



CO00037290

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 09-041

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 (SW46 – MURPHY)

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 and authorized the County Executive, through the Department of Planning and Development Services (PDS), to process Final Docket XIII, including the SW46 – Murphy proposal, consistent with chapters 30.73 and 30.74 SCC; and

WHEREAS, the SW46 – Murphy proposal is to re-designate 13.01 acres from Urban Low Density Residential (ULDR) to Urban High Density Residential (UHDR) on the Future Land Use (FLU) map of the GMACP – GPP and to rezone the property from R-7,200 to Multiple Residential MR); and

WHEREAS, Final Docket XIII, including the SW46 – Murphy proposal, was presented to the Planning Advisory Committee (PAC) of Snohomish County Tomorrow (SCT); and

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1 WHEREAS, pursuant to chapter 30.74 SCC, PDS completed final review and evaluation
2 of Final Docket XIII, including the SW46 – Murphy proposal, and forwarded recommendations to
3 the Snohomish County Planning Commission; and
4

5 WHEREAS, the Snohomish County Planning Commission held a public hearing and
6 received public testimony on Final Docket XIII on January 27, 2009; and
7

8 WHEREAS, on February 3, 2009, the Snohomish County Planning Commission
9 deliberated on the SW46 – Murphy proposal and voted to recommend adoption of the SW46 –
10 Murphy proposal with amendments that would revise the proposal to now reflect a redesignation
11 of the 13.01 acres from ULDR to Urban Medium Density Residential and a rezone of the
12 property from R-7,200 to Low Density Multiple Residential as enumerated in its
13 recommendation letter of March 30, 2009; and
14

15 WHEREAS, the Snohomish County Council held a public hearing on July 8, 2009
16 continued to August 12, 2009, to consider the entire record, including the Snohomish County
17 Planning Commission’s recommendations, on amended SW 46 – Murphy proposal and to hear
18 public testimony on this Ordinance No. 09-041.
19

20 NOW, THEREFORE, BE IT ORDAINED:
21

22 **Section 1.** The county council makes the following findings:
23

- 24 A. The county council adopts and incorporates the foregoing recitals as findings as if set forth
25 fully herein.
- 26 B. The amended SW46 – Murphy proposal is to re-designate 13.01 acres from ULDR to UMDR
27 and to rezone the property from R-7200 to LDMR. The property is located in the Southwest
28 UGA, South of Danvers Road, north of 202nd Place SW, adjacent to Interstate 405. The
29 proposal more closely meets the goals, objectives and policies of the GMACP - GPP than the
30 existing plan designation.
- 31 C. The amended SW46 – Murphy proposal is more compatible with the existing surrounding
32 land use plan designations and zoning classifications than the applicant’s proposal to
33 redesignate to UHDR and rezone to MR. The amended proposal would be a logical
34 extension of the adjacent UMDR plan designation and LDMR zoning located south of the
35 proposal site.
- 36 D. The amended proposal is consistent with the following objectives and policies in the
37 GMACP - GPP:
- 38 1. Objective LU 2.A, “Increase residential densities within UGAs by concentrating and
39 intensifying development in appropriate locations.”
 - 40 2. Policy LU 2.A.3, “Any UGA shall provide for a variety of residential densities
41 identifying minimum and maximum allowable. Density ranges shall consider the
42 presence of critical areas.”

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URBAN GROWTH AREA (SW46 – MURPHY)

1 3. Objective HO 1.B, "Ensure that a broad range of housing types is available in urban and
2 rural areas."

3 4. Objective HO 1.D, "Maintain an adequate supply of appropriately zoned developable
4 land."

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

7 1. CPP OD-1, "Promote development within urban growth areas in order to use land
8 efficiently, add certainty to capital facility planning, and allow timely and coordinated
9 extension of urban services and utilities for new development."

