



CO00037572

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 10-046

RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP
AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT
COMPREHENSIVE PLAN (GMACP) AND ZONING MAP
AMENDMENTS TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP FOR THE
SOUTHWEST URBAN GROWTH AREA (SW 32 PARTNERS 6 LLC)

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 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 September 9, 2009, 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 Final Docket XIV, including the SW 32 – Partners 6 LLC proposal; and

WHEREAS, on September 9, 2009, the Snohomish County Council approved, by Motion No. 09-175, a list of proposed citizen-initiated comprehensive plan amendments for inclusion on Final Docket XIV including the SW 32 – Partners 6 LLC proposal, and authorized the County Executive, through the Department of Planning and Development Services (PDS), to process Final Docket XIV consistent with chapters 30.73 and 30.74 SCC; and

WHEREAS, Final Docket XIV, including SW 32 – Partners 6 LLC, to amend the map of the GMACP and the zoning map was presented to the Planning Advisory Committee (PAC) and the Steering Committee of Snohomish County Tomorrow (SCT); and

WHEREAS, pursuant to chapter 30.74 SCC, PDS completed final review and evaluation of Final Docket XIV, including SW 32 – Partners 6 LLC, to amend the map of the GMACP and

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43 the zoning map, and forwarded recommendations to the Snohomish County Planning
44 Commission; and

45
46 WHEREAS, the Snohomish County Planning Commission held a public hearing and
47 received public testimony on SW 32 – Partners 6 LLC on March 23, 2010; and

48
49 WHEREAS, on March 23, 2010, the Snohomish County Planning Commission
50 deliberated on SW 32 – Partners 6 LLC at the conclusion of the public hearing and voted to
51 recommend adoption of the SW 32 proposal, as enumerated in its recommendation letter of May
52 18, 2010; and

53
54 WHEREAS, the Snohomish County Council held a public hearing on July 7, 2010, to
55 consider the entire record, including the planning commission recommendations on Final Docket
56 XIV and to hear public testimony on this Ordinance No. 10-046.

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58 NOW, THEREFORE, BE IT ORDAINED:

59
60 Section 1. The county council makes the following findings:

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62 A. The county council adopts and incorporates the foregoing recitals as findings as if set forth
63 fully herein.

64 B. The SW 32 – Partners 6 LLC proposal is to re-designate 1.95 acres from Urban Medium
65 Density Residential to Urban Village with a concurrent rezone from Low-Density Multiple
66 Residential to Neighborhood Business, and is located south of 148th Street SE, east of 42nd
67 Avenue SE, abutting the eastern city boundary of Mill Creek.

68 C. The proposed amendment meets the following goals, objective, and policies of the GMACP:

69 1. Goal LU 3, “Establish compact, clearly defined mixed-use centers that promote a
70 neighborhood identification and support the county’s sustainability goals.”

71 2. Objective LU 5.A, “Revitalize or create identifiable, pedestrian-oriented neighborhood
72 areas with focal points, mixed-use centers, and employment areas that are linked with
73 each other.”

74 3. Policy LU 2.B.2, “The majority of new commercial development shall be
75 accommodated as mixed use in urban centers, and/or urban village or adjacent to transit
76 stations or designated transit corridors (see also policies under LU 3.A.1 or objectives
77 LU 4.A and 4.B).”

78 4. Policy LU 3.C.1, “Urban Villages shall be planned as compact (approximately three to
79 25 acres in size), pedestrian-oriented areas within designated Urban Growth Areas.
80 The development will include a variety of small-scale commercial and office uses,
81 public buildings, high-density residential units, and public open space. Pedestrian
82 orientation includes circulation, scale and convenience with connections between

