



CO00032882

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 08-037

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 38 CLAY ENTERPRISES)

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

AMENDED ORDINANCE No. 08-037
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 38 CLAY ENTERPRISES)

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. 08-037.
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 Clay Enterprises (SW 38) is to redesignate 0.50 acres from Urban High
21 Density Residential to Urban Commercial and to rezone from Multiple Residential (MR) to
22 Community Business (CB) and is located in the Southwest Urban Growth Area, (SW UGA)
23 on the east side of 24th Ave West, north of 196th St. SW.
- 24 C. The proposal is consistent with the following characteristics identified in General Policy Plan
25 (GPP) Policy LU 5.A.7 which provides direction for more detailed planning processes within
26 Urban Growth Areas that may be developed for Commercial Centers:
- 27 1. *Approximately 20 to 25 acres in size;* This small 0.50 acre proposal is an addition to an
28 existing 20-25 acre GPP Future Land Use (FLU) map designation of Urban Commercial.
 - 29 2. *Serving several neighborhoods within a radius of approximately two miles;* Several
30 neighborhoods with GPP FLU map designations of Urban Low, Medium and High
31 Density Residential are located within a two-mile radius of this proposal.
 - 32 3. *Providing for public open space;* This proposal is a small addition to an existing
33 Commercial Center which is currently provided with public open space by the location of
34 an elementary school playfield adjacent to the southerly portion of the Commercial
35 Center.
 - 36 4. *Accommodate mixed-use commercial and multi-family residential;* This addition to an
37 existing Commercial Center is adjacent to and can accommodate mixed use and multi-
38 family residential areas.
 - 39 5. *Served by public transportation, including connections between neighborhoods and*
40 *major urban centers;* Public transportation is in close proximity to this proposal and the

AMENDED ORDINANCE No. 08-037
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 38 CLAY ENTERPRISES)

1 nearby transit service connects to the major urban center of Lynnwood. Community
2 Transit operates a route that is within walking distance of the subject site, and serves the
3 Lynnwood Transit Station.

4 D. The proposal is consistent with the following Countywide Planning Policies (CPPs):

- 5 1. CPP ED-4 "Designate locations for commerce and industry in the land use element and in
6 urban growth areas. Jurisdictions are encouraged to work with affected businesses and
7 their organizations to develop economic development plan elements and analyze the size,
8 location and services needed by major business uses."
- 9 2. CPP OD-1 "Promote development within urban growth areas in order to use land
10 efficiently."
- 11 3. CPP OD-8 "Encourage land use, economic and housing policies that co-locate jobs and
12 housing to optimize use of existing and planned transportation systems and capital
13 facilities."

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

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

20
21 **Section 2.** The county council makes the following conclusions:

- 22
23 A. The proposal by Clay Enterprises (SW 38) to redesignate 0.50 acres from Urban High
24 Density Residential to Urban Commercial and to rezone from Multiple Residential (MR) to
25 Community Business (CB) located in the Southwest Urban Growth Area, (SW UGA) on the
26 east side of 24th Ave West, north of 196th St. SW, more closely meets the goals, objectives
27 and policies of the GPP than the existing plan designation.
- 28 B. The proposed FLU map and zoning map amendments are consistent with the following final
29 review and evaluation criteria of chapter 30.74 SCC:
 - 30 1. The proposed amendments maintain consistency with other elements of the GMACP.
 - 31 2. All applicable elements of the GMACP support the proposed amendments.
 - 32 3. The proposed amendments meet the goals, objectives, and policies of the GMACP as
33 discussed in the specific findings.
 - 34 4. The proposed amendments are consistent with the CPPs.
 - 35 5. The proposed amendments comply with the GMA.
 - 36 6. New information is available which was not considered at the time the plan or regulation
37 was amended.

AMENDED ORDINANCE No. 08-037
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 38 CLAY ENTERPRISES)

- 1 C. The revisions to the FLU map are consistent with the forecasted population and employment
2 growth for the succeeding 20-year period, consistent with the forecast promulgated by the
3 Washington State Office of Financial Management.
- 4 D. The amendments are consistent with the GMA requirement that the comprehensive plan of a
5 county or city be an internally consistent document (RCW 36.70A.070).
- 6 E. The amendments to the GMACP satisfy the procedural and substantive requirements of the
7 GMA.
- 8 F. The amendments maintain the GMACP's consistency with the CPPs for Snohomish County.
- 9 G. The proposed amendments meet the goals, objectives and policies of the GMACP as
10 discussed in the specific findings.
- 11 H. All SEPA requirements with respect to this non-project action have been satisfied.
- 12 I. The County complied with state and local public participation requirements under the GMA
13 and chapter 30.73 SCC.

