

1 Adopted: 10/08/14
2 Effective: 10/23/14
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6 SNOHOMISH COUNTY COUNCIL
7 SNOHOMISH COUNTY, WASHINGTON
8

9 AMENDED ORDINANCE NO. 14-070
10

11 RELATING TO THE GROWTH MANAGEMENT ACT, AMENDING THE LAND USE AND
12 NATURAL ENVIRONMENT CHAPTERS OF THE GENERAL POLICY PLAN OF THE
13 SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN
14 (GPP5 – STORMWATER MANAGEMENT)
15

16 WHEREAS, RCW 36.70A.130 directs counties planning under the Growth Management
17 Act (GMA) to consider amendments and revisions to the GMA Comprehensive Plan (GMACP)
18 or development regulations on a regular basis; and
19

20 WHEREAS, the County Council ("county council") has determined that the consideration
21 of the proposed amendments and revisions to the General Policy Plan (GPP) of the GMACP
22 would promote a county purpose as established under RCW 36.70A.130; and
23

24 WHEREAS, on June 29, 2011, the county council approved, by Motion No. 11-164, a list
25 of county-initiated comprehensive plan amendments, including GPP5 – Stormwater
26 Management, for inclusion on the list of proposed amendments for final action in 2012, with the
27 understanding that some proposals might be delayed, and authorized the County Executive,
28 through the Department of Planning and Development Services (PDS), to process GPP5 –
29 Stormwater Management consistent with chapter 30.73 Snohomish County Code (SCC); and
30

31 WHEREAS, on August 1, 2012, the State of Washington Department of Ecology issued
32 a new 2013 - 2018 Phase I Municipal Stormwater Permit – National Pollutant Discharge
33 Elimination System and State Waste Discharge General Permit ("2013 Permit") pursuant to the
34 federal Clean Water Act, 33 U.S.C. § 1251 et seq. and the state Water Pollution Control Law,
35 chapter 90.48 RCW; and
36

37 WHEREAS, Snohomish County is regulated as a Phase I jurisdiction under the 2013
38 Permit for discharges from its municipal separate storm sewer system (MS4); and
39

40 WHEREAS, the 2013 Permit contains new requirements, including increased application
41 of low impact development (LID), where feasible, increased site planning requirements and new
42 terminology; and
43

44 WHEREAS, pursuant to the 2013 Permit, the county is updating its stormwater
45 regulations contained in the SCC, the Snohomish County Drainage Manual and the Engineering
46 Design and Development Standards (EDDS), which must be in effect by June 30, 2015; and
47

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COMPREHENSIVE PLAN
(GPP5 – STORMWATER MANAGEMENT)

1 WHEREAS, on August 1, 2012, and May 22, 2013, the county council approved Motion
2 Nos. 12-238 and 13-178, respectively, which acknowledged that proposal GPP 5 – Stormwater
3 Management was delayed and would remain on the list of county-initiated proposals until final
4 action; and
5

6 WHEREAS, pursuant to chapter 30.73 SCC, PDS completed final review and evaluation
7 of the GPP5 – Stormwater Management proposal in a memorandum dated April 7, 2014, and
8 forwarded recommendations to the Snohomish County Planning Commission (“planning
9 commission”); and
10

11 WHEREAS, on April 22, 2014, PDS briefed the planning commission on the GPP5 –
12 Stormwater Management proposal; and
13

14 WHEREAS, on May 27, 2014, the planning commission held a public hearing and
15 received public testimony on the GPP5 – Stormwater Management proposal with a continuation
16 of the hearing to June 24, 2014; and
17

18 WHEREAS, PDS amended the GPP5 – Stormwater Management proposal as detailed
19 in a memorandum to the planning commission dated June 9, 2014; and
20

21 WHEREAS, on June 24, 2014, the planning commission continued the hearing, received
22 public testimony and completed deliberations on the GPP5 – Stormwater Management
23 proposal, and recommended adoption, as shown in its recommendation letter of July 8, 2014;
24 and
25

26 WHEREAS, on October 8, 2014, the county council held a public hearing after proper
27 notice, and considered public comment and the entire record related to the proposed
28 amendments contained in this ordinance; and
29

30 WHEREAS, following the public hearing, the county council deliberated on the proposed
31 amendments contained in this ordinance;
32

33 NOW, THEREFORE, BE IT ORDAINED:
34

35 Section 1. The county council adopts the following findings in support of this ordinance:
36

- 37 A. The foregoing recitals are adopted as findings as if set forth fully herein.
38
39 B. This proposal is to amend the Land Use and Natural Environment chapters of the GPP
40 to provide consistency with the 2013 Permit.
41
42 1. Deletion of Policy LU 5.B.13 of the Land Use chapter of the GPP will remove
43 outdated information, as it is no longer necessary to distinguish LID requirements for
44 a particular area.
45
46 2. Amendments to Policy LU 6.E.8 of the Land Use chapter of the GPP are necessary
47 to update for terminology in the 2013 Permit.
48

- 1 3. Amendments to Policy LU 6.G.7 of the Land Use chapter of the GPP are necessary
2 to update for terminology in the 2013 Permit.
3
- 4 4. Amendments to Policy NE 1.C.1 of the Natural Environment chapter of the GPP are
5 necessary to add LID and site planning to the list of strategies for protection of water
6 resources and watershed processes.
7
- 8 5. Amendments to Policy NE 3.H.3 of the Natural Environment chapter of the GPP are
9 necessary to clarify that the LID requirements pertain to areas and situations where
10 feasible.
11
- 12 6. Deletion of Policy NE 3.H.4 of the Natural Environment chapter of the GPP will
13 remove reference to permitting procedures for LID previously adopted when LID
14 techniques were not familiar to PDS permitting and review staff.
15

16 C. Procedural requirements.

- 17 1. This ordinance is consistent with state law and chapter 30.73 SCC.
18
- 19 2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
20
- 21 3. The environmental impacts on the proposal are within the range of impacts analyzed
22 by the draft environmental impact statement (DEIS) and final environmental impact
23 statement (FEIS) during the Ten-Year Update to the GMACP in 2005. No new
24 impacts have been identified for this proposal, and State Environmental Policy Act
25 (SEPA) requirements for this non-project action have been met through issuance of
26 Addendum No. 43 to the FEIS for the Ten-Year Update to the GMACP issued on
27 May 1, 2014.
28
- 29 4. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was
30 transmitted to the Washington State Department of Commerce for distribution to
31 state agencies on April 16, 2014.
32
- 33 5. The public participation process used in the adoption of this ordinance has complied
34 with all applicable requirements of the GMA and the SCC.
35
- 36 6. The Washington State Attorney General last issued an advisory memorandum, as
37 required by RCW 36.70A.370, in December of 2006 entitled "Advisory Memorandum:
38 Avoiding Unconstitutional Takings of Private Property" to help local governments
39 avoid the unconstitutional taking of private property. The process outlined in the
40 State Attorney General's 2006 advisory memorandum was used by Snohomish
41 County in objectively evaluating the regulatory changes proposed by this ordinance.
42
43

- 1
2 D. This ordinance is consistent with the record.
3
4 1. The amendments are consistent with the 2013 Permit, which requires the use of LID
5 techniques, where feasible, increased site planning requirements and new
6 terminology.
7
8 2. The amendments provide greater consistency between the GPP and the county's
9 proposed amendments to the stormwater regulations as contained in the SCC,
10 Snohomish County Drainage Manual, and the EDDS.
11
12 3. No inconsistencies between the proposed amendments and the GPP plan elements
13 or development regulations have been identified.
14
15 4. The planning commission at its June 24, 2014 hearing discussed the following
16 concerns regarding the 2013 Permit: 1) Not implementing LID strategies county-
17 wide, and 2) the need for defining the term *where feasible*. The planning
18 commission looks forward to reviewing specific code language addressing these two
19 issues.
20
21 E. This proposal complies with the GMA and was analyzed and found to be consistent with
22 the following GMA statutes, for the reasons set forth in the PDS memorandum dated
23 April 7, 2014:
24
25 1. RCW 36.70A.020 Planning Goals. "(10) Environment. Protect the environment and
26 enhance the state's high quality of life, including air and water quality, and the
27 availability of water."
28
29 2. RCW 36.70A.070, which requires internal consistency of a comprehensive plan.
30
31 3. RCW 36.70A.130, which requires this proposal to be consistent with the GMA and
32 requires the proposed amendments to a county's comprehensive plan be considered
33 no more frequently than once every year.
34
35 4. RCW 36.70A.210, which requires that a comprehensive plan be consistent with the
36 Countywide Planning Policies (CPPs).
37
38 F. This proposal is consistent with the Puget Sound Regional Council Vision 2040
39 Multicounty Planning Policies (MPPs), in particular the following policies, for the reasons
40 set forth in the PDS memorandum dated April 7, 2014:
41
42 1. En-12: "Preserve and restore native vegetation to protect habitat, especially where it
43 contributes to the overall ecological function and where invasive species are a
44 significant threat to native ecosystems."
45
46 2. En-13: "Maintain natural hydrological functions within the region's ecosystems and
47 watersheds and, where feasible, restore them to a more natural state."
48

1 3. DP-21: "Contribute to improved ecological functions and more appropriate use of
2 rural lands by minimizing impacts through innovative and environmentally sensitive
3 land use management and development practices."
4

5 G. This proposal is consistent with the CPPs, in particular, CPP Env-1: "All jurisdictions
6 shall protect and enhance natural ecosystems through their comprehensive plans,
7 development regulations, capital facilities programs and management practices.
8 Jurisdictions should consider regional and countywide strategies and assessments, as
9 well as best available qualitative and quantitative information, in formulating plans and
10 regulations that are specific to their community" for the reasons set forth in the PDS
11 memorandum dated April 7, 2014.
12

13 H. This proposal is consistent with and implements the GPP, in particular the following goal
14 and objective, for the reasons set forth in the PDS memorandum dated April 7, 2014:
15

16 1. Goal NE 3: "Comply with the requirements of state, federal and local laws for
17 protecting and managing critical areas, shorelines, and water."
18

19 2. Objective NE 3.H: "Comply with the county's Phase I Municipal Stormwater Permit
20 issued by the Washington State Department of Ecology pursuant to the Clean Water
21 Act and the National Pollutant Discharge Elimination System (NPDES)."
22

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

25 A. This proposal is consistent with the 2013 Permit.
26

27 B. This proposal complies with all requirements of the GMA.
28

29 C. This proposal is consistent with the MPPs.
30

31 D. This proposal is consistent with the CPPs.
32

33 E. This proposal is consistent with the goals, objectives and policies of the GMACP.
34

35 F. All SEPA requirements with respect to this non-project action have been satisfied.
36

37 G. This proposal does not result in an unconstitutional taking of private property for a public
38 purpose and they do not violate substantive due process guarantees.
39