- 83 neighborhoods, communities and other centers. Urban Villages should also include
 84 urban services and reflect high quality urban design. Urban Villages serve several
 85 neighborhoods within a radius of about two miles. Urban Villages will
 86 develop/redevelop over time and may develop in phases.”
- 87 5. Policy LU 3.C.2, “Urban Villages shall be located adjacent to a principal arterial road
 88 or within one-fourth mile of existing or planned access to public transit.”
 - 89 6. Policy LU 3.D.2, “The county shall work to link new and existing neighborhoods
 90 creating a sense of community and shall include sidewalks and paths, where
 91 practicable, for safe passage to schools and other places of activity in the community.”
 - 92 7. Policy HO 2.B.2, “The county shall facilitate the development of urban centers and
 93 urban villages in appropriate locations within UGAs (see LU 1).”
 - 94 8. Policy HO 1.D.4, “The county shall encourage housing in mixed-use developments in
 95 designated Urban Centers in unincorporated Snohomish County.”
 - 96 9. Policy TR 2.B.1, “Access and mobility for transit users and pedestrians without reliance
 97 on automobiles shall be enhanced through the design of pedestrian-scale neighborhoods
 98 and activity centers.”
- 99 D. According to GPP Policy LU 3.C.1, Urban Village designations should be,
 100 “...approximately three to 25 acres in size.” The County Council adopted this policy in
 101 2003. However, the existing 46.9-acre Urban Village predates the adoption of this policy.
 102 The 148th St. SE Urban Village is one of two large Urban Villages designated by the
 103 County Council as part of the adoption of the 2002 Mill Creek East UGA Plan. It is PDS’
 104 view that Policy LU 3.C.1 should not preclude this proposed 1.95-acre expansion of the
 105 existing Urban Village.
- 106 E. The proposed amendment complies with the requirements of the GMA.
- 107 F. The proposal is consistent with the following Countywide Planning Policies (CPPs):
- 108 1. UG-5, “Ensure the siting and development of urban growth areas support pedestrian,
 109 bicycle and transit compatible design.”
 - 110 2. UG-11, “Encourage mixed use, pedestrian friendly and transit compatible development in
 111 comprehensive plans for areas within the urban growth area which are designated for
 112 multiple residential and non-residential development.”
 - 113 3. OD-1, “Promote development within urban growth areas in order to use land efficiently,
 114 add certainty to capital facility planning, and allow timely and coordinated extension of
 115 urban services and utilities for new development Identify six year growth areas
 116 geographically within each UGA or establish policies which direct growth consistent
 117 with the land use and capital facilities plan elements to meet state law. In particular,
 118 RCW 36.70A.110(3) states that "urban growth should be located first in areas already
 119 characterized by urban growth that have existing public facility and service capacities to
 120 serve such development, and second in areas already characterized by growth that will be

- 121 served by a combination of both existing facilities and services and any additional needed
122 public facilities and services that are provided by either public or private sources.
123 Further, it is appropriate that urban government services be provided by cities, and urban
124 government services should not be provided in the rural areas.”
- 125 4. OD-8, “Encourage land use, economic and housing policies that co-locate jobs and
126 housing to optimize use of existing and planned transportation systems and capital
127 facilities.”
- 128 5. HO-2, “Make adequate provisions for existing and projected housing needs of all
129 economic segments of the county.”
- 130 G. A determination of non-significance (DNS) was issued for this non-project action on
131 February 16, 2010.
- 132 H. Snohomish County complied with RCW 36.70A.106(1) by providing advance notification to
133 Commerce.
- 134 I. The county council includes in its findings and conclusions the final review and evaluation of
135 the proposal completed by PDS in accordance with chapter 30.74 SCC, which is hereby
136 made a part of this ordinance as if set forth herein.
137
- 138 Section 2. The county council makes the following conclusions:
139
- 140 A. The SW 32 – Partners 6 LLC proposal more closely meets the goals, objectives, and policies
141 of the GMACP than the existing plan designation.
- 142 B. The proposed Future Land Use (FLU) map amendments are consistent with the following
143 final review and evaluation criteria of chapter 30.74 SCC:
- 144 1. The proposed amendments maintain consistency with other elements of the GMACP.
145 2. All applicable elements of the GMACP support the proposed amendments.
146 3. The proposed amendments meet the goals, objectives, and policies of the GMACP as
147 discussed in the specific findings.
148 4. The proposed amendments are consistent with the CPPs.
149 5. The proposed amendments comply with the GMA.
150 6. New information changes the underlying assumptions and supports the proposed
151 amendment.
- 152 C. The revisions to the FLU map are consistent with the forecasted population and employment
153 growth for the succeeding 20-year period, consistent with the forecast promulgated by the
154 Washington State Office of Financial Management.
- 155 D. The amendments are consistent with the GMA requirement that the comprehensive plan of a
156 county or city be an internally consistent document (RCW 36.70A.070).

157 E. The amendments to the GMACP satisfy the procedural and substantive requirements of the
158 GMA.

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

160 G. The proposed amendments meet the goals, objectives and policies of the GMACP as
161 discussed in the specific findings.

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

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

165
166 Section 3. The county council bases its findings and conclusions on the entire record of the
167 county council, including all testimony and exhibits. Any finding, which should be deemed a
168 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.
169

170 Section 4. Based on the foregoing findings and conclusions, the Snohomish County GMACP –
171 General Policy Plan Future Land Use Map last amended by Ordinance No. 09-063 on August 12,
172 2009, is amended as indicated in Exhibit A to this ordinance, which is attached hereto and
173 incorporated by reference into this ordinance as if set forth in full.
174

175 Section 5. Based on the foregoing findings and conclusions, the area-wide zoning map, last
176 amended by Ordinance No. 09-063 on August 12, 2009, is amended as indicated in Exhibit B to
177 this ordinance, which is attached hereto and incorporated by reference into this ordinance as if
178 set forth in full.
179

180 Section 6. The county council directs the Code Reviser to update SCC 30.10.060 pursuant to
181 SCC 1.02.020(3).
182

183 Section 7. Severability. If any section, sentence, clause or phrase of this ordinance shall be held
184 to be invalid or unconstitutional by the Growth Management Hearings Board, or a court of
185 competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
186 constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided,
187 however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by
188 the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect
189 prior to the effective date of this ordinance shall be in full force and effect for that individual
190 section, sentence, clause or phrase as if this ordinance had never been adopted.
191