14
15 **Section 3.** The county council bases its findings and conclusions on the entire record of the
16 county council, including all testimony and exhibits. Any finding, which should be deemed a
17 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.

18
19 **Section 4.** Based on the foregoing findings and conclusions, the Snohomish County GMA
20 Comprehensive Plan – General Policy Plan Future Land Use Map last amended by Ordinance
21 No. 07-139, is amended as indicated in Exhibit A to this ordinance which is attached hereto and
22 incorporated by reference into this ordinance as if set forth in full.

23
24 **Section 5.** Based on the foregoing findings and conclusions, the area-wide zoning map, last
25 amended by Ordinance No. 07-139, is amended as indicated in Exhibit B to this ordinance,
26 which is attached hereto and incorporated by reference into this ordinance as if set forth in full.

27
28 **Section 6.** The county council directs the Code Reviser to update SCC 30.10.060 pursuant to
29 SCC 1.02.020(3).


30
31 **Section 7. Severability.** If any section, sentence, clause or phrase of this ordinance shall be held
32 to be invalid or unconstitutional by the Growth Management Hearings Board, or a court of
33 competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
34 constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided,
35 however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by
36 the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect
37 prior to the effective date of this ordinance shall be in full force and effect for that individual
38 section, sentence, clause or phrase as if this ordinance had never been adopted.

1
2
3
4 PASSED this 3rd day of June, 2008.
5

6 SNOHOMISH COUNTY COUNCIL
7 Snohomish County, Washington
8

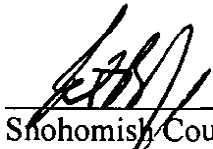
9
10 
11 Council Chair

12 ATTEST:

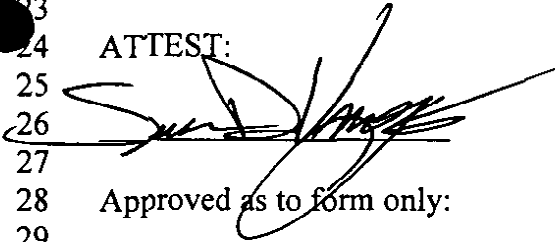
13 
14 Asst. Clerk of the Council
15

16 APPROVED
17 EMERGENCY
18 VETOED
19

20 DATE: 15 Jun 2008, 2008
21

22 
23 Snohomish County Executive
24 PETER B. CAMP
25 Executive Director
26

27 ATTEST:

28 
29 Approved as to form only:
30

31 Deputy Prosecuting Attorney

D-14

Exhibit A
Amended Ordinance No. 08-037
Final Docket XII, Future Land Use Map Amendments
SW 38 Clay Enterprises

AMENDED ORDINANCE No. 08-037
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 38 CLAY ENTERPRISES)