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
42 which should be deemed a conclusion, and any conclusion which should be deemed a finding,
43 is hereby adopted as such.
44

45 Section 4. The Land Use chapter of the GPP, last amended by Ordinance No.13-060 on
46 August 21, 2013, is amended as indicated in Exhibit A, which is attached hereto and
47 incorporated by reference into this ordinance.
48

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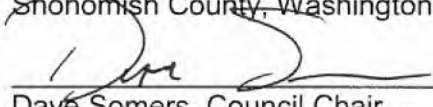
1 Section 5. The Natural Environment chapter of the GPP, last amended by Amended
2 Ordinance No.12-047 on October 17, 2012, is amended as indicated in Exhibit B, which is
3 attached hereto and incorporated by reference into this ordinance.
4

5 Section 6. The county council directs the Code Reviser to update SCC 30.10.060 pursuant
6 to SCC 1.02.020(3).
7

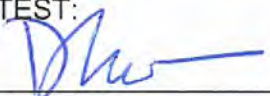
8 Section 7. Severability and Savings. If any section, sentence, clause or phrase of this
9 ordinance shall be held to be invalid by the Growth Management Hearings Board, or
10 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall
11 not affect the validity or constitutionality of any other section, sentence, clause or phrase of this
12 ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance
13 is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence,
14 clause or phrase in effect prior to the effective date of this ordinance shall be in full force and
15 effect for that individual section, sentence, clause or phrase as if this ordinance had never been
16 adopted.
17

18 PASSED this 8th day of October, 2014.
19

20 SNOHOMISH COUNTY COUNCIL
21 Snohomish County, Washington

22 
23 _____
24 Dave Somers, Council Chair

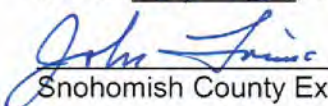
24 ATTEST:

25 
26 _____
27 Debbie Eco
28 Clerk of the Council
29

30 APPROVED
31 () EMERGENCY
32 () VETOED
33

34 DATE: 10/13, 2014

35
36 ATTEST:

37 
38 _____
39 Snohomish County Executive

40 Approved as to form only:
41
42 _____
43 Deputy Prosecuting Attorney
44

D-5

Exhibit A
Amended Ordinance No. 14-070
GPP5 – Stormwater Management
Amendments to the Land Use Chapter of the GPP

Small Area and Neighborhood Structure

Land Use Policies 1-4 address overall development patterns, location, type and design. Large areas and single development sites are guided by those principles.

However, in the past, smaller areas of the county have needed and future areas may need planning studies and attention, in a way that is not addressed through Policies LU 1-4. These small areas are cohesive because of a variety of factors such as early history, topography, shared facilities such as schools, roads and crossroads, types of land uses, natural features, and human interactions. For example, there are a number of discreet neighborhoods within the larger Southwest unincorporated UGA. Even within a discreet city's UGA, there may be several neighborhoods, such as the Mill Creek East area and the Mill Creek A area.

This section of the Land Use chapter acknowledges and treats earlier smaller area plans done by the county. It also identifies the potential for future small area/neighborhood level plans and provides a way to integrate these plans into the overall GPP.

In the past, the county completed plans for 13 subareas. Some plans date from the early 1980s, pre-GMA and five were adopted from the 1995-2005 period, under the GMA. But some of the more recent plans have established goals and policies that address special structures and needs of the neighborhood and are retained. The pre-GMA plans no longer have any legal effect and are repealed. Some plans are outdated and are repealed. This section of the plan addresses these issues.

Beginning in 1995, the county initiated and adopted more detailed planning with several cities and the unincorporated portions with

adjacent UGA's. These plans provide important background information on land uses, infrastructure and policy direction. They include the Gold Bar UGA Plan; Snohomish UGA Plan; Mill Creek "A" UGA Plan; Lake Stevens UGA Plan; and the Mill Creek "East" UGA Plan. The plans also provided a framework for enhancing the neighborhood structure specifically through localized policy direction. Although these UGA plans were repealed in the 2005 update of the GMA comprehensive plan, some important land use policies in these UGA plans have been incorporated within this section, as well as other sections of the GPP, and are intended to provide guidance for the adoption of development regulations that lead to the enhancement of neighborhood structure within the respective UGA.

Policies which enhance specific neighborhood structures and address specific needs are retained in this section of the Land Use Chapter for the Maltby area, the Cathcart area, the area around 35th Avenue SE and 132nd Street SW in the SW UGA, in the Marysville area, and the Tulalip area.

The southeast portion of the Tulalip Reservation, a federally designated reservation of a federally recognized Indian tribe, at the Marine Drive NE and I-5 interchange has traditionally been the main entry onto the reservation to access businesses, residential areas and tribal government offices. This particular area of the reservation contains a small viable commercial community with a pattern of urban development that is served by urban infrastructure including sanitary sewer and is outside of an urban growth area. This unique commercial community is a jurisdictional patchwork of lands held in trust by the federal government for tribal members

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and the tribe, fee-simple lands under tribal member ownership and not subject to county jurisdiction and fee-simple lands under non-tribal ownership which are subject to county jurisdiction. Land use policies are contained in the Neighborhood Structures section, including the recommendation of a Reservation Commercial designation that apply only to this unique commercial area of the reservation. Neither a UGA designation nor a designation as a Limited Area of More Intense Rural Development (LAMIRD) is appropriate for this area. A UGA designation implies annexation to a city. The subject lands within the Reservation Commercial designation are integrally associated with Tribal lands and not city areas. Because the area is urban in nature and served by urban services, it is not appropriate for a LAMIRD designation. Applying the Reservation Commercial designation is more appropriate because it fits the character of the existing land uses and is compatible with adjoining parcels that are held in trust by the United States government for the benefit of the Tulalip Tribes.

Finally, this section gives overall policy guidance for potential neighborhood plans, which may be needed in the future. These plans would be integrated into the GPP through inclusion in the Small Area and Neighborhood Structure section and would not be stand-alone documents.

The county's challenge will be to further define and enhance existing neighborhood areas and create new neighborhoods in the unincorporated UGAs. Specifically, the county's approach to neighborhood development will:

- ensure an adequate distribution and variety of land uses necessary to establish neighborhood identity and functionality including a mix of residential densities, focal points, centers and villages, and nearby employment areas;
- coordinate more detailed land use, transportation, parks, open space, and capital facilities plans to ensure the creation of viable neighborhood areas;
- encourage that natural features, open spaces, environmentally sensitive areas, and landscaped boulevards are integrated into neighborhoods to enhance their identity; and
- encourage new neighborhoods with distinctive geographic, historic or cultural features to be connected to existing neighborhoods with similar distinctive features.

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GOAL LU 5		Encourage land use patterns that create connected, identifiable neighborhoods and communities in UGAs through a consolidated system of past and future neighborhood plans.
Objective LU 5.A		Revitalize or create identifiable, pedestrian-oriented neighborhood areas with focal points, mixed-use centers, and employment areas that are linked with each other.
LU Policies	5.A.1	Repeal subarea land use plans dated prior to 1995.
	5.A.2	Use of former subarea plans dated prior to 1995 should be for reference purposes only.
	5.A.3	Consolidate portions of former subarea plans dated 1995-2002 that are applicable countywide into appropriate chapters of the 2025 plan.
	5.A.4	Recognize unique land use issues within UGAs as identified in former sub-area plans dated 1995-2002 in the Neighborhood Structure section.
	5.A.5	For planning and zoning proposed within Urban Growth Areas, more detailed planning processes may be developed for identified neighborhoods with the following characteristics: <ul style="list-style-type: none">(a) areas encompassing 200 to 500 acres and a population of 4,000 to 8,000 people;(b) varied densities and character;(c) a mix of housing types and architecturally compatible styles yielding an average of at least 6 dwelling units per acre; and(d) focal points such as parks, meeting halls, churches, libraries, fire stations, schools and other uses within one quarter mile of neighborhood residents.
	5.A.6	For planning and zoning proposed within Urban Growth Areas-more detailed planning processes may be developed for identified Neighborhood Commercial Centers with the following characteristics: <ul style="list-style-type: none">(a) a variety of small-scale commercial uses, public buildings, and mixed-use development within one-half mile or a fifteen minute walking distance for the majority of neighborhood residents;(b) approximately 3 acres in size;(c) served by public transportation; and(d) compatible with adjacent uses.
	5.A.7	For planning and zoning purposes within Urban Growth Areas, more detailed planning processes may be developed for identified Commercial Centers with the following characteristics:

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- (a) approximately 20 to 25 acres in size;
- (b) serving several neighborhoods within a radius of approximately two miles;
- (c) providing for public open space;
- (d) accommodate mixed-use commercial and multi-family residential; and
- (e) served by public transportation, including connections between neighborhoods and major urban centers.

5.A.8 Natural features, open space and critical areas shall be preserved to enhance neighborhood identity.

5.A.9 Infrastructure improvements shall be coordinated and shall be provided, where financially feasible, to support the creation of neighborhoods, focal points, and Neighborhood and Community Commercial Centers.

5.A.10 Large-scale, auto-oriented commercial uses and employment areas shall be located on the periphery of centers or else, where feasible, linked to centers by pedestrian and bicycle paths and public transit.

5.A.11 Cultural and historical resources shall be preserved to enhance neighborhood identity.

5.A.12 Urban and site design features will be employed at the county Cathcart site to encourage and promote access to the urban village via transit, bicycle and walking, as well as the automobile, and to enhance the village's function as a neighborhood gathering place.

Objective LU 5.B

Recognize unique land use issues within specific Urban Growth Areas as identified in previously adopted sub-area plans and/or studies.

LU Policies

5.B.1 New development on property within the Snohomish UGA and designated Urban Industrial and zoned General Commercial (GC) shall be approved with site development plan according to the standards and procedures for the Planned Community Business (PCB) zone. The site development plan shall delineate limited access points to properties and demonstrate compatibility with existing adjacent commercial and residential uses through such measures as landscaping, natural buffers, berms, fencing, sign and lighting control.

5.B.2 Industrial development within the Mill Creek UGA that involves construction of new building, expansion of existing buildings, or a change of use that is clearly visible from adjacent residential property shall provide adequate screening and buffering along the common property lines. Adequate screening and buffering shall generally mean any one or combination of dense plantings,

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decorative walls or solid fences, and landscaped berms that serve to visually screen and acoustically shield the residential property from the industrial uses.