10 2. CPP UG-8, "Ensure UGAs provide sufficient density, developable land, public facilities
11 and public services to accommodate most of the projected population and employment
12 growth. In addition, the density should be adequate, according to recent studies, to
13 support transit services and efficient utilization of infrastructure."

14 F. A draft supplemental environmental impact statement (DSEIS) to the EIS issued for the 2005
15 Snohomish County GMACP 10-Year Update was issued on January 12, 2009, for the
16 proposed amendments. A Final SEIS, including response to comments on the DSEIS, was
17 prepared following the 45-day comment period and was issued on June 12, 2009. The
18 purpose of the SEIS was to analyze potential significant adverse environmental impacts of
19 the proposals and any alternatives that were not previously identified in the EIS and to
20 provide supplemental analysis and information relating to the proposed map amendment.
21 The SEIS analyzed the impacts of an alternative that reflected the planning commission's
22 recommended amendment to the SW46 – Murphy proposal.

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

25
26 A. The amended proposal SW46 – Murphy is to re-designate 13.01 acres from ULDR to UMDR
27 and to rezone the property from R-7200 to LDMR. The property is located in the Southwest
28 UGA, South of Danvers Road, north of 202nd Place SW, adjacent to Interstate 405. The
29 proposal more closely meets the goals, objectives and policies of the GMACP - GPP than the
30 existing plan designation.

31 B. The amended proposed FLU map and zoning map amendments are consistent with the
32 following final review and evaluation criteria of chapter 30.74 SCC:

33 1. The amended proposal maintains consistency with other elements of the GMACP.

34 2. All applicable elements of the GMACP support the proposed amendments.

35 3. The proposed amendments meet the goals, objectives, and policies of the GPP as
36 discussed in the specific findings.

37 4. The proposed amendments are consistent with the CPPs.

38 5. The proposed amendments comply with the goals and requirements of the GMA.

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

16
17 **Section 3.** The county council bases its findings and conclusions on the entire record of the
18 county council, including all testimony and exhibits. Any finding, which should be deemed a
19 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.
20

21 **Section 4.** Based on the foregoing findings and conclusions, the Snohomish County GMACP –
22 GPP FLU Map last amended by Ordinance No. 08-049 is amended as indicated in Exhibit A to
23 this ordinance which is attached hereto and incorporated by reference into this ordinance as if set
24 forth in full.
25

26 **Section 5.** Based on the foregoing findings and conclusions, the area-wide zoning map, last
27 amended by Ordinance No. 08-045, is amended as indicated in Exhibit B to this ordinance,
28 which is attached hereto and incorporated by reference into this ordinance as if set forth in full.
29

30 **Section 6.** The county council directs the Code Reviser to update SCC 30.10.060 pursuant to
31 SCC 1.02.020(3).
32

33 **Section 7.** Severability. If any section, sentence, clause or phrase of this ordinance shall be held
34 to be invalid or unconstitutional by the Growth Management Hearings Board, or a court of
35 competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
36 constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided,
37 however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by
38 the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect
39 prior to the effective date of this ordinance shall be in full force and effect for that individual
40 section, sentence, clause or phrase as if this ordinance had never been adopted.
41

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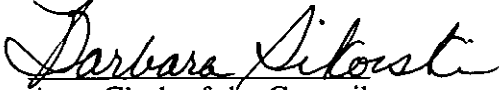
PASSED this 12th day of August, 2009.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

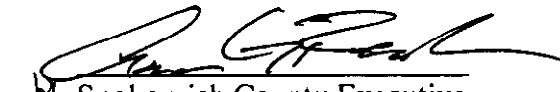
ATTEST:



Asst. Clerk of the Council

- APPROVED
- EMERGENCY
- VETOED

DATE: Aug 30, 2009



Snohomish County Executive
AARON REARDON
County Executive

ATTEST:



Approved as to form only:

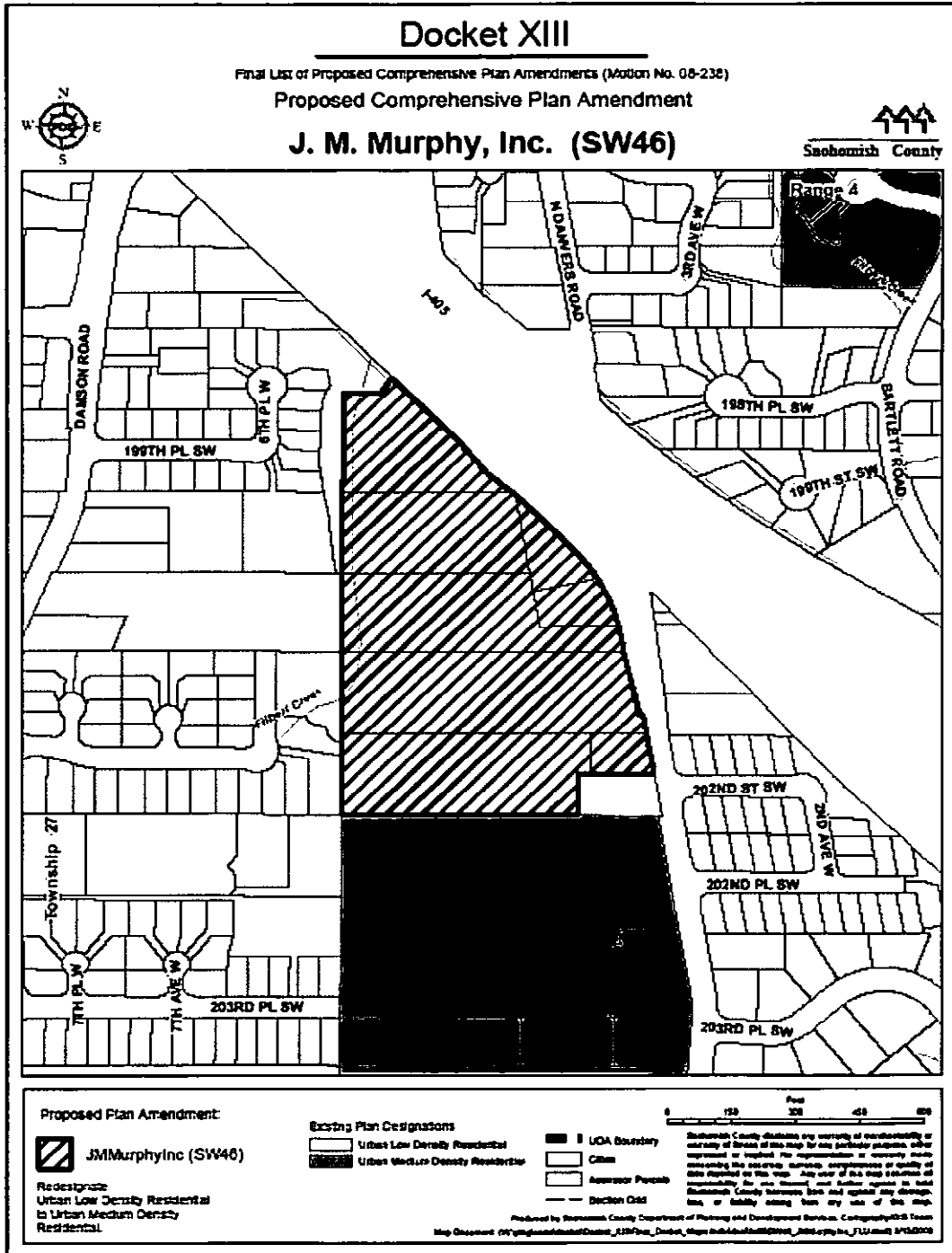
Deputy Prosecuting Attorney

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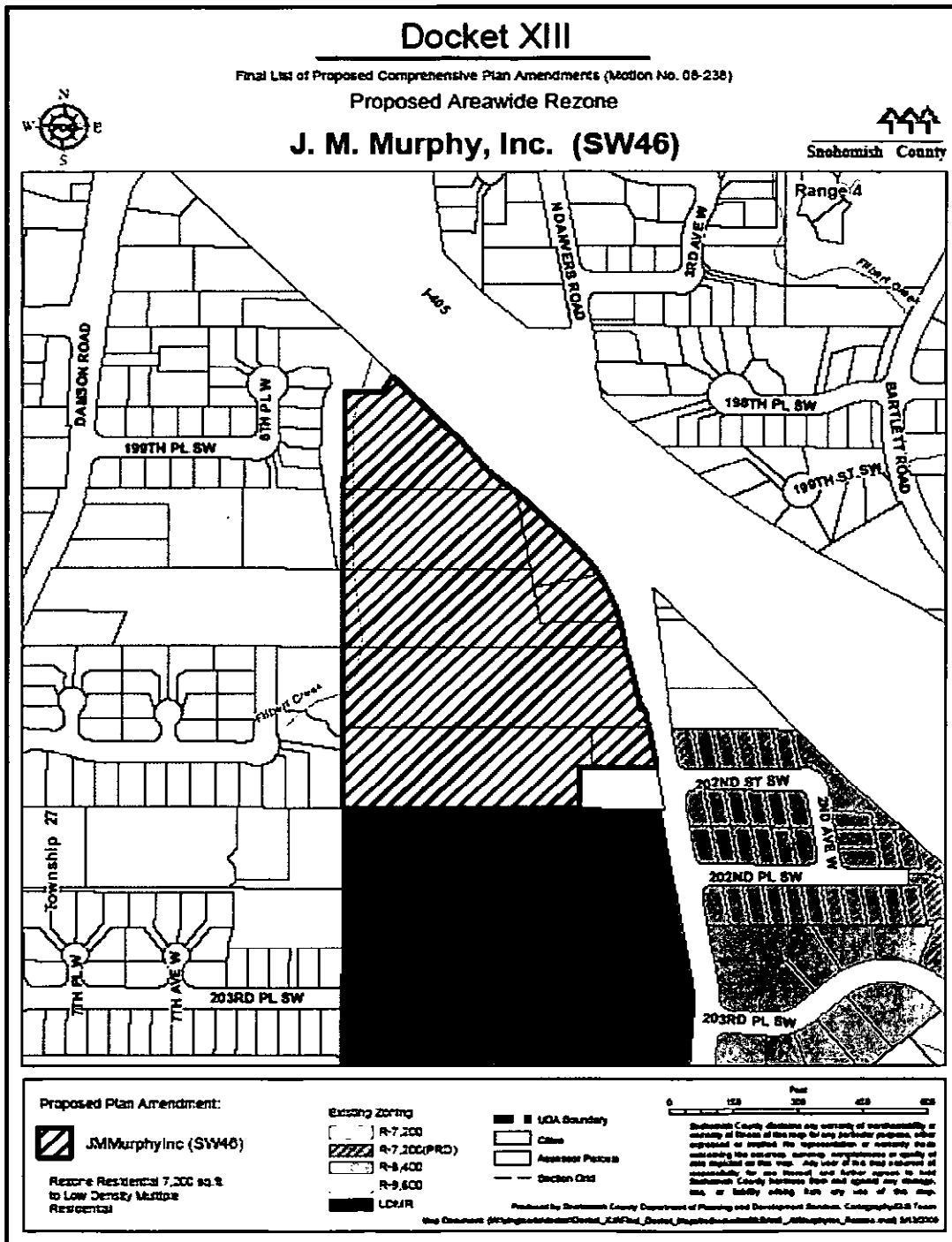
Exhibit A
 Amended Ordinance No. 09-041
 Final Docket XIII, Future Land Use Map Amendments
 SW 46 Murphy



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Exhibit B
 Amended Ordinance No. 09-041
 Final Docket XIII, Zoning Map Amendments
 SW 46 Murphy



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