



SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 09-037

RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP
AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT
ACT COMPREHENSIVE PLAN (GMACP) - GENERAL POLICY PLAN (GPP) AND ZONING MAP
AMENDMENTS TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP FOR THE
SOUTHWEST URBAN GROWTH AREA (SW39 – LUMLEY)

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 Snohomish County
Code (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 - GPP 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 June 9, 2008, and June 16, 2008, the Snohomish County Council held
public hearings to receive public testimony on proposed county and non-county initiated
amendments to the GMACP - GPP for consideration on the Final Docket XIII; and

WHEREAS, the Snohomish County Council, on June 16, 2008, approved, by Motion No.
08-238, a list of proposed comprehensive plan amendments for inclusion on Final Docket XIII,
including the SW39 – Lumley proposal, and authorized the County Executive, through the
Department of Planning and Development Services (PDS), to process Final Docket XIII
consistent with chapters 30.73 and 30.74 SCC; and

WHEREAS, Final Docket XIII, including SW39 – Lumley, to amend the map and text of
the GMACP was 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 XIII, including SW39 – Lumley, to amend the map and text of the GMACP, and
forwarded recommendations to the Snohomish County Planning Commission; and

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AND ZONING MAP AMENDMENTS TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP FOR THE SOUTHWEST
URBAN GROWTH AREA (SW39-LUMLEY)

1 WHEREAS, the Snohomish County Planning Commission held a public hearing and
2 received public testimony on SW39 – Lumley on January 27, 2009; and
3

4 WHEREAS, on February 3, 2009, the Snohomish County Planning Commission
5 deliberated on SW39 – Lumley at the conclusion of the public hearing and voted to recommend
6 denial of the proposal as enumerated in its recommendation letter of March 30, 2009; and
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8 WHEREAS, the Snohomish County Council held a public hearing on July 8, 2009
9 continued to August 12, 2009, to consider the entire record, including the planning commission
10 recommendations on SW39 – Lumley and to hear public testimony on this Ordinance No. 09-037.
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12 NOW, THEREFORE, BE IT ORDAINED:
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14 **Section 1.** The county council makes the following findings:
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16 A. The county council adopts and incorporates the foregoing recitals as findings as if set forth
17 fully herein.

18 B. The SW39 – Lumley proposal is to re-designate 1.29 acres from Urban Low Density
19 Residential to Urban Medium Density Residential and to rezone from R-8400 to Low-
20 Density Multiple Residential (LDMR) and is located in the Southwest UGA, east of Cypress
21 Way and south of 206th Street SW.

22 C. The proposal is generally consistent with the following objectives and policies in the
23 GMACP - GPP:

24 1. Objective LU 2.A, “Increase residential densities within UGAs by concentrating and
25 intensifying residential development in appropriate locations.”

26 2. Policy LU 2.A.3, “Any UGA shall provide for a variety of residential densities
27 identifying minimum and maximum allowable. Density ranges shall consider the
28 presence of critical areas.”

29 3. Policy LU 2.A.4, “Any UGA shall provide opportunities for a mix of affordable housing
30 types (e.g. small lot detached, townhouse, duplex, triplex, 6 to 8 unit apartment and small
31 group housing units) within medium density residential areas.”

32 4. Policy LU 2.A.5, “Medium and high density residential development (including elderly
33 and disabled housing) shall be encouraged to locate, where possible, within walking
34 distance of transit access or designated transit corridors, medical facilities, urban centers,
35 parks, and recreational amenities.”

36 5. Objective HO 1.B, “Ensure that a broad range of housing types is available in urban and
37 rural areas.”

38 6. Objective HO 1.D, “Maintain an adequate supply of appropriately zoned developable
39 land.”

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

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URBAN GROWTH AREA (SW39-LUMLEY)

- 1 1. CPP OD-1, "Promote development within urban growth areas in order to use land
2 efficiently, add certainty to capital facility planning, and allow timely and coordinated
3 extension of urban services and utilities for new development."
 - 4 2. CPP OD-8, "Encourage land use, economic and housing policies that co-locate jobs and
5 housing to optimize use of existing and planned transportation systems and capital
6 facilities."
 - 7 3. CPP UG-8, "Ensure UGAs provide sufficient density, developable land, public facilities
8 and public services to accommodate most of the projected population and employment
9 growth. In addition, the density should be adequate, according to recent studies, to
10 support transit services and the efficient utilization of infrastructure."
- 11 E. A draft supplemental environmental impact statement (DSEIS) to the EIS issued for the 2005
12 Snohomish County GMACP 10-Year Update was issued on January 12, 2009, for the
13 proposal. A Final SEIS, including response to comments on the DSEIS, was prepared
14 following the 45-day comment period and was issued on June 12, 2009. The purpose of the
15 Final SEIS was to analyze potential significant adverse environmental impacts of the
16 proposals and any alternatives that were not previously identified in the EIS and to provide
17 supplemental analysis and information relating to the proposed map amendment.
- 18 F. The county council includes in its findings and conclusions the final review and evaluation of
19 the proposal completed by PDS in accordance with chapter 30.74 SCC, which is hereby
20 made a part of this ordinance as if set forth herein.

21
22 **Section 2.** The county council makes the following conclusions:
23

- 24 A. The SW39 – Lumley proposal is to re-designate 1.29 acres from Urban Low Density
25 Residential to Urban Medium Density Residential and to rezone from R-8400 to Low-
26 Density Multiple Residential (LDMR). The subject property is located in the Southwest
27 UGA, east of Cypress Way and south of 206th Street SW. The proposal more closely meets
28 the goals, objectives and policies of the GMACP - GPP than the existing plan designation.
- 29 B. The proposed Future Land Use (FLU) map and zoning map amendments are consistent with
30 the following final review and evaluation criteria of chapter 30.74 SCC:
- 31 1. The proposed amendments maintain consistency with other elements of the GMACP.
 - 32 2. All applicable elements of the GMACP support the proposed amendments.
 - 33 3. The proposed amendments meet the goals, objectives, and policies of the GMACP - GPP
34 as discussed in the specific findings.
 - 35 4. The proposed amendments are consistent with the CPPs.
 - 36 5. The proposed amendments comply with the goals and requirements of the GMA.
 - 37 6. New information is available which was not considered at the time the plan or regulation
38 was amended.