- 5.B.3 The county should adopt incentive programs to encourage the reservation or dedication of land through either fee or easement for a pedestrian trail corridor with the general alignment depicted on the parks and open space map of the former Mill Creek East UGA Plan. The actual location of the trail shall be determined on a site-by-site basis, and may vary from the general alignment due to site-specific natural features or project design as long as the connectivity of the entire trail is not compromised.
- 5.B.4 Within the Southwest County UGA, the Urban Commercial designations in the northeast and southeast quadrants of the intersection of 35th Ave. SE and 132nd St. SE shall be zoned to the Planned Community Business zone. Transportation impacts of development within these Urban Commercial designations shall be mitigated consistent with GPP transportation policies, SCC Title 30.66B, and the mitigation measures identified in the Supplemental EIS issued for the Snohomish County 1996 Amendments to the GMA Comprehensive Plan and Development Regulations, as deemed necessary by the Department of Public Works.
- 5.B.5 Within the Southwest County UGA, the Urban High Density Residential designations in the northwest quadrant of the intersection of 35th Ave. SE and 132nd St. SE shall be rezoned to the Multiple Residential zone. Those parcels that will be zoned Multiple Residential only partially due to flood prone areas within those parcels may be rezoned by an applicant in their entirety to a Planned Residential Development-Multiple Residential zone. Unit yield for the entire Planned Residential Development zone shall be based on the Multiple Residential zone in the Urban High Density Residential designation and the R-9,600 zone in the Urban Low Density Residential designation with an additional Planned Residential Development bonus as permitted by the zoning code. The unit yield allowed in the Urban Low Density Residential designation shall be transferred to the non-flood prone portions of a rezone site. Transportation impacts of development within these Urban High Density Residential designations shall be mitigated consistent with GPP transportation policies, SCC Title 30.66B, and the mitigation measures identified in the Supplemental EIS issued for the Snohomish County 1996 Amendments to the GMA Comprehensive Plan and Development Regulations, as deemed necessary by the Department of Public Works

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5.B.6 The county shall develop an action program for the county's Cathcart site to guide the development of a mix of public and private uses. Consideration will be given to the following objectives:

- provide a model for environmentally-sensitive development practices in Snohomish County;
- create a mix of uses that complements and strengthens the predominantly single-family residential neighborhood that surrounds the site;
- create a model "urban village," following the policy direction of GPP Objective LU 3.C by providing a neighborhood focal point with a mix of community services, retail opportunities, and expanded residential choices;
- provide opportunities for local employment that can help reduce commuter traffic in the local area;
- through partnerships with local transit agencies, develop new transit facilities and enhanced transit services for the area; and
- protect natural areas of the site to preserve wildlife habitat and to enhance open space opportunities for local residents;
- assess the need for a year-round farmers market and ball fields for kids (either public or private) during development planning, and provide opportunities to address identified unmet needs; and
- undertake an affordable housing demonstration project.

The county shall keep area residents and the general public informed of progress made in implementing the action program. In creating this program the county will address on-site and off-site circulation for all forms of motorized and non-motorized travel modes, land use, public services and utilities, design and development standards, and other factors related to the development of the site.

5.B.6a The county shall assess the potential impacts of the planned development of the Cathcart site on surrounding properties as part of the environmental review process for the site. In particular, the properties to the northeast of the Cathcart site currently designated "Other" on the Future Land Use map will be included in this assessment, and alternative land use designations for those properties will be explored and evaluated. Issues to be evaluated include access and circulation, utilities, future land use, and environmental protection. In planning the access and circulation for the county Cathcart site, the county shall make no decisions which preclude the future development of these properties.

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Additional changes to the Transportation Element, Capital Improvement Program, and other elements of the Comprehensive Plan may result from this assessment.

- 5.B.7 Within the Maltby UGA, only industrial uses shall be allowed in areas that are designated on the Future Land Use Map for industrial use and are served or can be served by a railway spur line.
- 5.B.8 Within the Maltby UGA, the Urban Industrial plan designation shall be implemented through the Light Industrial or Industrial Park zones. Areas zoned Light Industrial are those areas located (1) under the Bonneville power line transmission easement and between Broadway and the eastern boundary of the SR-522 right-of-way, (2) between 206th St. SE, Broadway, 207th St. SE, and 88th Dr. SE or their extensions; (3) north of 212th St. SE in which the Light Industrial zone existed as of December 12, 1996; and (4) south of 212th St. SE and designated Urban Industrial by the Future Land Use Map. The Urban Commercial plan designations within the Maltby UGA shall be implemented through the Planned Community Business zone
- 5.B.9 Within the Maltby UGA, the parcel located at the terminus of 219th St. SE and west of 85th Avenue SE shall be designated as Urban Industrial and zoned to the Light Industrial zone. Transportation impacts of development within this Urban Industrial designation and Light Industrial zone, shall be mitigated consistent with GPP transportation policies, SCC Title 30.66B, and the mitigation measures identified in Addendum No. 16 to the County's GMA Comprehensive Plan/General Policy Plan.
- 5.B.10 Within the Maltby UGA, any future development of urban industrial land which abuts the UGA boundary shall provide the following undeveloped buffer: visual screening comprised of dense plantings, decorative walls, landscaped berming and/or other buffering techniques to make urban development compatible with adjacent rural residential uses.
- 5.B.11 Within the Marysville UGA, parcels zoned light industrial located between 43rd Ave. NE and the railroad right of way shall be limited to no more than 50% lot coverage for new developments or as defined by environmental analyses. All new developments shall mitigate for all drainage impacts, degradation of water quality and loss of fish and wildlife habitat.
- 5.B.12 Within the Southwest UGA, parcels designated Urban Industrial (on Point Wells) shall be considered for future redesignation from Urban Industrial to Urban Village designation upon issuance of a programmatic non-project environmental impact statement

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addressing environmental impacts, infrastructure and the provision of urban services.

5.B.13 ~~((New development, excluding single-family residential building permits, proposed within any portion of a Southwest UGA expansion area approved on or after December 20, 2006, located in the Little Bear Creek Watershed shall, when site conditions allow, use low-impact development techniques consistent with the Puget Sound Action Team's Low Impact Development Technical Guidance Manual for Puget Sound to meet storm water management standards instead of conventional methods.))~~REPEALED BY ORDINANCE NO. 14-

Objective LU 5.C

Recognize the unique development characteristics of certain commercial lands located on fee-simple lands under County jurisdiction within the Tulalip Reservation.

LU Policies

- 5.C.1 Develop a Reservation Commercial (RC) designation and apply this designation to certain fee-simple lands under county jurisdiction located on the Tulalip Reservation in an area characterized by a unique patchwork of lands under tribal and county jurisdiction, containing urban commercial land uses, supported by urban infrastructure including sanitary sewer and public water, and bordered on the west and north by Quilceda Creek, on the south by Ebey Slough and on the east by Interstate-5. Due to its unique characteristics, this area is not appropriate for designation as a UGA or LAMIRD. The Reservation Commercial designation shall only apply to lands described in this policy within the Tulalip Reservation.
- 5.C.2 Vacant or under utilized properties designated Reservation Commercial shall be zoned General Commercial. All new development on any property designated Reservation Commercial shall be approved with an official site plan according to the requirements of Chapter 30.31B SCC.
- 5.C.3 New development on property designated Reservation Commercial and adjacent to Quilceda Creek and associated wetlands is subject to a minimum 150 foot wide buffer of undisturbed native vegetation as measured from the ordinary high water mark or wetland edge.

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Rural Lands

Rural lands are those areas outside of urban growth areas (UGAs), excluding agricultural and forest lands, which are discussed in separate subsections. Mineral resource lands, also discussed in a separate subsection, overlap with a small portion of rural lands. In Snohomish County, rural areas are traditionally used for hobby farms, tree nurseries, greenhousing, agricultural crops, livestock, mineral extraction and processing, timber production, and low-density residential development. The low intensity use of rural land also provides fish and wildlife habitat, open space, and other environmental benefits.

The Growth Management Act requires the county to include a rural element in its comprehensive plan. The county's rural element consists of the rural land use policies in this subsection of the Land Use chapter as well as other rural-related policies addressing utilities, transportation, housing, open space, parks and recreation, economic development, and natural resources, each discussed in separate sections of the county's comprehensive plan.

- The utilities element discourages urban development patterns in the rural area by restricting public sewer systems outside designated UGAs.
- The transportation element establishes rural standards and rural levels of service to support low density/low intensity development in rural areas consistent with the rural land use policies.
- The capital facilities plan lists facilities that are "necessary to

support rural development" and corresponding minimum levels of service for each facility.

- The housing section promotes provision of a broad range of housing types in urban and rural areas to ensure all segments of the population have the opportunity to obtain safe, sanitary and affordable housing.
- The open space section in the Land Use chapter provides a policy framework linking open space preservation and development of low intensity recreational and residential opportunities in rural areas.
- Policies in the economic development and natural resource sections in the GPP provide a foundation supporting rural and resource-based economic activities in the rural areas.

The countywide planning policies for Rural Land Use provide the policy framework for preparing the rural element of the county comprehensive plan. While at least 90% of the county's forecasted population growth will be directed into cities and urban growth areas after 2008, rural areas may absorb no more than 10% of the county's forecasted population growth after 2008. The rural land use policies provide for this limited growth in rural areas, strive to be sensitive to existing land uses and development patterns, preserve rural character and lifestyle, and protect the environment and natural resource lands.

Rural land use policies describe and accommodate a wide array of land uses and a variety of residential densities that are

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compatible with the character of rural areas; support rural and natural resource-based industries; provide economic opportunities for rural residents; promote low intensity recreational uses consistent with rural surroundings; and preserve the rural lifestyle and traditional rural activities which contribute to the county's overall quality of life.

A major portion of the county's rural planning work was completed as part of the GPP amendments that were adopted and became effective on December 12, 1996, in response to Growth Management Hearings Board decisions. The amendments modified and refined the rural residential plan provisions of the GPP. On December 16, 1998 the county adopted additional plan refinements concerning rural commercial and rural industrial land uses as directed by the GPP, the countywide planning policies, and amendments to the GMA passed by the state legislature in 1997.

The rural policies were reviewed in 2005 as part of the 10-year update cycle. Rural policies and the resulting rural development patterns were evaluated to ensure that patterns of urban development were not occurring in the rural area; that rural character has been preserved; and that the rural element provides a balanced approach for satisfying the goals of the GMA. Based on this evaluation, policies were updated to strengthen the county's commitment to preservation of rural lifestyle and to reflect completed planning efforts and evolution of the rural planning work program.

