



CO00037289

SNOHOMISH COUNTY COUNCIL  
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 09-040

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 (SW 45 – TAMBARK TRAILS)

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 SW 45 – Tambark Trails, 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 SW 45 – Tambark Trails , to amend the map and text of the GMACP - GPP 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 SW 45 – Tambark Trails to amend the map and text of the GMACP - GPP, and forwarded recommendations to the Snohomish County Planning Commission; and

AMENDED ORDINANCE No. 09-040  
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 (SW 45 – TAMBARK TRAILS)

1           WHEREAS, the Snohomish County Planning Commission held a public hearing and  
2 received public testimony on SW 45 – Tambark Trails on January 27, 2009; and

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4           WHEREAS, on February 3, 2009, the Snohomish County Planning Commission  
5 deliberated on SW 45 – Tambark Trails at the conclusion of the public hearing and voted to  
6 recommend adoption 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 Final Docket XIII and to hear public testimony on this Ordinance No. 09-  
11 040.

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13           NOW, THEREFORE, BE IT ORDAINED:

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

- 16  
17       A. The county council adopts and incorporates the foregoing recitals as findings as if set forth  
18 fully herein.
- 19       B. The SW 45 – Tambark Trails proposal is to re-designate 24.58 acres from Urban Medium  
20 Density Residential (UMDR) to Urban Low Density Residential (ULDR) and to rezone the  
21 subject property from Low Density Multiple Residential (LDMR) to Residential 9,600 (R-  
22 9600). The property is located in the Southwest Urban Growth Area (SW UGA) east of  
23 Bothell-Everett Highway and north of 192<sup>nd</sup> Street SE.
- 24       C. The proposal is generally consistent with the following objective and policies of the GMACP  
25 - GPP:
- 26           1. Policy HO 2.A.1 “The county should preserve the character of stable residential  
27 neighborhoods through selective and innovative land use measures.”
- 28           2. Objective NE 1.A, “Balance the protection of the natural environment with economic  
29 growth, housing needs and the protection of property rights.”
- 30           3. Policy LU 2.A.3, “Any UGA shall provide for a variety of residential densities  
31 identifying minimum and maximum allowable. Density ranges shall consider the  
32 presence of critical areas.”
- 33           4. Policy LU 5.A.8, “Natural features, open space and critical areas shall be preserved to  
34 enhance neighborhood identity.”
- 35       D. The proposal is consistent with Countywide Planning Policy (CPP) HO-14, “Encourage the  
36 use of environmentally sensitive housing development practices in order to minimize the  
37 impacts of growth on the county’s natural resource systems.”
- 38       E. The proposal was previously analyzed in an EIS issued for the 10-Year Update to the GMA  
39 comprehensive plan. No new impacts have been identified and the proposal was analyzed as  
40 part of EIS addendum No. 11 for the GMACP 10-Year Updates that was issued for this non-  
41 project action on January 14, 2009.

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

4  
5 **Section 2.** The county council makes the following conclusions:  
6

7 A. The SW 45 – Tambark Trails proposal is to re-designate 24.58 acres from Urban Medium  
8 Density Residential (UMDR) to Urban Low Density Residential (ULDR) and to rezone the  
9 property from Low Density Multiple Residential (LDMR) to Residential 9,600 (R-9600).  
10 The property is located in the Southwest Urban Growth Area (SW UGA) east of Bothell-  
11 Everett Highway and north of 192<sup>nd</sup> Street SE. The proposal more closely meets the goals,  
12 objectives and policies of the GMACP - GPP than the existing plan designation.

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

- 15 1. The proposed amendments maintain consistency with other elements of the GMACP.
- 16 2. All applicable elements of the GMACP support the proposed amendments.
- 17 3. The proposed amendments meet the goals, objectives, and policies of the GMACP - GPP  
18 as discussed in the specific findings.
- 19 4. The proposed amendments are consistent with the CPPs.
- 20 5. The proposed amendments comply with the goals and requirements of the GMA.
- 21 6. New information is available which was not considered at the time the plan or regulation  
22 was amended.

23 C. The revisions to the FLU map are consistent with the forecasted population and employment  
24 growth for the succeeding 20-year period, consistent with the forecast promulgated by the  
25 Washington State Office of Financial Management.

26 D. The amendments are consistent with the GMA requirement that the GMACP of a county or  
27 city be an internally consistent document (RCW 36.70A.070).

28 E. The amendments to the GMACP - GPP satisfy the procedural and substantive requirements  
29 of the GMA.

30 F. The amendments maintain the GMACP's consistency with the CPPs for Snohomish County.

31 G. The proposed amendments meet the goals, objectives and policies of the GMACP - GPP as  
32 discussed in the specific findings.

33 H. All SEPA requirements with respect to this non-project action have been satisfied.

34 I. The County complied with state and local public participation requirements under the GMA  
35 and chapter 30.73 SCC.

