



CO00037293

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 09-047

RELATING TO THE GROWTH MANAGEMENT ACT (GMA),
ADOPTING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE SNOHOMISH
COUNTY GROWTH MANAGEMENT ACT
COMPREHENSIVE PLAN (GMACP) – GENERAL POLICY PLAN (GPP)
AND AMENDING THE ZONING MAP
TO IMPLEMENT THE FUTURE LAND USE MAP CHANGE FOR THE SOUTHWEST
URBAN GROWTH AREA (BROOKSIDE VILLAGE)

WHEREAS, the Snohomish County council approved a list of docket proposals for inclusion in final docket XIII by Motion No. 08-238 on June 16, 2008; and

WHEREAS, a proposal by property owners in Brookside Village, a single-family mobile home condominium development located approximately 300 feet east of SR 527 on the south side of 192nd St. SE, was received by the Snohomish County council after publication of the notice of the final docket XIII hearing and, therefore, could not be considered under Motion No. 08-238; and

WHEREAS, Brookside Village property owners are proposing a change in the Future Land Use (FLU) map of the GMACP – GPP and the zoning map; and

WHEREAS, pursuant to RCW 36.70A.130, with certain exceptions, the Snohomish County council may consider proposed revisions to the GMACP no more frequently than once a year; and

WHEREAS, the Snohomish County council has determined that the consideration of the proposed amendments to the plan and zoning maps proposed by the Brookside Village property owners would promote a legitimate county purpose consistent with the provisions of chapter 30.73 SCC; and

WHEREAS, the Department of Planning and Development Services (PDS) conducted a review and evaluation of the proposed amendments to the plan and zoning maps; and

WHEREAS, the Snohomish County Planning Commission held a public hearing on the proposed amendments on January 27, 2009, and forwarded a recommendation to the Snohomish County Council; and

AMENDED ORDINANCE No. 09-047
RELATING TO THE GROWTH MANAGEMENT ACT (GMA) ADOPTING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN (GMACP) – GENERAL POLICY PLAN (GPP) AND AMENDING THE ZONING MAP TO IMPLEMENT THE FUTURE LAND USE MAP CHANGE FOR THE SOUTHWEST URBAN GROWTH AREA (BROOKSIDE VILLAGE)

1
2 WHEREAS, on February 3, 2009, the Snohomish County Planning Commission
3 deliberated on the Brookside proposal at the conclusion of the public hearing and voted to
4 recommend adoption of the proposed GMACP - GPP amendments, as enumerated in its
5 recommendation letter of March 30, 2009; and

6
7 WHEREAS; the county council held a public hearing on July 8, 2009 continued to
8 August 12, 2009, to consider the entire record, including the planning commission's
9 recommendations on the proposed amendments to the GMACP and zoning maps, and to hear
10 public testimony on this Ordinance No. 09-047.

11
12 NOW, THEREFORE, BE IT ORDAINED:

13
14 **Section 1.** The county council makes the following findings:

- 15
16 A. The county council adopts and incorporates the foregoing recitals as findings as if set forth
17 fully herein.
18
19 B. The subject site of Brookside Village was reviewed as part of the 10-year update to the
20 GMACP in 2005.
21
22 C. As a result of the review, the plan map designation of the approximately 5-acre site was
23 changed from Urban Medium Density Residential (UMDR) to Urban Center (UC) and the
24 site was rezoned from Low Density Multiple Residential (LDMR) to Planned Community
25 Business (PCB).
26
27 D. The site is located in the extreme northeast corner of the UC designation that extends
28 southward on both sides of SR 527 to the city limits of Bothell along SR 524 (Maltby Road).
29
30 E. Since the adoption of the 10-year update, the homeowners of Brookside Village have
31 submitted new information regarding the ownership of the housing units and land on the
32 subject site.
33
34 F. Brookside Village is a single-family mobile home condominium development consisting of
35 33 individually owned lots and mobile homes.
36
37 G. The current zoning of PCB does not allow detached single family dwellings, including
38 mobile homes, as a permitted or conditional use.
39
40 H. Consequently, the amendments to the plan and the zoning maps adopted as part of the 10-
41 year update made each mobile home a non-conforming use that by regulation limits the
42 homeowners' ability to restore or make improvements to their homes.
43