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GOAL LU 6		Protect and enhance the character, quality, and identity of rural areas.
	Objective LU 6.A	Reduce the rate of growth that results in sprawl in rural and resource areas.
LU Policies	6.A.1	Accommodate no more than ten percent of the county population growth forecast, as adopted in Appendix D, in rural areas after 2008 at appropriate rural densities and using rural development standards. To help ensure that the rural population target is not exceeded, rural growth trends shall be monitored using the process and criteria established under Objective PE 2.B. If rural growth trends indicate that the rural population target may be exceeded, the county shall evaluate whether incentive programs or adjustments to planned densities or land uses are necessary to bring rural growth trends back into alignment with the adopted target.
	6.A.2	Establish rural infrastructure standards that are consistent with appropriate rural development patterns and densities.
	6.A.3	The Warm Beach Health Care Center/Senior Community may be expanded into an area that includes parcels with the following tax account numbers: 183104-1-002, 2-007, 2-008, 2-009, 2-018, and 2-022. Densities within the expansion area may exceed the density allowed by the GPP Future Land Use Map and/or the zoning classification for these parcels but may not exceed 2 dwelling units per acre, provided that a planned residential development (PRD) consistent with this density allowance is approved for the site prior to the issuance of building permits. The official site plan required by the PRD shall meet applicable requirements of the zoning code. The following additional requirements shall be met: <ul style="list-style-type: none">(a) no new lots are created;(b) housing shall be limited to rental housing units for senior citizens;(c) senior housing does not unduly disrupt or alter the visual character of rural uses in the immediate vicinity;(d) impacts concerning traffic, sewage disposal, water supply, and nearby wells are mitigated consistent with county code and policies; and(e) the development will not lead to more non-rural development.
	Objective LU 6.B	Encourage land use activities and development intensities that protect the character of rural areas, avoid interference with resource land uses, minimize impacts upon critical areas, and

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allow for future expansion of UGAs. (See the resource sections of the land use element for protection of resource lands and the natural environment element for protection of critical areas.)

LU Policies 6.B.1

Use of a clustering subdivision technique should be encouraged by the County in rural residential areas to 1) preserve the rural character of Snohomish County; 2) avoid interference with resource land uses; 3) minimize impacts upon critical areas; 4) allow for future expansion of the UGAs, where appropriate, and 5) support the provision of more affordable housing in rural areas. The primary benefit of clustering is the preservation of open space. Modest density incentives should be provided in a manner which encourages use of the technique and maximum preservation of open space and maintenance of rural character. The open space tracts in rural cluster subdivisions shall be preserved in perpetuity, except for those located now or in the future within the Rural/Urban Transition Area. In the Rural/Urban Transition area, open space tracts shall be preserved until such time as the subdivision is included within a UGA, so that it may be used for future urban development. Rural cluster subdivision regulations implementing this policy shall include performance standards to ensure that:

1. The number, location and configuration of lots will constitute compact rural development rather than urban growth. Performance standards shall include the following:
 - (a) Preservation of a substantial percentage of total site area in open space to be held in single ownership and in a separate tract or tracts;
 - (b) Provision of a density incentive which is tied to the preservation of open space;
 - (c) Connection of open space tracts with open space tracts on adjacent properties;
 - (d) Density at no greater than the underlying zoning density together with a modest density bonus as an incentive for use of the clustering technique;
 - (e) Allowance of open space uses consistent with the character of the rural area;
 - (f) Division of the development into physically separated clusters with a limitation on the maximum number of lots per cluster;
 - (g) Physical separation between clusters consisting of a buffer of wind resistant vegetation;
 - (h) Design that configures residential lots to the greatest extent possible to maintain rural character by:

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- (i) maximizing visibility of open space tract and minimizing visibility of clusters from adjoining collector roads, arterial roads, or state and federal highways through the placement of lots in the interior of the site and through vegetative buffers; and
 - (ii) placing buildings and lots in a manner which does not intrude on the visual character of the rural landscape, in particular, avoiding placement of houses or buildings on forested ridgelines or other prominent physical features;
 - (i) Submittal of a planting and clearing plan to ensure that any planting or clearing proposed will not interfere with the rural character of the site;
 - (j) Submittal of a site plan to ensure that siting of lots and built areas will not interfere with the rural character of the site and is consistent with the performance standards of the ordinance. The site plan must include:
 - (i) location of clusters, roads and open space;
 - (ii) within clusters, location and placement of buildings, useable building areas, driveways, and drainage systems; and
 - (iii) location of critical areas and all buffers;
2. The development minimizes adverse impacts to large-scale natural resource lands, such as forest lands, agricultural lands and critical areas. Performance standards shall include the following:
- (a) Minimization of alterations to topography, critical areas, and drainage systems; and
 - (b) Adequate separation between rural buildings and clusters and designated natural resource lands;
3. The development does not thwart the long-term flexibility to expand the UGA. In the Rural/Urban Transition area, open space tracts shall be preserved until such time as the subdivision is included within a UGA, so that the tract may be reserved for future urban development. When an open space tract is added to a UGA and adequate services can be provided, the County may allow redevelopment of the open space tract into additional lots to provide appropriate urban level density.

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4. The development has made adequate provision for impacts to transportation systems. Performance standards shall include:
- (a) controls for access to the rural cluster subdivision from public roads;
 - (b) requirements to meet rural concurrency standards; and
 - (c) requirement that the development be located within a rural fire district.

6.B.2 The retention of small forest, farming, horse farm and other livestock based farm operations and hobby farms shall be encouraged in rural areas.

6.B.3 Resource-based industries that help sustain rural communities, require only rural levels of service, support the conservation of natural resource lands, and complement rural character shall be promoted in rural areas.

6.B.4 Resource-dependent tourism and recreation-oriented uses such as commercial horse stables, guide services, golf courses, and group camps should be allowed on a conditional use basis in rural areas provided they do not adversely impact adjoining rural uses.

6.B.5 Nonresource-dependent tourism-related uses such as motels and restaurants serving rural and resource areas should be located within commercial zones.

6.B.6 Development standards in rural areas shall be consistent with the cultural resources policies in the plan so as to preserve them.

6.B.7 Except for athletic facilities located near urban growth areas, campgrounds, parks, recreational facilities, and trails shall consist of low intensity and density uses and be sited and designed to avoid adverse impacts on residents and the environment.

6.B.8 Monitor the rate and pattern of development created by rural cluster subdivisions and report to the county council annually to ensure that a pattern of urban development is not established in rural areas.

Objective LU 6.C Identify and designate as Rural Resource Transition rural lands with natural resource values between designated resource and rural lands.

LU Policies 6.C.1 Designate as Low Density Rural Residential those areas which are currently zoned Forestry requiring 20 acre minimum lot sizes in new subdivisions but are not included in the Forestry designations of the General Policy Plan.

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- 6.C.2 The county shall consider the establishment of a Rural Resource Transition designation which would serve as a transition area between rural residential and natural resource lands.
- 6.C.3 The Rural Resource Transition designation should initially incorporate the Low Density Rural Residential and Rural Residential-10 (Resource Transition) designations of the General Policy Plan and may include other lands which provide an appropriate transition between rural and resource lands.
- 6.C.4 The county should work with willing landowners to designate lands as Rural Resource Transition which have productive soils, are surrounded by very low intensity land uses, and have parcel sizes of 10 acres or greater.
- 6.C.5 Through subsequent implementation measures, rural cluster subdivision of Low Density Rural Residential and Rural Resource Transition lands shall be encouraged on tracts 40 acres or larger.
- 6.C.6 Designate as Rural Residential-10 (Resource Transition) those areas outside of the Tulalip Reservation which were formerly included in Forestry designations on pre-GMA subarea plans but not zoned Forestry. These areas shall not be subdivided into lots less than 10 acres except through the use of cluster subdivision or housing demonstration program using PRD provisions at a maximum density of 1 dwelling unit per 5 acres.
- 6.C.7 Designate as Rural Residential-10 (Resource Transition) those fee-simple lands on the Tulalip Reservation which are adjacent or in close proximity to lands designated for forestry or agricultural use by the GPP or the Tulalip Tribes' comprehensive plan and lands adjacent to the estuary of Quilceda Creek. The Rural Residential-10 (Resource Transition) designation will serve as a density transition between 5-acre rural residential uses and natural resource lands on the Reservation. The Rural Residential-10 (Resource Transition) areas on the Tulalip Reservation shall not be subdivided into lots less than 10 acres except through the use of the rural cluster subdivision technique.

Objective LU 6.D

Designate as Rural Residential-10 those areas outside the Marysville-Arlington Urban Growth Areas east of I-5 to maintain large parcel patterns for small farm and low density rural uses.

LU Policies

- 6.D.1 Provide that the portion of the Rural Residential-10 area bounded on the south by 108th and on the north by the diagonal railroad line be maintained in rural status and specialty agriculture through cluster provisions and a specialty agriculture priority.

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- Objective LU 6.E** **Within rural residential areas, recognize existing businesses that are an integral part of the rural character and provide for small-scale, commercial developments that support the immediate rural population with necessary goods and services.**
- LU Policies**
- 6.E.1 Within the rural residential designations of the Future Land Use Map, limited commercial uses shall be permitted within a Rural Business zone that provide opportunities for retail sales and services to the surrounding rural population.
 - 6.E.2 The county shall develop Rural Business zoning and development standards that facilitate small-scale retail and service uses at appropriate locations within rural residential areas and minimize impacts to residential areas, resource lands, and critical areas.
 - 6.E.3 In order to maintain the character of surrounding rural residential areas, the Rural Business development standards shall restrict the building size, height, and setback; the size, location, and type of uses; and the areas of impervious surfaces.
 - 6.E.4 Rural Business development shall be limited to development that can be supported by services typically delivered at rural levels of service. These services may include domestic water, septic systems, and transportation facilities.
 - 6.E.5 Existing small-scale commercial uses within rural residential zones may be zoned Rural Business whether or not they meet the locational criteria listed in Policy LU 6.B.7 only if they are uses allowed within the Rural Business zone. If existing uses do not meet the locational criteria, no future expansion of the zone shall be allowed. This policy is not intended to preclude legal non-conforming uses from expanding consistent with Snohomish County Code provisions.
 - 6.E.6 The county shall rezone existing commercial zones within rural areas and outside the Rural Commercial and Rural Freeway Service designations to the new Rural Business zone.
 - 6.E.7 New Rural Business zones may only be approved in Rural Residential plan designations if they meet the following locational criteria:
 - (a) A minimum of six hundred residential dwelling units should be located within a two and one-half mile radius of the proposed site.
 - (b) The site is located along a county road or state highway with at least one hundred feet of street frontage or at an intersection of two public roads.

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- (c) No new areas designated or zoned for commercial uses should be located closer than two and one-half miles in the rural area.
- (d) The total area zoned for Rural Business at any given location should not include more than five acres of net usable area. Net usable area should be the total site area less critical areas and their required buffers, roads, detention/retention areas, and biofiltration swales. Parcels within a Rural Business location should have common boundaries unless separated by public rights-of-way.
- (e) The size and configuration of the area to be zoned should be capable of accommodating setbacks, buffers, critical area protection, and other site planning and design techniques that permit small-scale, rural commercial development characteristics.