1 **Section 3.** The county council bases its findings and conclusions on the entire record of the  
2 county council, including all testimony and exhibits. Any finding, which should be deemed a  
3 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.  
4

5 **Section 4.** Based on the foregoing findings and conclusions, the Snohomish County GMACP –  
6 GPP FLU map last amended by Ordinance No. 08-049, is amended as indicated in Exhibit A to  
7 this ordinance which is attached hereto and incorporated by reference into this ordinance as if set  
8 forth in full.  
9

10 **Section 5.** Based on the foregoing findings and conclusions, the area-wide zoning map, last  
11 amended by Ordinance No. 08-045, is amended as indicated in Exhibit B to this ordinance,  
12 which is attached hereto and incorporated by reference into this ordinance as if set forth in full.  
13

14 **Section 6.** The county council directs the Code Reviser to update SCC 30.10.060 pursuant to  
15 SCC 1.02.020(3).  
16

17 **Section 7.** Severability. If any section, sentence, clause or phrase of this ordinance shall be held  
18 to be invalid or unconstitutional by the Growth Management Hearings Board, or a court of  
19 competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or  
20 constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided,  
21 however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by  
22 the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect  
23 prior to the effective date of this ordinance shall be in full force and effect for that individual  
24 section, sentence, clause or phrase as if this ordinance had never been adopted.  
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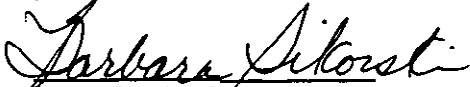
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PASSED this 12<sup>th</sup> day of August, 2009.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

  
\_\_\_\_\_  
Council Chair

ATTEST:

  
\_\_\_\_\_  
Asst. Clerk of the Council

- APPROVED
- EMERGENCY
- VETOED

DATE: Aug. 31, 2009

  
\_\_\_\_\_  
Snohomish County Executive

ATTEST:

  
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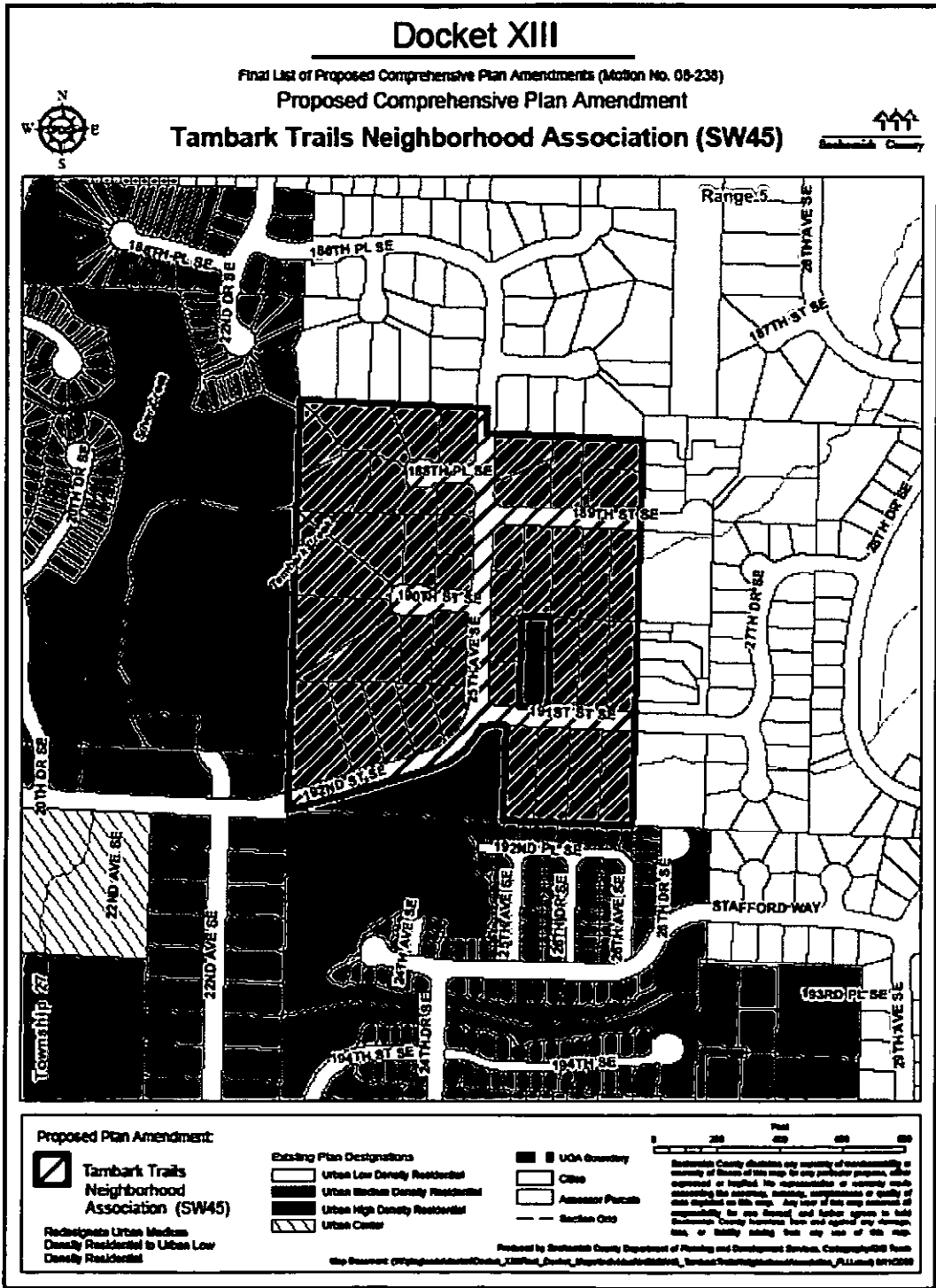
**AARON REARDON**  
County Executive

