



CO00032890

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 08-047

RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING A NEW POLICY
UNDER LAND USE OBJECTIVE 3.G TO THE SNOHOMISH COUNTY GROWTH
MANAGEMENT ACT COMPREHENSIVE PLAN (GMACP) (GPP 6 URBAN CENTERS)

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, it is in the best interest of the county to accommodate population growth in a manner that maintains and protects the elements of the natural environment and locate growth in areas characterized by urban growth with adequate public facilities and service capacity; 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

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 on each of the
6 proposed GMACP and regulatory amendments as enumerated in its recommendation letter of
7 February 26, 2008; and
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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. 08-047.
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14 NOW, THEREFORE, BE IT ORDAINED:
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16 **Section 1.** The county council makes the following findings:
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- 18 A. The county council adopts and incorporates the foregoing recitals as findings as if set forth
19 fully herein.
- 20 B. Proposed Policy LU 3.G.9 (GPP 6 Urban Centers) states that the county will not support
21 annexation of a designated Urban Center, Transit Pedestrian Village or Urban Village unless
22 the annexing city enters into an Interlocal Agreement with the county that addresses:
- 23 1. The transition of urban services to designated urban centers.
 - 24 2. City comprehensive plan and development regulations that provide capacity for the same
25 density and intensity of development provided by the county comprehensive plan and
26 development regulations.
 - 27 3. If the area to be annexed has been designated as a receiving area under the Transfer of
28 Development Rights (TDR) Program, the interlocal agreement shall also ensure that the
29 area remains a TDR receiving area or that other areas of the city are designated TDR
30 receiving areas and address incentives for the use of TDR certificates.
- 31 C. Adoption of proposed Policy LU 3.G.9 promotes the smooth transition of public services and
32 supports the county's urban center strategy and TDR program by requiring an Interlocal
33 Agreement with the annexing cities.
- 34 D. The proposed GPP policy is consistent with the annexation principles developed by
35 Snohomish County Tomorrow (SCT).
- 36 E. The proposed GPP policy is consistent with countywide planning policy (CPP) UG-7
37 regarding joint planning with cities and annexations.
- 38 F. The amendment implements Objective LU 2.A, "Increase residential densities within UGAs
39 by concentrating and intensifying development in appropriate locations" and Objective LU
40 14.A, "Develop and implement a TDR program based on free market principles for the
41 purpose of permanently conserving specified natural resource lands."

- 1 G. The amendment is consistent with Policy LU 2.B.2 which calls for the majority of new urban
2 development to be accommodated as mixed use in urban centers, and/or urban villages or
3 adjacent to transit stations or designated transit corridors.
- 4 H. Preserving the capacity for urban centers to accommodate higher density development
5 provides greater flexibility to provide a broad range of housing types which is consistent with
6 Objectives HO 1.B, "Ensure that a broad range of housing types is available in urban areas;"
7 HO 1.D, "Maintain an adequate supply of appropriately zoned developable land," and Policy
8 HO 1.D.1, "Establish a mix of densities in residentially zoned land."
- 9 I. The amendment promotes the transition of services and encourages transit and pedestrian
10 friendly development which is consistent with Policy TR 2.B.1 which encourages access and
11 mobility for transit users and pedestrians through pedestrian-scale neighborhoods and activity
12 centers
- 13 J. The amendment is consistent with Objective ED 1.A, "Snohomish County shall endeavor to
14 provide a good quality of life for residents and business . . ." by supporting a healthy
15 economy by maintaining TDR receiving areas as annexation occurs to provide for the
16 conservation of the land base necessary to sustain the county's agriculture industry and
17 providing capital income to farmers for reinvestment on farms and farm infrastructure.
- 18 K. The amendment is consistent with Goal LU 2, "Establish development patterns that use urban
19 land more efficiently," and Objective NE 1.B, "Accommodate population growth in a
20 manner that maintains and protects the elements of the natural environment." A successful
21 TDR program protects the natural environment by transferring development potential on
22 designated agricultural lands to areas that are designated for urban development, which will
23 reduce vehicle miles traveled.
- 24 L. The county council includes in its findings and conclusions the final review and evaluation of
25 the proposal completed by PDS in accordance with chapter 30.74 SCC, which is hereby
26 made a part of this ordinance as if set forth herein.
- 27 M. The proposed policy is consistent with the following GMA goals:
 - 28 (1) Urban growth. Encourage development in urban areas where adequate public facilities
29 or services exist or can be provided in an efficient manner.
 - 30 (8) Natural resource industries. "... to maintain and enhance natural resource-based
31 industries."
- 32 N. An addendum to the Environmental Impact Statement completed for the GMA
33 comprehensive plan 10-Year Update was issued for this non-project action on December 26,
34 2007.

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

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- 38 A. The proposal by PDS to adopt a new policy (Policy LU 3.G.9) supports the county's urban
39 centers and TDR programs and more closely meets the goals, objectives and policies of the
40 GPP.