6.E.8 Sites within a Rural Business zone should be developed according to development regulations which incorporate the following criteria:

- (a) Existing native vegetation should be retained within required buffers. Screening of parking areas, outdoor storage and mechanical equipment should be provided.
- (b) Site disruption such as excessive grading, filling, or clearing of vegetation should be minimized through landscaping and buffer requirements.
- (c) Total permitted impervious surfaces of buildings, parking and other support areas such as storage, trash containers, etc., should not exceed fifty percent of the net usable site area.
- (d) ~~((Storm water))~~ Stormwater ~~((detention))~~ management facilities ~~((, such as ponds and grassy swales,))~~ should be designed and landscaped to integrate them into the overall site design and the landscaped buffers on the site.
- (e) All structures should be set back fifty feet from residentially zoned properties. Structures should be set back one hundred feet from designated agricultural and forest lands.
- (f) Sites should retain all existing trees in all required buffers along side and rear property lines. Sites should retain all existing evergreen trees in all required buffers along property frontage excluding areas for access drives and sign locations, unless tree removal is required to meet Department of Public Works Engineering Design and Development Standards or because of public health and safety concerns.

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- (g) Billboards should be prohibited within the Rural Business zone. Signage requirements should be similar to the signage provisions of the Neighborhood Business zone.
- (h) Adequate water supplies should be demonstrated for commercial use and fire protection including fire flow.
- (i) Refuse collection, fuel loading and storage areas, and large truck parking areas should be located at least one hundred feet from residential areas and screened by fence or landscaping.

Objective LU 6.F **Provide areas for small-scale, freeway interchange commercial uses that support both local rural populations and the traveling public with necessary goods and services.**

- LU Policies**
- LU 6.F.1 Within rural lands outside of urban growth areas (UGAs), and located along Interstate 5 at freeway interchanges, permit limited commercial uses that provide opportunities for retail sales and services to rural populations and the needs of the traveling public.
 - LU 6.F.2 The Rural Freeway Service designation shall apply to areas that are located at the Interstate 5 interchanges north and west of, and outside of, the Arlington/Marysville UGA.
 - LU 6.F.3 Existing commercial zones currently located at freeway interchanges outside UGAs and within Rural Freeway Service plan designations shall be rezoned to the Rural Freeway Service zone regardless of size.
 - LU 6.F.4 Rural Freeway Service zoning and development, site, and locational criteria shall be adopted that facilitate small-scale retail and service uses at appropriate locations that minimize impacts to rural residential areas, resource lands, and critical areas.
 - LU 6.F.5 In order to maintain the rural character of the area, Rural Freeway Service development standards shall restrict the building size, height, and setback, the areas of impervious surfaces, and the size, location, and type of uses.
 - LU 6.F.6 Rural Freeway Service development shall be limited to development that can be supported by services typically delivered at rural levels of service. These services may include domestic water, septic systems, and transportation facilities.
 - LU 6.F.7 New Rural Freeway Service designations on the Future Land Use map may be approved only in rural areas and if the area meets the following locational criteria:
 - (a) Sites should be located near an Interstate 5 interchange and shall abut a frontage or access road.

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- (b) Total land area designated for Rural Freeway Service at any given interchange shall not include more than ten net usable acres. Net usable area shall be the total site area less critical areas and their required buffers, roads, detention/retention areas, and biofiltration swales.
- (c) Site conditions such as topography, soils, existing vegetation, critical areas, vehicular traffic sight lines and capacity for water, fire protection and septic systems shall be adequate to support Rural Freeway Service development without adverse impacts to adjacent sites or the natural environment.
- (d) The size and configuration of the area to be designated must be capable of accommodating setbacks, buffers and other site planning and design techniques that permit small-scale, rural commercial development characteristics.

LU 6.F.8

Sites within a Rural Freeway Service designation shall be developed according to development regulations which incorporate the following criteria:

- (a) Existing native vegetation should be retained within required buffers. Screening of parking areas, outdoor storage and mechanical equipment shall be provided.
- (b) Site disruption such as excessive grading, filling, or clearing of vegetation shall be minimized through landscaping and buffer requirements.
- (c) Total permitted impervious surfaces of buildings, parking and other support areas such as storage, trash containers, etc., shall not exceed sixty percent of the net usable site area.
- (d) Storm water detention facilities, such as ponds and grassy swales, shall be designed and landscaped to integrate them into the overall site design and the landscaped buffers on the site.
- (e) All applicable State Highway regulations related to access shall be met.
- (f) All structures shall be set back fifty feet from rural residential zoned properties and from designated farmland. Structures shall be set back one hundred feet from designated forest land.
- (g) Type III landscaping (as defined by the county's landscaping code), which may include native vegetation with an average width of twenty-five feet but not less than ten feet, shall be required along all frontage and access roads abutting the property and between other Rural Freeway Service or Rural Business zoned properties. Type

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II landscaping (as defined by the county's landscaping code), which may include native vegetation with a width of fifty feet, shall be provided along property lines adjacent to rural residential zoned areas.

- (h) Sites shall retain all existing trees of three inch caliper and larger in all required buffers along side and rear property lines. Sites shall retain all existing evergreen trees of three inch caliper and larger in all required buffers along property frontage, excluding areas for access drives and sign locations, unless tree removal is required to meet Department of Public Works Engineering Design and Development Standards or because of public health and safety concerns.
- (i) Billboards shall be prohibited within the Rural Freeway Service zone. Signage requirements shall be similar to the signage provisions of the Freeway Service zone.
- (j) Adequate water supplies shall be demonstrated for commercial use and fire protection including fire flow.
- (k) Refuse collection, fuel loading and storage areas, and large truck parking areas shall be located at least one hundred feet from residential areas and screened by fence or landscaping.

Objective LU 6.G

Provide for small-scale industrial uses in the rural areas of the county that are primarily dependent on the natural resources derived from the rural and resource areas.

LU Policies LU 6.G.1

Within rural lands outside of urban growth areas (UGAs), permit limited rural industrial land uses in areas previously designated or zoned for rural industrial uses and permit limited rural industrial uses in areas which have not been previously designated or zoned for rural industrial uses but contain uses or existing structures previously devoted to rural industry. Provide opportunities for small-scale industrial development that relates to other rural uses and natural resource production, processing and distribution of goods.

- LU 6.G.2 Recognize the existing rural industrial designations and zones in the county that contribute to the economic diversity of the unincorporated areas of the county and provide employment opportunities to nearby rural populations.
- LU 6.G.3 Existing industrial zones outside UGAs shall be rezoned to the Rural Industrial zone regardless of size.
- LU 6.G.4 Rural industrial areas should be developed in a manner which supports the rural character of the county and protects sensitive

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natural features of the environment. The scale and character of rural industrial development shall be smaller and less intense than urban industrial development.

LU 6.G.5 Rural Industrial development shall be limited to development that can be supported by services typically delivered at rural levels of service. These services may include water, septic systems, and transportation facilities.

LU 6.G.6 Expansions of Rural Industrial designations on the Future Land Use map may be approved only if they meet the following locational criteria:

(a) Site conditions such as topography, soils, existing vegetation, critical areas, and capacity for water, fire protection and septic systems shall be adequate to support intensive resource-based industrial production without significant adverse environmental impacts.

(b) Designation size and configuration shall allow for setbacks, buffers, and other site planning and design techniques that permit small-scale, rural commercial development characteristics.

(c) Total land area designated for Rural Industrial at any given location shall not include more than twenty net usable acres. Net usable area shall be the total site area less critical areas and their required buffers, roads, detention/retention areas, and biofiltration swales.

(d) Rural industrial development shall not require the construction of long access roads or other transportation improvements such as bridges and roads.

LU 6.G.7 Sites within a Rural Industrial designation shall be developed according to development regulations which incorporate the following criteria:

(a) Existing native vegetation should be retained within required buffers. Screening of parking areas, outdoor storage and mechanical equipment shall be provided.

(b) Site disruption such as excessive grading, filling, or clearing of vegetation shall be minimized through landscaping and buffer requirements.

(c) Total permitted impervious surfaces of buildings, parking and other support areas such as storage, trash containers, etc., shall not exceed sixty percent of the net usable site area.

(d) ~~((Storm—water))~~Stormwater ~~((detention))~~management facilities ~~((such as ponds and grassy swales))~~ shall be

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- designed and landscaped to integrate them into the overall site design and the landscape buffers on site.
- (e) All structures shall be set back one hundred feet from rural residential zoned properties, designated farmland, and designated forest land.
 - (f) Type III landscaping (as defined by the county's landscaping code), which may include native vegetation with an average width of twenty-five feet but not less than ten feet shall be required along all frontage and access roads abutting the property and between other Rural Freeway Service or Rural Business zoned properties. Type II landscaping (as defined by the county's landscaping code), which may include native vegetation with a width of one hundred feet shall be required along property lines abutting rural residential areas.
 - (g) Sites shall retain all existing trees of three inch caliper and larger in all required buffers along side and rear property lines. Sites shall retain all existing evergreen trees of three inch caliper and larger in all required buffers along property frontage excluding areas for access drives and sign locations unless tree removal is required to meet Department of Public Works Engineering Design and Development Standards or because of public health and safety concerns.
 - (h) Billboards shall be prohibited within the Rural Industrial zone. Signage requirements shall be similar to the signage provisions of the Neighborhood Business zone.
 - (i) Adequate water supplies shall be demonstrated for commercial use and fire protection including fire flow.
 - (j) Refuse collection, fuel loading and storage areas, and large truck parking areas shall be located at least one hundred feet from residential areas and screened by fence or landscaping.
 - (k) Disruption to adjacent rural residential areas by noise, dust, odors, operating hours, vehicular movement and traffic, or adverse visual alteration of the natural landscape by industrial activities shall be minimized.

Objective LU 6.H

Within the rural Clearview area and along State Route 9, establish two limited areas of more intense rural development within logical outer boundaries that are based on commercial uses in existence as of July 1, 1990, and which permits limited infill, development or redevelopment within existing areas.