- 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 GMACP of a county or
5 city be an internally consistent document (RCW 36.70A.070).
- 6 E. The amendments to the GMACP - GPP satisfy the procedural and substantive requirements
7 of the 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 - GPP 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 GMACP –
20 GPP FLU Map last amended by Ordinance No. 08-049, is amended as indicated in Exhibit A to
21 this ordinance which is attached hereto and incorporated by reference into this ordinance as if set
22 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. 08-045, 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
32 held 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.

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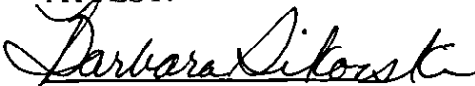
PASSED this 12th day of August, 2009.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

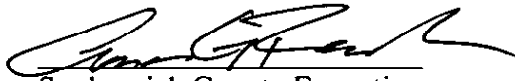
ATTEST:



Asst. Clerk of the Council

- APPROVED
- EMERGENCY
- VETOED

DATE: Aug. 31, 2009



for Snohomish County Executive

ATTEST:



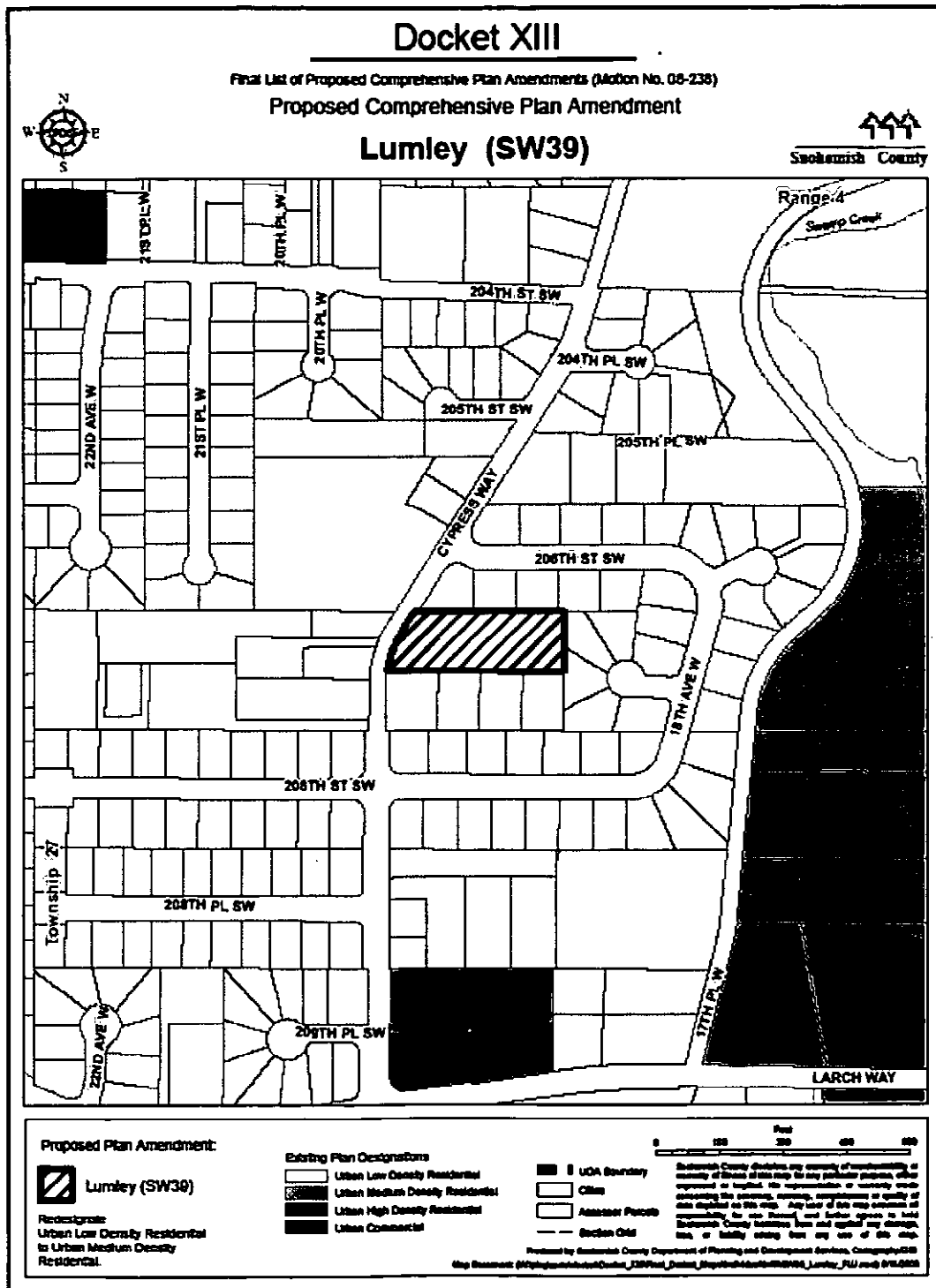
AARON REARDON
County Executive

Approved as to form only:

Deputy Prosecuting Attorney

D.12

Exhibit A
 Amended Ordinance No. 09-037
 Final Docket XIII, Future Land Use Map Amendments
 SW 39 Lumley



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