AMENDED ORDINANCE No. 09-047
RELATING TO THE GROWTH MANAGEMENT ACT (GMA) ADOPTING AN AMENDMENT TO THE FUTURE LAND
USE MAP OF THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN (GMACP) -
GENERAL POLICY PLAN (GPP) AND AMENDING THE ZONING MAP TO IMPLEMENT THE FUTURE LAND USE
MAP CHANGE FOR THE SOUTHWEST URBAN GROWTH AREA (BROOKSIDE VILLAGE)

- 1 I. The proposed change of the FLU map from UC to UMDR and the change of the zoning map
2 from PCB to LDMR would rectify the non-conforming use issue and restore the plan
3 designation and the zone to their respective designation and classification in effect prior to
4 the 10-year update.
- 5
- 6 J. The amendment to the FLU map is consistent with the GMA requirement that the GMACP of
7 a county or city be an internally consistent document (RCW 36.70A.070).
- 8
- 9 K. The proposal is consistent with several countywide planning policies (CPPs) including UG-8
10 and UG-9 regarding the provision of sufficient density and the character of existing
11 residential neighborhoods. The current Urban Centers designation would lead to higher
12 residential densities only if the subject site were to be redeveloped. Redevelopment of the site
13 appears unlikely over the next 20-year period given the condominium ownership structure of
14 Brookside Village and the intent of homeowners to continue to reside in and improve their
15 neighborhood.
- 16
- 17 L. The amendment will not diminish the county's ability to accommodate the county's 20-year
18 population growth target within the urban growth areas, as required by CPP Policy UG-8.
- 19
- 20 M. The proposal is consistent with CPP policies HO-2, HO-8, and HO-13 regarding the
21 requirement for adequate provisions for existing and projected housing needs of all segments
22 of the county, for upgrading and rehabilitation of neighborhoods, and for the preservation of
23 the supply of affordable housing within close proximity to places of work.
- 24
- 25 N. The proposal is consistent with GMACP – GPP LU Policies 2.A.3, 2.A.4 and 2.A.5 regarding
26 the provision of a variety of residential densities, a mix of affordable housing types, and
27 location of medium and high density residential development within walking distance of
28 transit access, medical facilities, urban centers, parks and recreational amenities.
- 29
- 30 O. The proposal is consistent with GMACP – GPP HO Policies 1.B.1, 1.B.3, 2.A.1, and 2.B.1
31 regarding opportunities for affordable home ownership, preservation of mobile and
32 manufactured home parks, preservation of the character of stable residential neighborhoods,
33 and encouragement of a variety of housing types and densities.
- 34
- 35 P. The proposed FLU map and zoning map amendments maintain consistency with other
36 elements of the GMACP. These plan elements include, but are not limited to chapters on land
37 use and housing. No inconsistencies with plan elements or development regulations have
38 been identified.
- 39
- 40 Q. The FLU map change to UMDR and the resulting revision to the external boundary of the UC
41 are consistent with existing ownership patterns and with the goals, objectives and policies of
42 the GMACP - GPP plan for urban centers.
- 43

- 1 R. All applicable elements of the GMACP support the proposed amendments.
2
3 S. The proposed LDMR zone is consistent with and implements the proposed UMDR plan
4 designation.
5
6 T. The proposed LDMR zone is consistent with the existing use of the site and allows the
7 property owners to continue to reside in and improve their neighborhood.
8
9 U. New information is available that was not considered during the GMACP 10-year update.
10 This new information supports the proposed amendments.
11
12 V. A public hearing was held before the county council on July 8, 2009 continued to August 12,
13 2009.
14
15 W. An addendum to the 2005 FEIS for Ten-Year Update to the GMACP was issued on January
16 14, 2009, for the proposed amendments. PDS, as the lead agency, determined that this
17 proposal does not have a probable, significant adverse impact on the environment.