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- LU Policies** LU 6.H.1 Recognize the existing commercial and residential settlement pattern in the area of southeast Snohomish County along State Route 9 between 184th and 172nd Streets SE and at 164th Street SE as limited areas of more intense rural development (LAMIRD) that provide retail goods and services to the immediate population and a larger surrounding service area and allow limited infill adjacent to existing commercial development.
- LU 6.H.2 Areas with an existing commercial designation or zoning within LAMIRD boundaries shall be designated Clearview Rural Commercial (CRC).
- LU 6.H.3 Areas designated Rural Residential within LAMIRD boundaries shall retain the existing Rural Residential designation.
- LU 6.H.4 Rural residents should have access to a mix of small scale retail sales, personal services and job opportunities within the CRC designation.
- LU 6.H.5 Prevent strip development by minimizing and containing infill and redevelopment within the logical outer boundaries of two distinct commercial nodes in the Clearview area.
- LU 6.H.6 The boundaries of the Clearview LAMIRDs are shown on the Future Land Use map. The boundaries are based on those found in the Cathcart-Maltby-Clearview area plan, generally follow parcel lines, and include parcels which meet the following criteria:
- (a) The area does not contain extensive critical areas, and
 - (b) The area is developed with a commercial use which was in existence on or before July 1, 1990; or
 - (c) The area is zoned Neighborhood Business or Community Business and is a cohesive part of the existing commercial settlement pattern; or
 - (d) The remaining area constitutes infill, as it is located between and adjacent to two larger areas meeting criteria b) or c) above, or is along the boundary edge and its exclusion would create an irregular boundary.
- LU 6.H.7 Implement the CRC designation through zoning and development standards which reduce impacts of new infill development or redevelopment to adjacent rural residential areas and rural character:
- (a) Require a twenty-five foot wide sight-obscuring landscape buffer adjacent to the LAMIRD boundaries. The buffer should be designated to preserve native vegetation and existing trees of three-inch caliper or larger; and
 - (b) New uses shall be limited primarily to those uses similar to and compatible with uses that existed on July 1, 1990, and which serve the local rural population.

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- LU 6.H.8 Development within the CRC designation shall be limited to development that can be supported by services typically delivered at rural levels of service. These services may include water, septic systems, and transportation facilities.
- Objective LU 6.I **Develop voluntary and incentive-based programs to promote and preserve agricultural activities in rural areas.****
- LU Policies** LU 6.I.1 Allow owners of qualifying rural land to opt into the TDR program and have their land redesignated as resource land consistent with adopted policies for TDR.
- LU 6.I.2 Provide informational materials to the public that will help preserve and promote agricultural activities in the rural area. Public education efforts or materials should include:
- (a) Voluntary site planning measures for improving the compatibility between new rural development and agricultural activities;
 - (b) A central information distribution site to help local farmers make the public aware of when, where and how to purchase local farm products;
 - (c) Support for local efforts to disseminate information about new farming methods, markets and products that can add value to agricultural businesses; and
 - (d) The criteria for qualifying for, and the process for enrolling in, property tax reduction programs available for agricultural lands.
- LU 6.I.3 All rural areas where changes in zoning increase the maximum allowable number of residential lots or units shall be designated as TDR receiving areas and all development approvals in those areas shall be consistent with adopted TDR policies in this chapter.

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Natural Environment

Snohomish County's natural features combine to create a unique environmental setting in the Puget Sound Basin. The Cascade Mountains, parts of five major river watersheds, lowland forests, estuaries, marine shorelines, numerous lakes, wetlands, and streams all combine to create the special character that is Snohomish County. These features also contribute to the county's economy and quality of life to its citizens.

Protection of the natural environment is fundamental to achieving and preserving the quality of life for Snohomish County residents. People and businesses choose to locate in Snohomish County due in large part to the quality of the natural environment. The natural environment element of the comprehensive plan provides the framework to realize the vision of thriving communities while protecting and preserving natural resources and the environment. It also provides for protection from various forms of pollution and natural hazards such as flooding, landslides, and other natural disasters. To be effective, in our efforts to protect and enhance the natural environment, the various policies, plans, and programs must be coordinated and focused through a consistent policy framework that has a multi-faceted approach. Our guiding principle is that the cumulative effect of all of the county's programs and efforts should result in no net loss of ecological functions and values consistent with the requirements of state law.

This multi-faceted approach includes planning; intergovernmental coordination; development of regulation; enforcement; and improved protection of ecological functions

and values through non-regulatory incentive-based means, such as voluntary enhancement and restoration, public education and other voluntary activity; and monitoring and adaptive management. The plan provides policies in each of these areas to direct the county's efforts to protect the natural environment of Snohomish County and to achieve the outcome of no net loss of functions and values to the extent mandated by state law.

The need for a rigorous protection program is balanced by providing a fair and equitable distribution of the impacts of regulation, flexibility and clarity in approach, and fast service delivery. The public must be educated to understand the county's regulatory approach and the reasons for the regulation. Vital to the success of the county's program is careful consideration of how the burdens of environmental protection may impact property owners and business. Severe financial impacts, unclear government purposes, or circumstances where a less intrusive means for accomplishing the identified purpose are factors that must be avoided in developing policy and regulation that may adversely affect property rights. In developing policy and regulation affecting property rights, as well as issuing permits, county decision makers must evaluate constitutional principles relating to the taking of property and the application of substantive due process. Tools available to aid this evaluation process include the Washington State Attorney General's Advisory Memorandum on Avoiding Unconstitutional Takings of Private Property.

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- GOAL NE 1** **Continue existing and develop new county plans and programs which establish priorities to protect and enhance the natural environment through a coordinated policy framework to maintain and improve the quality of life for Snohomish County. The policy framework below provides a non-exclusive list of the core priorities and strategies that must be addressed in all plans and programs that affect the natural environment.**
- Objective NE 1.A** **Balance the protection of the natural environment with economic growth, housing needs and the protection of property rights.**
- NE Policies** 1.A.1 Regulatory programs developed for the protection of the natural environment shall provide certainty, clarity, flexibility, efficiency, public outreach and education so that citizens understand the requirements, permits are processed quickly, and alternative approaches that provide equal or greater protection to the environment may be considered.
- 1.A.2 The County shall seek to maintain a sufficient inventory of developable land to meet economic, housing and agricultural needs.
- 1.A.3 The county shall provide flexibility in policies and programs so as to protect property rights and minimize impacts to development of property.
- 1.A.4 The county’s plans and programs shall not contain provisions that violate federally-protected treaty rights.
- 1.A.5 The county shall encourage and accommodate economic growth through plans and programs in a manner that minimizes impacts to the natural environment.
- 1.A.6 The county shall incorporate provisions and incentives for flexibility in environmental plans and programs to promote growth and viability of natural resource industries.
- 1.A.7 The county shall establish criteria for prioritizing natural resource industry uses and natural environment protection enhancement and/or restoration based on the land’s potential for resource productivity, ecological function and investment-to-return ratio.
- Objective NE 1.B** **Accommodate population growth in a manner that maintains and protects elements of the natural environment.**
- NE Policies** 1.B.1 The county shall consider comprehensive land use plan designations and development regulations that take into account:
- (a) environmental sensitivity and ecological functions and values;

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- (b) limitations of ground and surface water quantities; and
- (c) potential impacts on surface and ground water quality.

1.B.2 The county shall consider air pollution and nuisance odors associated with land uses and development in plans and programs to assure compatibility with the surrounding environment, provided that odors occurring as a result of accepted agricultural or forest practices on natural resource lands shall be presumed reasonable and not a nuisance.

1.B.3 The county shall consider noise associated with land uses and development in plans and programs to assure compatibility with the surrounding environment, provided that noise occurring as a result of accepted agricultural or forest practices on natural resource lands shall be presumed compatible with the surrounding environment.

1.B.4 The county shall plan for growth in a manner that encourages reduction of sprawl, meets GMA housing goals and places employment and residential uses in close proximity to reduce impacts to air quality.

Objective NE 1.C

Protect and enhance natural watershed processes, wetlands, fish and wildlife habitat conservation areas, shorelines, and water resources with the long-term objective of protecting ecological function and values.

NE Policies

1.C.1 The county shall continue to protect water resources and natural watershed processes by maintaining the quality, rates and supplies of water, sediment, and woody debris through the use of a variety of strategies, such as:

- (a) maintaining the natural hydrologic cycle and minimizing alterations of natural drainage patterns;
- (b) encouraging alternative impervious surface techniques;
- (c) providing for the retention of natural vegetation; ~~((and))~~
- (d) developing and implementing watershed management plans that protect water quality and address non-point pollution and the cumulative effects of land management on ecological systems~~((-))~~; and
- (e) utilizing low impact development (LID) techniques and site planning.

1.C.2 The county shall continue to protect and enhance wetlands and fish and wildlife habitat conservation areas through the use of a variety of strategies, such as:

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- (a) including best available science in plans and programs;
- (b) supporting the development and implementation of watershed management plans and identifying areas where voluntary restoration and enhancement should be used to improve water quality, water quantity, fish habitat and overall hydrologic function;
- (c) coordinating the use of agricultural resource lands with the protection, restoration and/or enhancement of ecological functions and values;
- (d) developing incentive-based, voluntary restoration and enhancement programs to offset impacts to overall ecological functions and values resulting from development projects or the use of agricultural resource lands and encouraging creative on-site, and reach scale restoration/enhancement proposals that optimize natural and/or agricultural resource values and ecological function; and
- (e) including strategies for monitoring and adaptive management in plans and programs.

1.C.3 The county shall protect and enhance the ecological functions of shorelines through the Snohomish County Shoreline Management Program.

Objective NE 1.D **The county shall protect the health, safety, welfare and the economy of the community by minimizing the risks associated with natural hazards.**

- NE Policies**
- 1.D.1 The county should consider natural hazards in all land use planning.
 - 1.D.2 The county should develop comprehensive floodplain management plans. Where cities and the county share common floodplains, joint flood hazard planning and interlocal agreements should be used to ensure consistent floodplain management.
 - 1.D.3 The county should develop and update drainage basin plans that document urban flooding problems and potential solutions.
 - 1.D.4 The county should adopt and implement a Natural Hazards Mitigation Plan to reduce the vulnerability to natural hazards.
 - 1.D.5 The county shall develop programs that provide for notification of the presence of geologic hazards.

