomish County, Washington


14
15 
16 _____
17 Council Chair

17 ATTEST:

18
19 
20 _____
21 Asst. Clerk of the Council

- 22 APPROVED
23 EMERGENCY
24 VETOED

25 DATE: 10 June, 2008

26
27 
28 _____
29 Snohomish County Executive
30 PETER B. CAMP
31 Executive Director

30 ATTEST:

31 
32 _____
33

34 Approved as to form only:

35
36 _____
37 Deputy Prosecuting Attorney

D-12

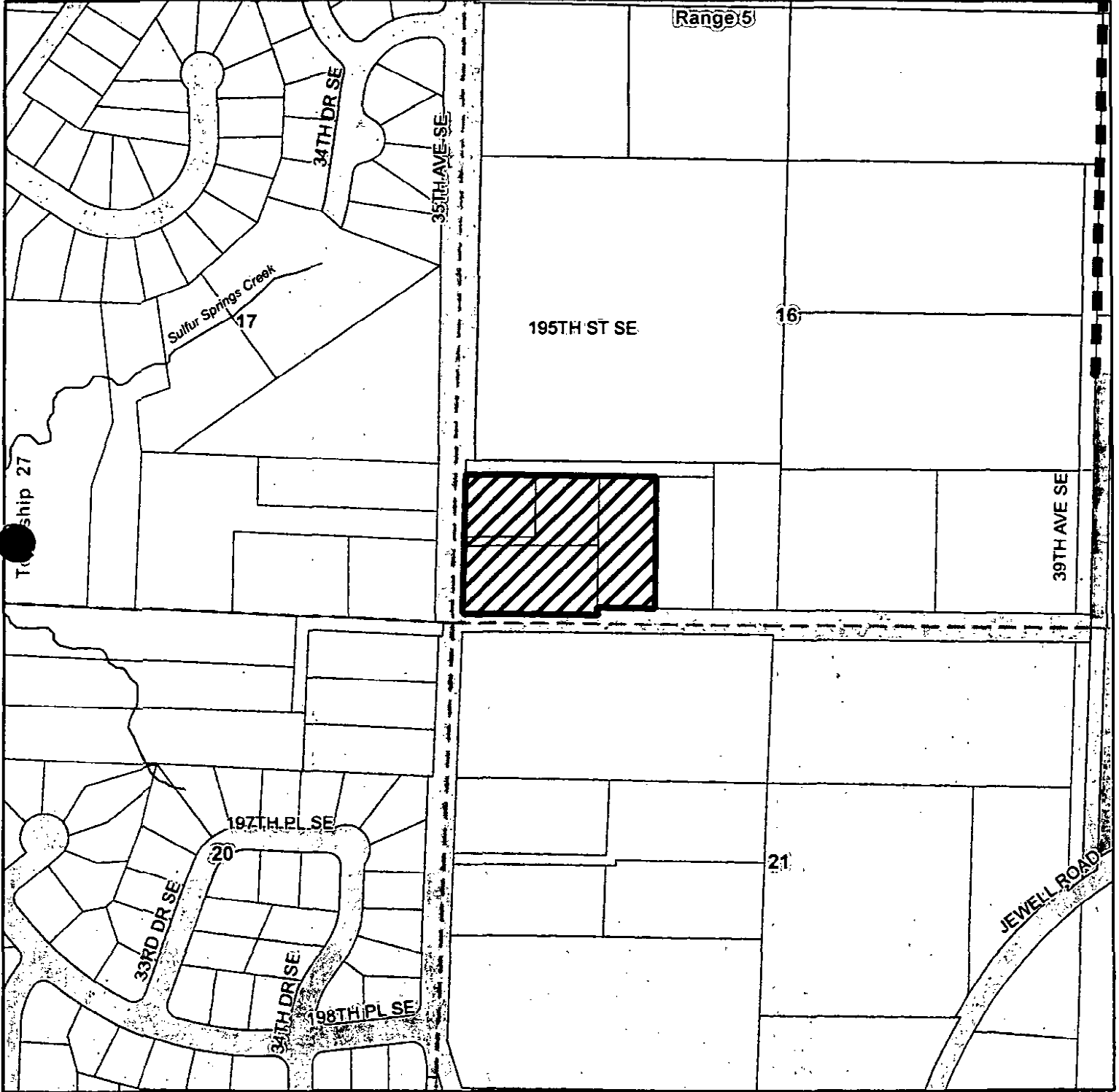
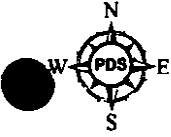
Exhibit A
Amended Ordinance No. 08-034
Final Docket XII, Future Land Use Map Amendments
SW 35 McNaughton Group #3

AMENDED ORDINANCE No. 08-034
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Docket XII

Final List of Proposed Amendments (Motion No. 07-182)
Proposed Comprehensive Plan Amendment

McNaughton Group # 3 (SW35)



Proposed Plan Amendment:

McNaughton Group #3

Redesignate Urban Low Density Residential (4-6 DU/Ac.) to Urban Commercial

Existing Plan Designations

- Urban Low Den. Res. (4-6 DU/Ac.)
- Urban Med. Den. Res. (6-12 DU/Ac.)
- Public/Institutional Use

UGA Boundary

- Cities
- Assessor Parcels
- Township-Range Grid
- Section Grid



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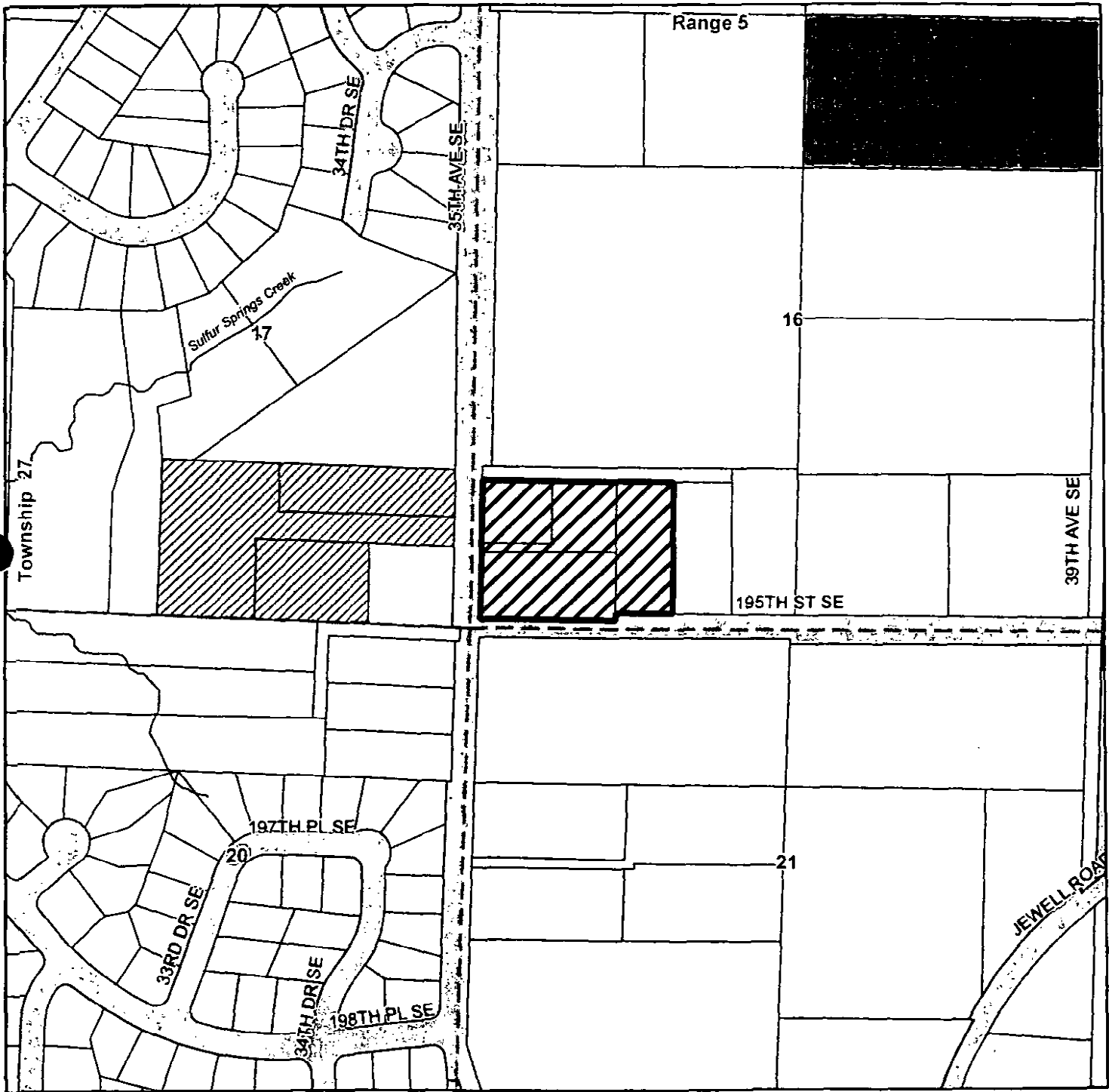
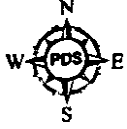
Exhibit B
Amended Ordinance No. 08-034
Final Docket XII, Zoning Map Amendments
SW 35 McNaughton Group #3

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Docket XII

Final List of Proposed Amendments (Motion No. 07-182)
Proposed Areawide Rezone

McNaughton Group # 3 (SW35)



Proposed Rezone:

McNaughton Group #3

Rezone R-9,600 to
Community Business

Existing Zoning:

LDMR
 R-7,200(PRD)
R-9,600

- UGA Boundary
- Cities
- Assessor Parcels
- Township-Range Grid
- Section Grid



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Map Document: (\\p\plc\carto\doctoket\Docket 2007\Map\individual\Final_Docket\UrbanLU Re-Design\McNaughton #3_Zoning.mxd) 1/4/2008