192 PASSED this 7th day of July, 2010.

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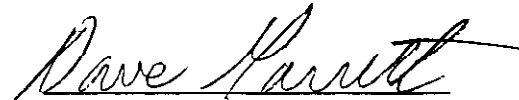
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SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Council Chair

199 ATTEST:

200

201



202 Asst. Clerk of the Council

203

204 () APPROVED

205 () EMERGENCY

206 () VETOED

207

DATE: 7/22, 2010

208

209

210


Snohomish County Executive

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212 ATTEST:

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AARON REARDON
County Executive

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216 Approved as to form only:

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219 _____
Deputy Prosecuting Attorney

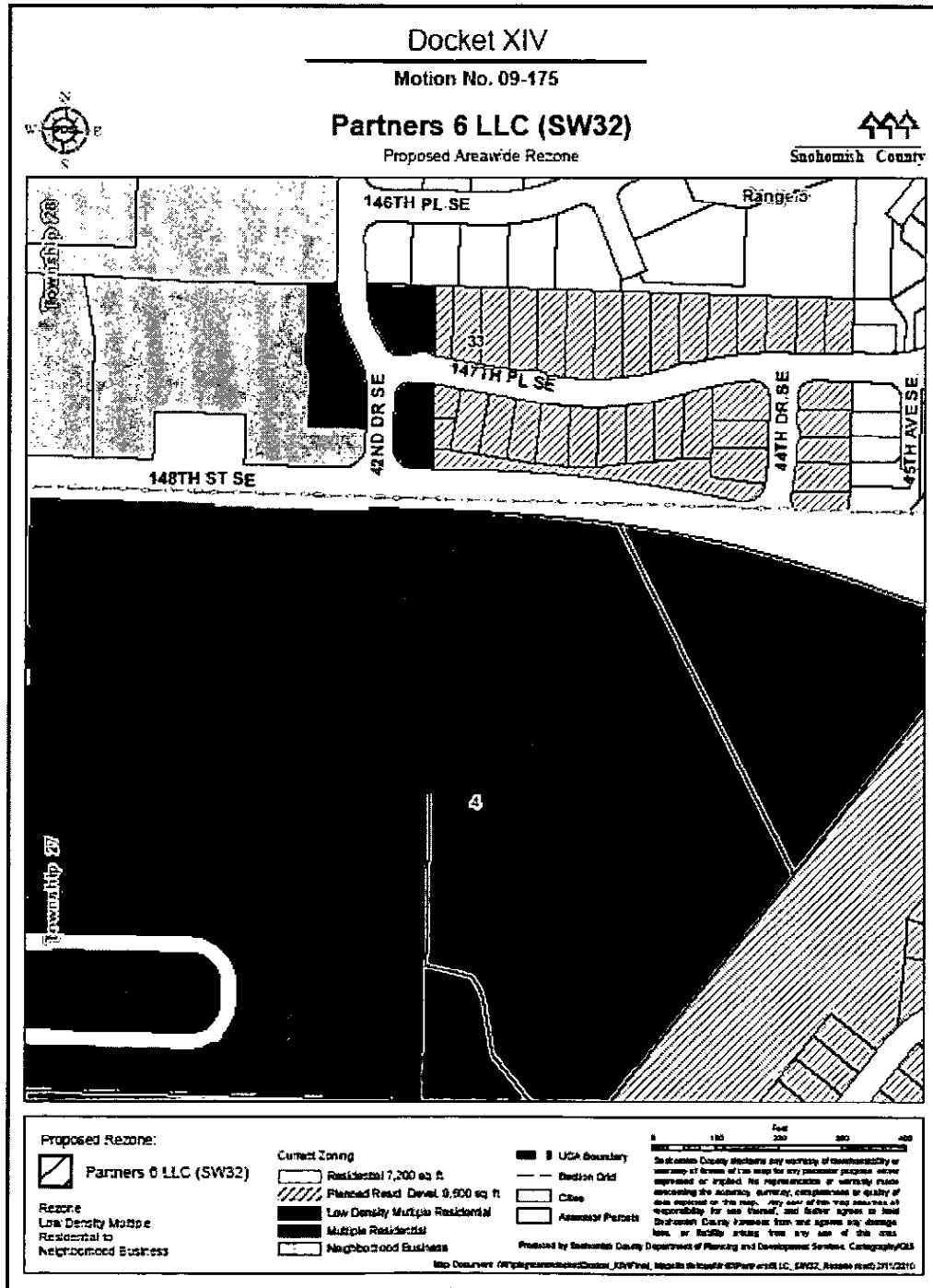
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Exhibit A
 Ordinance No. 10-046
 Final Docket XIV, Future Land Use Map Amendments
 SW 32 Partners 6 LLC



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Exhibit B
Ordinance No. 10-046
Final Docket XIV, Zoning Map Amendments
SW 32 Partners 6 LLC



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