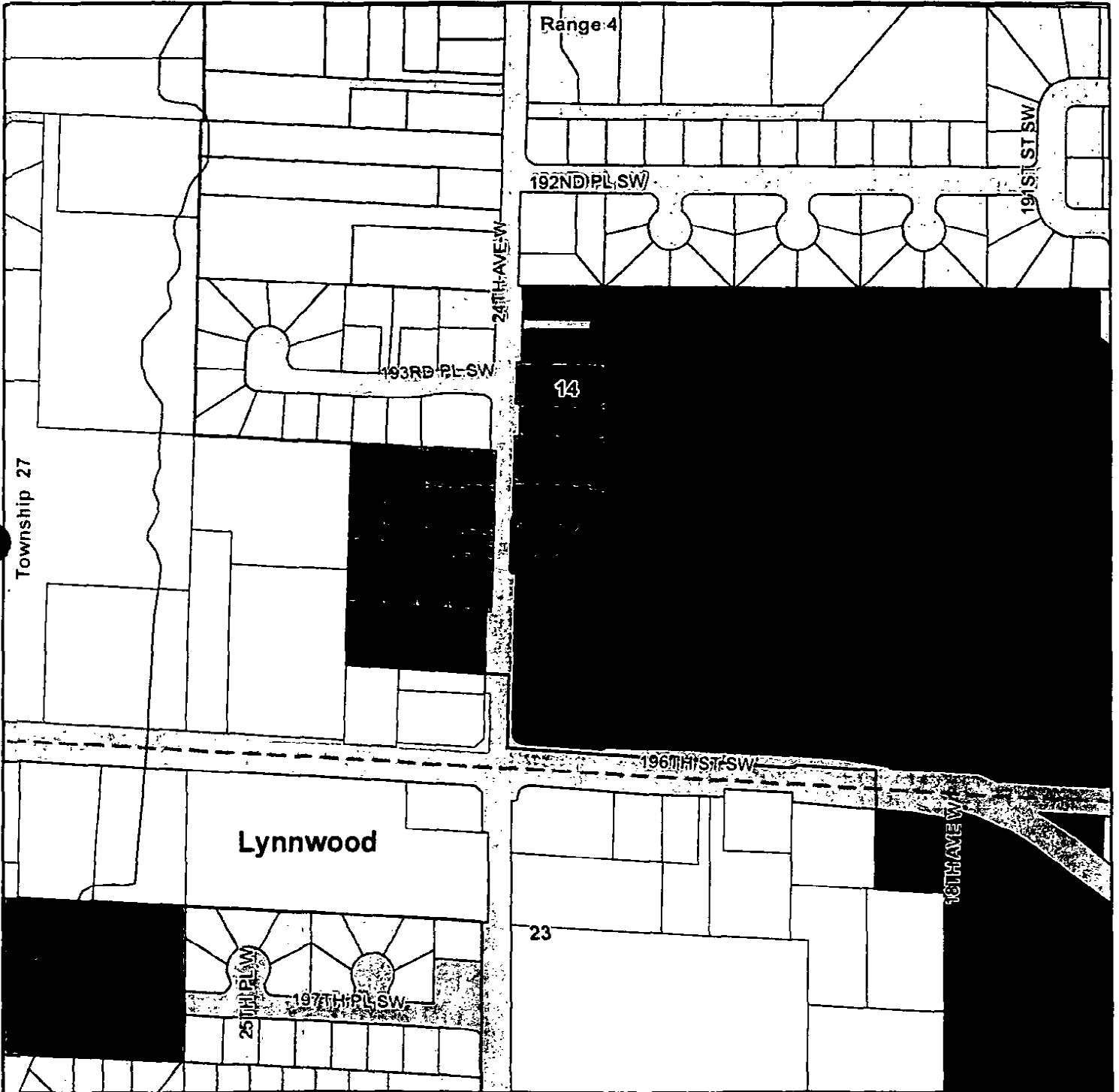
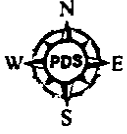
Docket XII

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

Proposed Comprehensive Plan Amendment

Clay Enterprises (SW38)

444
Snohomish County



Proposed Plan Amendment:

Clay Enterprises

Redesignate Urban High Density Residential (12-24 DU/Ac.) to Urban Commercial

Existing Plan Designations

- Urban Low Den. Res. (4-6 DU/Ac.)
- Urban Med. Den. Res. (6-12 DU/Ac.)
- Urban High Den. Res. (12-24 DU/Ac.)
- Urban Commercial

UGA Boundary

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



Snohomish County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either expressed or implied. No representation or warranty made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Snohomish County harmless from and against any damage, loss, or liability arising from any use of this map.

Map Document: (W:\p\carto\docket\Docket 2007\Map\Individual\Final_DocketUrbanLU Re-Design\Clay Enterprises_FLU.mxd) 8/28/2007

Exhibit B
Amended Ordinance No. 08-037
Final Docket XII, Zoning Map Amendments
SW 38 Clay Enterprises