Approved as to form only:

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Deputy Prosecuting Attorney

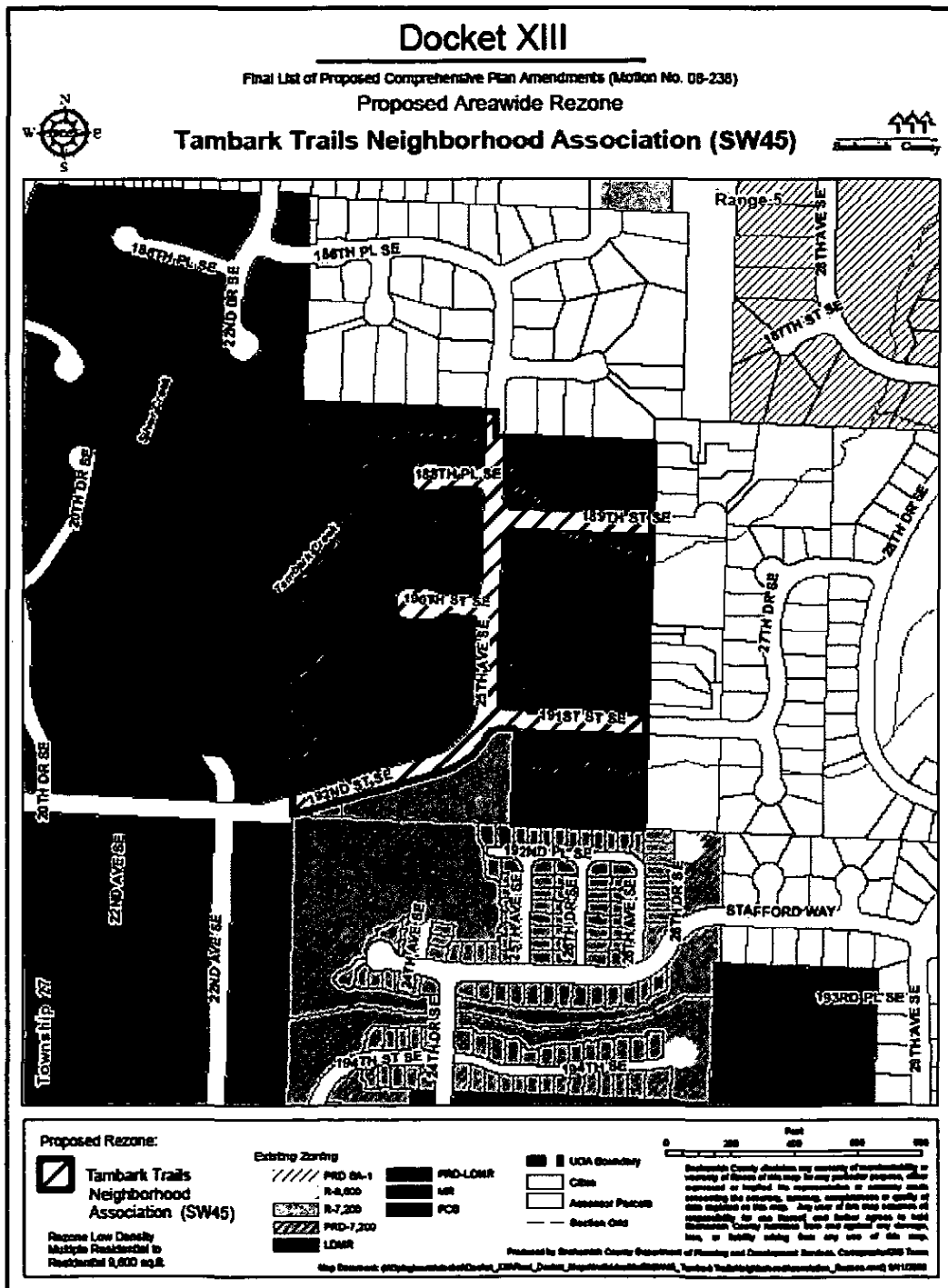
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Exhibit A  
 Amended Ordinance No. 09-040  
 Final Docket XIII, Future Land Use Map Amendments  
 SW 45 TAMBARK TRAILS



AMENDED ORDINANCE No. 09-040  
 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 (SW 45 - TAMBARK TRAILS)

Exhibit B  
 Amended Ordinance No. 09-040  
 Final Docket XIII, Zoning Map Amendments  
 SW 45 TAMBARK TRAILS



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