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GOAL NE 2 **Provide for the protection and encourage restoration of ecological functions and values across the landscape by coordinating planning efforts among jurisdictions and citizens.**

Objective NE 2.A **Coordinate and support the adoption of programs to protect, restore and enhance ecological functions with other jurisdictions, agencies, tribes and non-governmental organizations.**

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| NE Policies | 2.A.1 | The county should coordinate with and participate in the watershed-based planning processes within the region to provide an ongoing opportunity for tribes, municipalities, regional, state, federal agencies, and nongovernmental organizations to develop compatible environmental protection and restoration approaches. |
| | 2.A.2 | The county should coordinate scientific data collection and monitoring activities with other affected governments, agencies, and tribes, and collaboratively exchange data with such entities. Monitoring data from approved land use applications should also be considered. |
| | 2.A.3 | The county should work with other jurisdictions, agencies, and tribes to protect and enhance water quality at commercial and recreational shellfish beds. |
| | 2.A.4 | The county should coordinate with the state department of fish and wildlife and other agencies and tribes to protect, manage, and monitor habitat for fish and wildlife. |
| | 2.A.5 | The county should work with other jurisdictions and state or federal agencies to ensure adequate flood protection from forestry and development activities outside of county control. |
| | 2.A.6 | The county should participate in regional salmon recovery planning efforts and aggressively pursue funding that can provide multiple environmental benefits. |

GOAL NE 3 **Comply with the requirements of state, federal and local laws for protecting and managing critical areas, shorelines, and water.**

Objective NE 3.A **Develop regulatory policies that apply to elements of the natural environment.**

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| NE Policies | 3.A.1 | The county shall designate and protect critical areas including fish and wildlife habitat conservation areas, wetlands, critical aquifer recharge areas, frequently flooded areas and geologically hazardous areas and include best available science in the development of programs, policies and regulations relating to critical areas. |
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- 3.A.2 The county shall establish development regulations that offer flexibility in site design to accommodate innovative solutions for critical area protection where site constraints or critical area characteristics warrant use of a creative approach. Flexibilities may be considered on a site-by-site basis. Examples of innovative options include but are not limited to buffer width averaging, on- or off-site enhancement or restoration projects, use of best management practices, or a combination of creative solutions.
- 3.A.3 The county shall evaluate immediate and cumulative effects on the natural environment, critical areas, shorelines and buildable land inventory when formulating development regulations, including but not limited to, stormwater management, clearing, and grading.
- 3.A.4 The county shall evaluate the level of risk of damage or injury to people, property and the environment when formulating development regulations.
- 3.A.5 The county shall design development regulations to avoid or minimize impacts to the ecological functions and values of critical areas.
- 3.A.6 The county should generally require that mitigation for impacts to the natural environment be located in the following sequential order of preference: on-site, in the same sub-basin, in the same watershed, or in another appropriate ecosystem.
- 3.A.7 The county shall consider a variety of strategies for the permanent protection of critical areas.
- 3.A.8 The county shall consider the recommendations contained in watershed management plans and salmon recovery plans in drafting development regulations.

Objective NE 3.B Designate and protect fish and wildlife habitat conservation areas and wetlands pursuant to the Growth Management Act.

- NE Policies** 3.B.1 Vegetated areas in and adjacent to wetlands and fish and wildlife habitat conservation areas shall be established to protect their ecological functions and values and include special consideration for the protection of water-dependent and riparian-dependent fish and wildlife.
- 3.B.2 The county should maintain a fish and wildlife corridor map for critical habitat.
- 3.B.3 The county shall adopt special provisions for the protection of unique wetlands such as bogs, fens, estuarine wetlands, coastal lagoon wetlands, wetlands with old growth forests, and wetlands with unique or rare wildlife or plant communities.

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- 3.B.4 The county shall adopt vegetation retention standards to protect fish and wildlife habitat conservation areas and limit the use of invasive and non-native plant species that may adversely impact such habitat.
- 3.B.5 The county shall protect state and federal officially designated threatened and endangered species and their habitat conservation areas, as prescribed by state and federal law.
- 3.B.6 The county should develop a legislative approval process for the purpose of nominating and protecting species and habitats of local importance.
- 3.B.7 The county shall protect critical saltwater habitats such as eelgrass and kelp beds, shellfish areas, forage fish spawning areas and coastal lagoons.
- 3.B.8 The county shall include special consideration to conserve, protect and enhance anadromous fish and their habitat in policies and regulations.
- 3.B.9 The county should adopt a water typing system and wetland classification system consistent with state guidelines.
- 3.B.10 The county shall require that alterations to wetlands and fish and wildlife habitat conservation areas be avoided or minimized to protect ecological functions and values consistent with the GMA's requirement of ensuring no net loss of the functions and values of critical areas.

Objective NE 3.C Designate and protect critical aquifer recharge areas pursuant to the Growth Management Act.

- NE Policies 3.C.1** The county shall establish a groundwater management program to protect groundwater quality, assure groundwater quantity, and provide efficient management of water resources for meeting future needs while protecting existing water rights.
- 3.C.2 The county shall establish development regulations that include a variety of strategies for protecting groundwater.

Objective NE 3.D Designate and protect frequently flooded areas pursuant to the Growth Management Act.

- NE Policies 3.D.1** To protect public health, safety and welfare, the county shall preserve natural floodplain and watershed processes to:
 - (a) Maintain natural flood storage capacity;
 - (b) Preserve natural drainage and conveyance systems;
 - (c) Avoid increases in flood elevations; and

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(d) Prevent downstream flooding.

- 3.D.2 The county shall allow only those developments and land uses in floodplains that are compatible with floodplain processes.
- 3.D.3 The county should meet the requirements of the National Flood Insurance Program.
- 3.D.4 The county should participate in the National Flood Insurance Program Community Rating System (CRS).
- 3.D.5 The county should incorporate new science and analysis of flood hazards into its regulations and mapping as they become available, including accounting for increases in future flood flows, sea level rise and tsunami risk.
- 3.D.6 Flood regulations should allow for volume of on-site or in-floodplain excavation to offset volume or fill.
- 3.D.7 The county should promote the Cooperative Bank Stabilization Program and other similar programs that assist private landowners with projects that reduce damage from bank erosion and flooding on their properties.

Objective NE 3.E Designate and protect geologic hazard areas pursuant to the Growth Management Act.

- NE Policies** 3.E.1 The county should avoid development in landslide hazard areas and minimize development in erosion hazard areas commensurate with the level of risk.
- 3.E.2 The county shall develop regulations that are consistent with geologic constraints and the All Hazards Vulnerability Assessment and the Snohomish County Natural Hazards Mitigation Plan.
- 3.E.3 The county shall require that development proposals include where appropriate a geotechnical assessment of the site's susceptibility to known geologic hazards.
- 3.E.4 The county shall require that development standards incorporate practices and techniques to reduce potential damage from seismic, tsunami, mine, erosion, landside and volcanic hazards.
- 3.E.5 The county should only allow development in the channel migration zone that has a low risk to public health, safety and property.

Objective NE 3.F Protect ecological functions of shoreline natural resources through the Snohomish County Shoreline Management Program.

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| NE Policies | 3.F.1 | The county’s Shoreline Management Program shall address no net loss of ecological functions of shoreline resources, provide opportunities for public access to shoreline areas and promote water dependent uses and development which cannot be located anywhere else. |
| | 3.F.2 | The county shall develop shoreline environment designations that are based on existing use patterns, and the biological and physical character of the shoreline. |
| | 3.F.3 | Critical areas in those areas subject to the jurisdiction of the Shoreline Management Act shall be regulated consistent with critical areas outside of shorelines. |
| Objective NE 3.G | | Adopt regulations and development standards as required by the Forest Practices Act (chapter 76.09 RCW). |
| NE Policies | 3.G.1 | The county shall develop regulations for Class IV General forest practices and for conversion option harvest plans. |
| | 3.G.2 | The county shall develop a process and criteria for lifting forest practices moratoria, which shall include public notification and procedures for appeals and public hearings. |
| | 3.G.3 | County forest practice regulations shall be consistent with critical areas and shoreline regulations to the maximum extent possible. |
| Objective NE 3.H | | Comply with the county’s Phase I Municipal Stormwater Permit issued by the Washington State Department of Ecology pursuant to the Clean Water Act and the National Pollutant Discharge Elimination System (NPDES). |
| NE Policies | 3.H.1 | The county shall protect properties and water from adverse impacts by eliminating illicit discharges and sediment transport, and regulating stormwater and land disturbing activity to reduce the discharges of pollutants and impacts to receiving waters. |
| | 3.H.2 | The county shall develop inspection and enforcement procedures to prevent water quality degradation. |
| | 3.H.3 | The county shall adopt programs, development regulations and standards regulating drainage and land disturbing activity that ((allow or)) require ((the use of)) low impact development techniques, <u>where feasible,</u> ((and are)) consistent with the Phase I Municipal Stormwater Permit. |
| | 3.H.4 | ((The county shall improve stormwater management permitting procedures to ensure timely review of projects that incorporate low |

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~~impact development techniques.))~~REPEALED BY ORDINANCE NO. 14-

- 3.H.5 The county shall adopt comprehensive site planning requirements that minimize land disturbing activity and promote on-site stormwater management on new development and redevelopment project sites.
- 3.H.6 The county shall adopt water pollution control requirements intended to ensure that receiving waters, groundwater, and stormwater in Snohomish County meet or exceed state water quality standards.

Objective NE 3.I **Develop and implement an enforcement program to protect, and prevent and remediate damage to, the natural environment.**

- NE Policies**
- 3.I.1 The county should establish inspection and enforcement priorities based on health, safety and welfare; the environmental significance of the violations; the impact to ecological functions and values; and the impacts on public resources.
 - 3.I.2 The county should establish an enforcement system that imposes penalties and fines commensurate with the severity of the violation. For minor violations that do not significantly harm the environment or endanger public health and safety, enforcement should focus on educating landowners on regulatory requirements rather than monetary penalties. The amount of penalties and fines should increase with the severity of the violation.
 - 3.I.3 The county should impose punitive consequences on flagrant or repetitive violators.
 - 3.I.4 The county shall require that remediation in code enforcement actions be focused on restoration of ecological functions and values compromised by the violation.
 - 3.I.5 The county should coordinate its environmental enforcement efforts with other regulatory agencies to ensure that enforcement actions are effective in quickly remediating damage to the natural environment.

GOAL NE 4 **Balance the goals of protecting elements of the natural environment while promoting the long-term viability of commercial agriculture.**

Objective NE 4.A **Provide flexibility in regulations to provide protection of the natural environment while recognizing the need to promote viability in the commercial agricultural industry.**

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| NE Policies | 4.A.1 | The county shall allow innovative strategies that protect surface and groundwater quality, minimize impacts to wetlands and fish and wildlife habitat conservation areas on land used for commercial agriculture such as encouraging the use of farm conservation plans or best management practices equivalent to those set forth in the NRCS Field Office Technical Guide (FOTOG Manual, most recent edition). |
| | 4.A.2 | The county shall require that the implementation of strategies described in policy NE 4.A.1 occurs within a reasonable period of time. |
| | 4.A.3 | The county should develop and pursue funding resources and provide technical assistance to implement strategies described in policy NE 4.A.1. |
| | 4.A.4 | The county should consider establishing a permit assistance center to assist farmers in complying with natural environment regulations. |
| | 4.A.5 | The county shall protect agricultural lands of long-term commercial significance from the impacts of upland development. |
| | 4.A.6 | The county shall develop and implement actions to conserve agricultural resource lands and restore ecological functions and values, seeking to increase both ecological and agricultural and resource viability and productivity. |
| | Objective NE 4.B | Use incentives to encourage protection of the natural environment and the continued operation of working farms. |
| NE Policies | 4.B.1 | Wetland and habitat mitigation banks should not be allowed on land that meets the criteria for agricultural lands of long-term commercial significance. |
| | 4.B.2 | The county should provide technical assistance to manage, maintain or enhance critical areas on or in proximity to lands used for commercial agriculture. |
| | 4.B.3 | The county should consider incentives for farming practices that protect elements of the natural environment. |
| | GOAL NE 5 | Improve and protect ecological functions and values of the natural environment through non-regulatory programs. |
| | Objective NE 5.A | Implement environmental restoration, enhancement and acquisition plans. |
| NE Policies | 5.A.1 | The county should eliminate human-made barriers to fish passage, such as blocking culverts and broken tide-gates; prevent the |

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creation of new barriers; and provide for natural rates of the transport of water, sediment and organic matter.