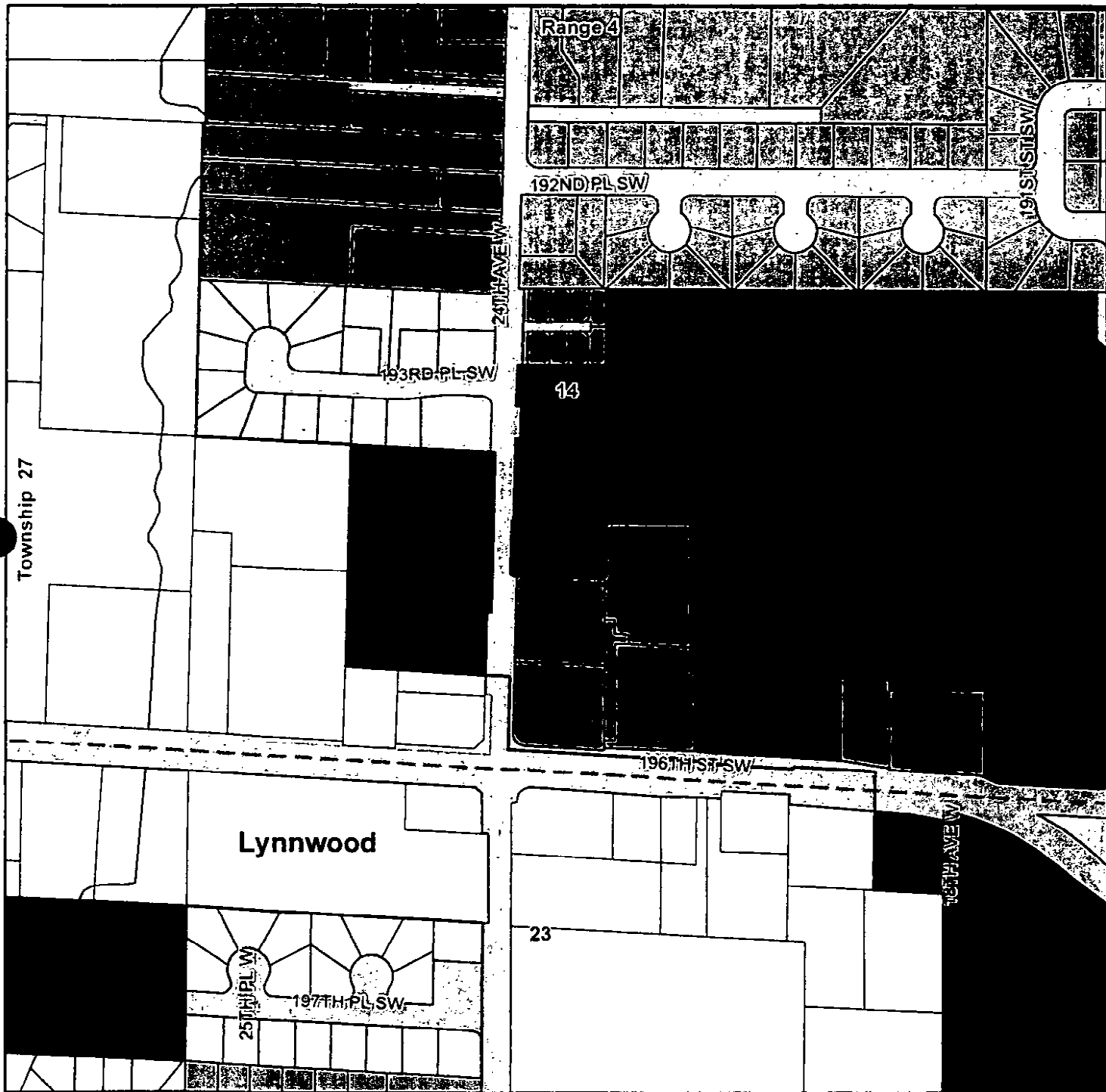
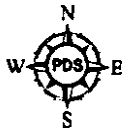
AMENDED ORDINANCE No. 08-037
RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP AMENDMENTS TO THE
SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN (GMACP) AND ZONING MAP
AMENDMENTS TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP FOR THE SOUTHWEST URBAN GROWTH
AREA (SW 38 CLAY ENTERPRISES)

Docket XII

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

Proposed Areawide Rezone

Clay Enterprises (SW38)



Proposed Rezone:

Clay Enterprises

Rezone Multiple Residential to Community Business

Existing Zoning:

- | | | | |
|--|---------|--|-----|
| | R-9,600 | | MR |
| | R-8,400 | | CB |
| | R-7,200 | | GC |
| | LDMR | | PCB |

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



Snohomish County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either expressed or implied. No representation or warranty made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Snohomish County harmless from and against any damage, loss, or liability arising from any use of this map.
Map Document: (W:\planning\carto\docket\Docket 2007\Maps\Individual\Final_Docket\UrbanLU Re-Design\Clay Enterprises_Zoning.mxd) 9/14/2007