18
19 **Section 2.** The county council makes the following conclusions regarding the amendments
20 adopted by this ordinance:
21

- 22 A. The proposed FLU map and zoning map changes are consistent with and comply with the
23 procedural and substantive requirements of the GMA.
24
25 B. The proposed FLU map amendment is consistent with the CPPs.
26
27 C. The proposed FLU map and zone changes are consistent with all other elements of the
28 Snohomish County GMACP.
29
30 D. The proposed FLU and zone map changes are in the best interest of Snohomish County and
31 bear a substantial relationship to the health, safety and welfare of the general public.
32
33 E. The amendments to the FLU and zoning maps are necessary to rectify the non-conforming
34 use issue that was created by the plan and zoning actions of the 10-year update.
35
36 F. All SEPA requirements with respect to this non-project action have been satisfied.
37
38 G. The County complied with state and local public participation requirements under the GMA
39 and chapter 30.73 SCC.

40 **Section 3.** The county council bases its findings and conclusions on the entire record of the
41 planning commission and the county council, including all testimony and exhibits. Any finding,

1 which should be deemed a conclusion, and any conclusion which should be deemed a finding, is
2 hereby adopted as such.

3
4 **Section 4.** Based on the foregoing findings and conclusions, the Snohomish County GMACP –
5 GPP FLU map, last amended by Amended Ordinance No.08-049, is amended as indicated in
6 Exhibit A to this ordinance which is attached hereto and incorporated by reference into this
7 ordinance as if set forth in full.

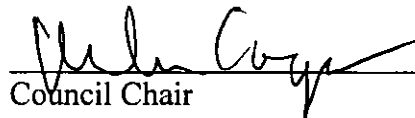
8
9 **Section 5.** Based on the foregoing findings and conclusions, the official zoning map of
10 Snohomish County, last amended by Ordinance No. 08-045, is amended as indicated in Exhibit B
11 to this ordinance which is attached hereto and incorporated by reference into this ordinance as if
12 set forth 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.

25
26 PASSED this 12th day of August, 2009.