- 1 B. The proposed GPP policy is consistent with the following final review and evaluation criteria
2 of chapter 30.74 SCC:
- 3 1. The proposed amendment maintains consistency with other elements of the GMACP.
 - 4 2. All applicable elements of the GMACP support the proposed amendment.
 - 5 3. The proposed amendment meets the goals, objectives, and policies of the GMACP as
6 discussed in the specific findings.
 - 7 4. The proposed amendment is consistent with the CPPs.
 - 8 5. The proposed amendment complies with the GMA.
 - 9 6. New information is available which was not considered at the time the plan or regulation
10 was amended.
- 11 C. The amendment is consistent with the GMA requirement that the comprehensive plan of a
12 county or city be an internally consistent document (RCW 36.70A.070).
- 13 D. The amendment to the GMACP satisfies the procedural and substantive requirements of the
14 GMA.
- 15 E. The amendment maintains the GMACP's consistency with the CPPs for Snohomish County.
- 16 F. The proposed amendment meets the goals, objectives and policies of the GMACP as
17 discussed in the specific findings.
- 18 G. All SEPA requirements with respect to this non-project action have been satisfied.
- 19 H. The County complied with state and local public participation requirements under the GMA
20 and chapter 30.73 SCC.

21
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 last amended by Ordinance No. 07-139, is amended
28 as indicated in Exhibit A to this ordinance which is attached hereto and incorporated by
29 reference into this ordinance as if set forth in full.
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31 **Section 5.** The county council directs the Code Reviser to update SCC 30.10.060 pursuant to
32 SCC 1.02.020(3).
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34 **Section 6.** Severability. If any section, sentence, clause or phrase of this ordinance shall be held
35 to be invalid or unconstitutional by the Growth Management Hearings Board, or a court of
36 competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
37 constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided,
38 however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by
39 the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect

1 prior to the effective date of this ordinance shall be in full force and effect for that individual
2 section, sentence, clause or phrase as if this ordinance had never been adopted.
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6 PASSED this 3rd day of June, 2008.
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8 SNOHOMISH COUNTY COUNCIL
9 Snohomish County, Washington

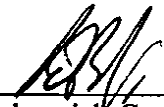
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12 _____
13 Council Chair

14 ATTEST:

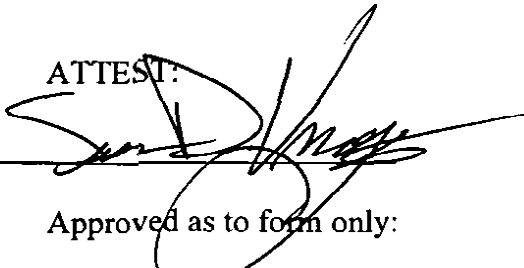
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16 _____
17 Asst. Clerk of the Council

- 18 APPROVED
- 19 EMERGENCY
- 20 VETOED

21 DATE: 16 June, 2008
22

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25 _____
26 Snohomish County Executive
27 PETER B. CAMP
28 Executive Director

29 ATTEST:

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31 _____

32 Approved as to form only:

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34 Deputy Prosecuting Attorney
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Exhibit A
Amended Ordinance No. 08-047
Final Docket XII Adding a Policy to the GMACP
GPP 6 Urban Centers

Objective LU 3.G

Investigate and develop techniques to ensure the long-term success of center development.

- LU Policies**
- 3.G.1 The county shall recognize the importance of centers in setting high priorities for development and installation of capital improvements within urban centers, and shall encourage similar recognition by other service providers.
 - 3.G.2 The county shall coordinate the design and development of centers in unincorporated areas with developers, transit planning agencies, and service providers to achieve compatibility of land use, transportation, and capital facility objectives within centers. (See Urban Design Section)
 - 3.G.3 The county shall develop and implement techniques within designated centers that allow the phasing of development and ensure the centers' long-term development potential.
 - 3.G.4 The county shall investigate innovative methods that will facilitate center development such as land assembly, master planning, and urban redevelopment.
 - 3.F.5 Centers should be located and designed to be connected to bicycle and pedestrian trails.
 - 3.G.6 The county shall explore incentives used by other jurisdictions for suitability for use within unincorporated UGAs to encourage mixed-use development.
 - 3.G.7 The county shall codify suitable incentives for mixed-use development.
 - 3.G.8 The county shall explore the use of floor area ratio (FAR) to determine density in centers. FAR is the relationship between the total amount of floor space in a multi-story building and the base of that building.
 - 3.G.9 Snohomish County shall support city annexation of areas designated Urban Center, Transit Pedestrian Village, or Urban Village after the annexing city and the county adopt an interlocal agreement consistent with the annexation principles developed by Snohomish County Tomorrow. The interlocal agreement shall address the smooth transition of services from the county to the city and shall ensure that the city comprehensive plan and

1 development regulations provide capacity for at least the same
2 overall density and intensity of development provided by the
3 county comprehensive plan and development regulations. If the
4 area to be annexed includes any area designated as a receiving area
5 under the county's Transfer of Development Rights (TDR)
6 program, then the interlocal agreement shall also ensure that the
7 area remains a TDR receiving area or that other areas of the city
8 are designated TDR receiving areas so that the city development
9 regulations provide equivalent or greater capacity for receiving
10 TDR certificates and equivalent or greater incentives for the use of
11 TDR certificates.
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