- 5.A.2 The county shall support efforts to maintain and restore natural stream bank conditions and achieve improved stream bank functions in each sub-basin while protecting critical facilities and infrastructure.
- 5.A.3 The county shall, where appropriate, restore and enhance ecological functions on lands owned and managed by the county. Properties acquired for habitat conservation should be managed to preserve and enhance ecological functions and values while providing recreational opportunities.
- 5.A.4 The county should develop acquisition and conservation easements programs directed at lands that have unique ecological values or can not be protected by any other methods.
- 5.A.5 The county shall aggressively seek funding from state, federal, private and other sources to implement restoration, enhancement, and acquisition projects.
- 5.A.6 The county shall leverage opportunities for restoration, enhancement, and acquisition to maximize the benefits realized from funding attained, through the following:
- (a) prioritizing funding of those projects that provide maximum benefit to the environment;
 - (b) working with other jurisdictions to maximize opportunities to restore across jurisdictional boundaries; and
 - (c) targeting enhancement and restoration to achieve the goal of no net loss of ecological functions and values, consistent with state law requirements.
- 5.A.7 The county should consider the recommendations contained in the watershed management plans and salmon recovery plans as the basis for prioritizing restoration and enhancement projects.

Objective NE 5.B Provide incentives for voluntary environmental restoration, enhancement and protection.

- NE Policies**
- 5.B.1 The county should create a separate and expedited review process that would facilitate and reduce the costs of environmental restoration or enhancement projects that are independent of mitigation for development activity.
- 5.B.2 The county shall promote innovative land use techniques, where appropriate, such as transfer and purchase of development rights

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and other incentives for voluntary practices to protect the natural environment.

5.B.3 The county shall, where possible, provide incentives for protection of critical areas such as, designating lands permanent open space, conservation easements, donations to land trusts or similar organizations, and open space tax incentives.

5.B.4 The county shall develop incentives to voluntarily protect or enhance:

- (a) aquatic ecosystems and aquifers;
- (b) existing or degraded habitat areas;
- (c) native top soils;
- (d) water quality through use of low impact development techniques;
- (e) a healthy diversity of native plants and plant communities; and
- (f) rare plant species listed by the state department of natural resources' natural heritage program.

5.B.5 The county should encourage and create incentives for connection of areas of native vegetation within and between land parcels through the adoption of development regulations such as the rural cluster subdivision ordinance and through voluntary programs.

5.B.6 The county should encourage citizens to be water resource stewards through participation in decision-making, volunteer activities, and technical assistance programs.

GOAL NE 6 Educate citizens regarding the natural environment and encourage voluntary environmental protection and stewardship.

Objective NE 6.A Provide programs for education about the natural environment.

NE Policies 6.A.1 The county shall develop public education programs to increase understanding of, and best management practices for, stream habitat, wetlands, stormwater management, water quality, lake stewardship, marine shoreline processes and habitats, and other aspects of the natural environment.

6.A.2 The county shall develop an education program aimed at informing landowners about regulatory applicability and required provisions for protecting critical areas.

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- 6.A.3 The county shall provide ongoing education and information to floodplain residents on flood preparedness and recovery in order to help them avoid preventable losses.
- 6.A.4 The county shall develop public and agency awareness of geologic hazards and development practices that increase the risk of damage to life, natural resources, and property from seismic, volcanic, landslide, tsunami, and erosion hazards.
- 6.A.5 The county should assemble and distribute information concerning emergency management procedures relating to volcanic, tsunami and seismic hazards.
- 6.A.6 The county should provide citizens with information concerning species and habitats and voluntary methods for protecting and restoring habitat areas.

Objective NE 6.B Provide programs and opportunities for voluntary environmental protection and stewardship.

- NE Policies 6.B.1 The county shall encourage voluntary protection and restoration of natural areas and assist in establishing stewardship programs to allow citizens to participate in the protection and preservation of ecologic systems important in their own communities. This effort may include participation in environmental planning and programs, volunteer activities, monitoring projects, and technical assistance and education programs.
- 6.B.2 The county should encourage voluntary programs for businesses and residents to decrease use of hazardous products that contribute to nonpoint contamination of groundwater and surface water, especially those products applied to yards and gardens.
- 6.B.3 The county should promote the use and salvage of native plant species for use in landscaping, buffers, and revegetation projects.

GOAL NE 7 Monitor elements of the natural environment and use adaptive management strategies to protect the natural environment.

Objective NE 7.A Develop and implement a monitoring program to assess the effectiveness of the county's approach to protection of the natural environment.

- NE Policies 7.A.1 The county shall develop a monitoring program which establishes a baseline from which to evaluate ecological functions and values, identifies measurable variables indicative of changes in ecological functions, and establishes performance measurement standards.
- 7.A.2 The monitoring program should focus on elements of the natural environment that are most at risk of net loss of ecological functions

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and values or have less certainty that ecological functions and values will be maintained over time.

7.A.3 The county shall regularly monitor shoreline conditions and habitat improvements to provide information which can be used to evaluate the cumulative impacts of shoreline and upland development.

7.A.4 The county should consider the recommendations contained in watershed management plans, salmon recovery plans, NPDES requirements, NRCS standards or other relevant science-based plans as guidelines for developing the monitoring program. Data from approved land use applications should also be considered.

7.A.5 The county should pursue funding sources for the monitoring program.

Objective NE 7.B Develop and implement an adaptive management strategy to adjust county programs as necessary.

NE Policies 7.B.1 If monitoring results indicate that the goal of no net loss has not been achieved, the county shall consider strengthening elements of the multi-faceted approach.

7.B.2 The county shall periodically evaluate and update natural environment protection programs to ensure consistency with best available science.

GOAL NE 8 Protect public health and safety by minimizing the potential for physical injury and property damage.

Objective NE 8.A Reduce the potential for physical injury and property damage from natural hazards.

NE Policies 8.A.1 The county should develop and maintain a regional flood information and warning program.

8.A.2 The county shall periodically analyze county-owned flood control structures for public benefit, consistency with adopted flood hazard management plans, and the potential for those structures to cause damage downstream, and modify, maintain or abandon the structures based on such analysis.

8.A.3 The county shall reduce the number of existing flood damage prone structures through acquisition, relocation, incentives, and regulation.

8.A.4 The county should develop a prioritized set of actions that, when implemented, will provide increased public safety and reduced national flood protection insurance rate for county residents.

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Objective NE 8.B **Promote and enhance regional air quality by reducing air pollution emissions associated with land uses and transportation in accordance with national, state, regional, and local policies and standards.**

- NE Policies** 8.B.1 The county shall operate a burn permit program consistent with Puget Sound Clean Air Agency regulations and compatible with county goals and objectives, which will manage burn ban areas consistent with the adopted urban growth areas of the county.
- 8.B.2 The county shall adopt development regulations that minimize or eliminate nuisance odors through the use of best available control technologies, provided that odors occurring as a result of accepted agricultural or forest practices on natural resource lands shall be presumed reasonable and not a nuisance.
- 8.B.3 The county shall require development activities to minimize dust, provided that dust occurring as a result of accepted agricultural or forest practices on natural resource lands shall be presumed reasonable and not a nuisance.
- 8.B.4 The county shall provide solid and yard waste disposal opportunities at a reasonable cost to discourage the burning of yard debris outside of no burn zones and illegal burning of garbage in all zones.
- 8.B.5 The county shall, where possible, require construction projects to provide for on-site wood waste recycling to preclude the need to burn debris outside of no burn zones.
- 8.B.6 The county should offer incentives to help reduce the use of single occupancy vehicles to reduce air emissions.
- 8.B.7 The county should coordinate with regional bodies such as the Puget Sound Clean Air Agency, the Puget Sound Regional Council, and tribes to attain national, state, and regional air quality goals and to leverage federal and state programs and funding that promote clean air protection and enhancement.

Objective NE 8.C **Minimize the exposure of citizens to the dangers of excessive noise.**

- NE Policies** 8.C.1 The county shall administer rules and regulations established regarding acceptable noise levels based on state and federal standards.

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8.C.2 County regulations may require, where appropriate, buffering or other noise mitigation measures to be incorporated into development proposals.

8.C.3 The county shall take appropriate steps to mitigate noise impacts at airports consistent with recommendations of the Federal Aviation Administration in the FAR Part 150 Noise Study.

GOAL NE 9 Promote energy conservation and recycling to reduce detrimental effects on the natural environmental and human health and safety.

Objective NE 9.A Recycle and reuse water.

NE Policies 9.A.1 The county shall develop plans and programs for the reuse, recycling, and treatment of water.

9.A.2 County facilities shall be designed, operated and maintained to ensure recycling of water occurs to the maximum extent possible.

9.A.3 The county should promote the use of low impact development designs to encourage the reuse of water.

Objective NE 9.B Conserve nonrenewable energy resources while promoting the development and utilization of new and renewable energy resources.

NE Policies 9.B.1 The county should adopt plans and regulations that require site planning and building design to promote energy conservation and reduce demand.

9.B.2 The county shall encourage transportation alternatives such as, the expansion of transit service, carpools and vanpools to reduce consumption of fossil fuels.

9.B.3 The county shall adopt and enforce the Washington State Energy Code for new construction.

Objective NE 9.C Provide safe, efficient and cost effective disposal of solid waste while encouraging waste prevention, reduction, and recycling.

NE Policies 9.C.1 The county shall develop plans and programs for the management of solid waste generated within Snohomish County.

9.C.2 The county shall be responsible for the disposal of solid waste generated within Snohomish County.

9.C.3 County facilities shall be designed, operated and maintained to ensure recycling is available and occurs when technically and economically feasible.

Exhibit B
Amended Ordinance No. 14-070
GPP5 – Stormwater Management
Amendments to the Natural Environment Chapter of the GPP

- 9.C.4 County offices and facilities shall set an example in waste prevention, reduction and recycling.
- 9.C.5 The county shall encourage waste prevention, reduction, and recycling of solid waste when technically and economically feasible.
- 9.C.6 The county shall design, maintain or retrofit solid waste facilities to prevent contaminated storm water run-off from the facility for the purpose of preventing water pollution.
- 9.C.7 The county shall site new solid waste handling facilities in a manner which will minimize impacts on the natural environment while providing essential solid waste disposal services.