27
28 SNOHOMISH COUNTY COUNCIL
29 Snohomish County, Washington

30
31 
32 Council Chair

33 ATTEST:

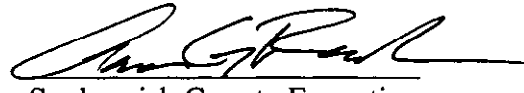
34 
35
36 Asst. Clerk of the Council

37
38
39
40
41
42
43
D-19

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

- APPROVED
- EMERGENCY
- VETOED

DATE: Aug 31, 2009

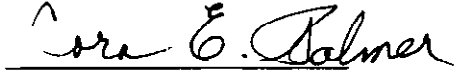


Snohomish County Executive

for

AARON REARDON
County Executive

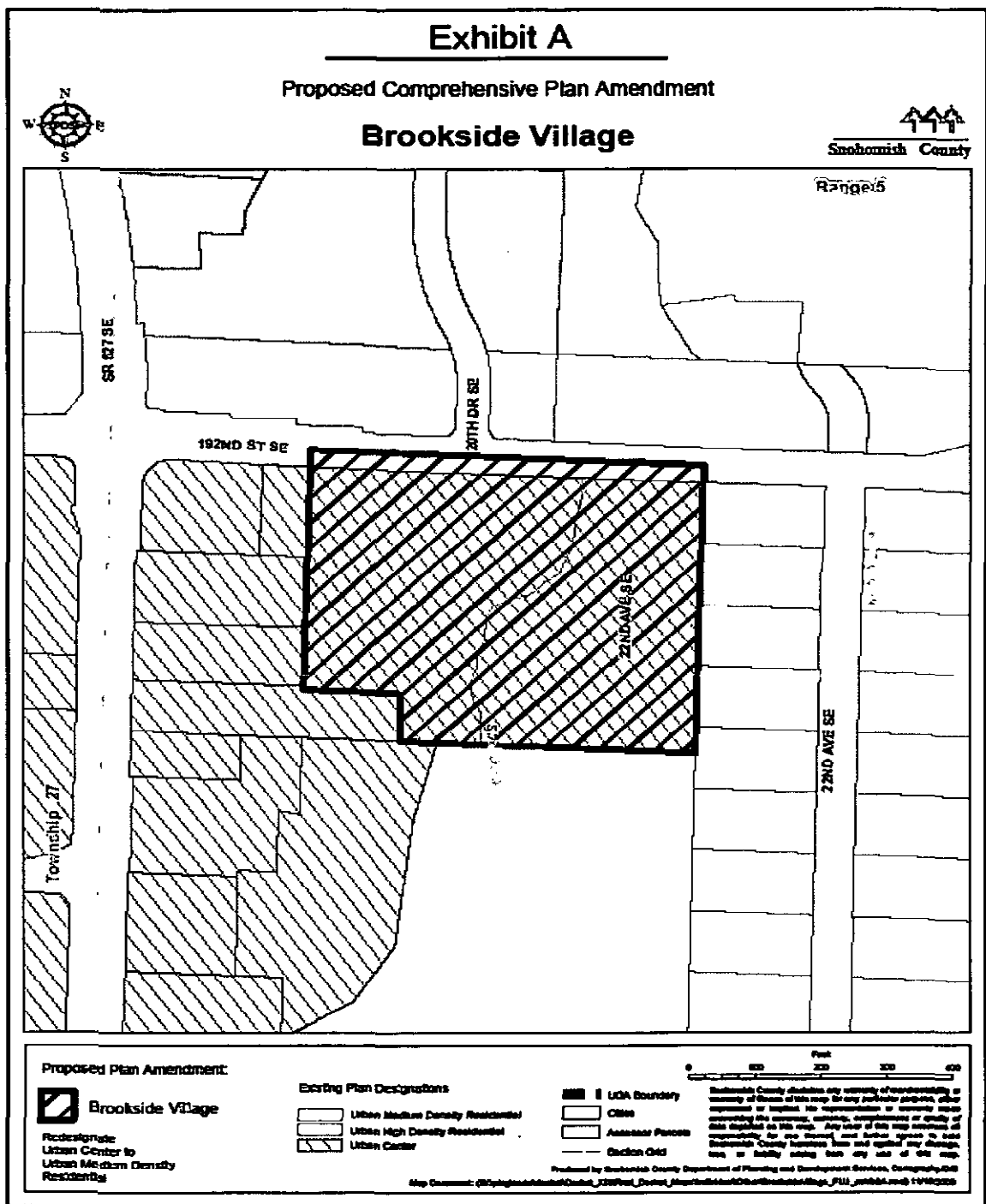
ATTEST:



Approved as to form only:

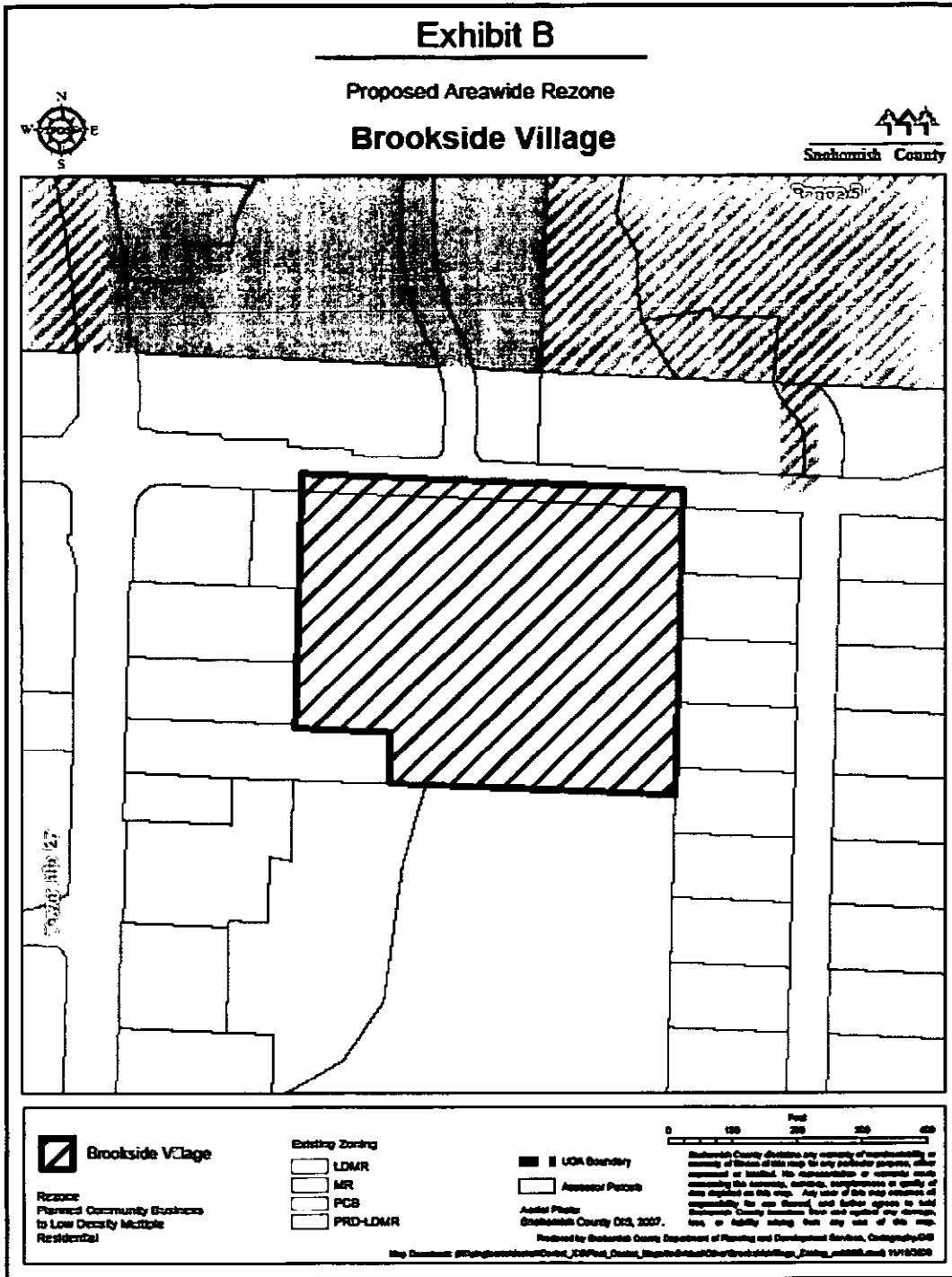
Deputy Prosecuting Attorney

Exhibit A
 Amended Ordinance No. 09-047
 Future Land Use Map Amendments
 Brookside Village



AMENDED ORDINANCE No. 09-047
 RELATING TO THE GROWTH MANAGEMENT ACT (GMA) ADOPTING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN (GMACP) – GENERAL POLICY PLAN (GPP) AND AMENDING THE ZONING MAP TO IMPLEMENT THE FUTURE LAND USE MAP CHANGE FOR THE SOUTHWEST URBAN GROWTH AREA (BROOKSIDE VILLAGE)

Exhibit B
 Amended Ordinance No. 09-047
 Zoning Map Amendments
 Brookside Village



AMENDED ORDINANCE No. 09-047
 RELATING TO THE GROWTH MANAGEMENT ACT (GMA) ADOPTING AN AMENDMENT TO THE FUTURE LAND
 USE MAP OF THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN (GMACP) –
 GENERAL POLICY PLAN (GPP) AND AMENDING THE ZONING MAP TO IMPLEMENT THE FUTURE LAND USE
 MAP CHANGE FOR THE SOUTHWEST URBAN GROWTH AREA (BROOKSIDE VILLAGE)