

1 Adopted: June 10, 2015
2 Effective: July 2, 2015

3
4 SNOHOMISH COUNTY COUNCIL
5 Snohomish County, Washington

6
7 AMENDED ORDINANCE NO. 14-130

8
9 RELATING TO MANDATORY UPDATES OF THE SNOHOMISH COUNTY GROWTH
10 MANAGEMENT ACT COMPREHENSIVE PLAN (GMACP) PURSUANT TO RCW 36.70A.130;
11 AMENDING THE OFFICIAL ZONING MAP AS PART OF THE 2015 GMACP UPDATE

12
13 WHEREAS, Snohomish County adopted the Snohomish County Growth Management
14 Act Comprehensive Plan (GMACP), including the Future Land Use Map (FLUM), on June 28,
15 1995, through passage of Amended Ordinance No. 94-125; and

16
17 WHEREAS, Snohomish County has amended the FLUM several times since its
18 adoption, most recently by Amended Ordinance No. 14-069 on October 8, 2014; and

19
20 WHEREAS, the Snohomish County Official Zoning Map (“zoning map”) must be
21 consistent with the FLUM; and

22
23 WHEREAS, the county must conduct a periodic review of its GMACP pursuant to
24 Revised Code of Washington (RCW) 36.70A.130(3), which directs counties planning under the
25 Growth Management Act (GMA) to take legislative action to review and, if needed, revise their
26 comprehensive plans and development regulations to ensure that population and employment
27 growth for the succeeding 20-year period can be accommodated; and

28
29 WHEREAS, on October 8, 2013, the county conducted a public State Environmental
30 Policy Act (SEPA) scoping meeting to kick off a review of its GMACP and zoning map and to
31 seek comments on a scope for an Environmental Impact Statement (EIS); and

32
33 WHEREAS, notice of the public SEPA scoping meeting was mailed to individual property
34 owners whose property was proposed for a change in GMACP designation or zoning as
35 identified in Alternative 3 to be analyzed in the EIS, published in the Everett Herald, sent to
36 agencies and interested stakeholders as contained in the Planning and Development Services
37 (PDS) SEPA Distribution List, and posted to the Snohomish County website; and

38
39 WHEREAS, in the fall of 2013 the county created a website to disseminate information
40 related to the update of the GMACP and to provide opportunities for public input. The website
41 included an interactive map allowing citizens to locate proposed FLUM and zoning map
42 amendments and obtain information on why the change was proposed, access proposed
43 changes to the General Policy (GPP), Transportation Element (TE), Capital Facilities Plan
44 (CFP) and Park and Recreation Element (PRE), and see a calendar of events related to
45 Snohomish County Planning Commission (“Planning Commission”) briefings and hearings; and

46
47 WHEREAS, the county provided regular briefings on the update of the GMACP and
48 zoning map amendments to the Snohomish County Tomorrow (SCT) Planning Advisory
49 Committee, SCT Steering Committee, SCT Executive Committee and SCT Community Advisory
50 Board, in addition to individual meetings with select Snohomish County cities; and

1 WHEREAS, the Planning Commission was provided information on proposed changes
2 to the zoning map in study sessions and briefings on May 27, June 24, July 8, and September
3 9, 2014; and
4

5 WHEREAS, county staff held a public workshop on September 9, 2014, to provide
6 citizens an opportunity to obtain information about the proposed amendments to the GMACP
7 and zoning map;
8

9 WHEREAS, the notice of the public workshop and public hearing was mailed to over
10 30,000 property owners (including those affected by proposed changes and those within 500
11 feet of a proposed change if located within an urban growth area (UGA) and 1,000 feet of a
12 proposed change if located outside of a UGA), published in the Everett Herald, and posted to
13 the Snohomish County website; and
14

15 WHEREAS, the Planning Commission held a public hearing on October 7, 2014, to
16 receive public testimony concerning proposed FLUM and zoning map amendments; and
17

18 WHEREAS, at the conclusion of the Planning Commission's public hearing, the Planning
19 Commission voted to recommend adoption of FLUM and zoning map amendments as shown in
20 its recommendation letter dated December 3, 2014; and
21

22 WHEREAS, on May 13, 2015 and continued to June 10, 2015, the County Council held
23 a public hearing after proper notice, and considered public comment and the entire record
24 related to FLUM and zoning map amendments, including the specific zoning map amendments
25 contained in this ordinance; and
26

27 WHEREAS, following the public hearing, the County Council deliberated on
28 amendments to the FLUM and the amendments contained in this ordinance; and
29

30 WHEREAS, the County Council adopted amendments to the FLUM as part of the
31 county's GMACP update.
32

33 NOW, THEREFORE, BE IT ORDAINED:
34

35 Section 1. The County Council makes the following findings:
36

- 37 A. The County Council adopts and incorporates the foregoing recitals as findings as if set forth
38 in full herein.
39
- 40 B. This is a proposal to amend the zoning map as required under RCW 36.70A.130. Many of
41 the zoning map amendments are required to ensure consistency between the zoning map
42 and the FLUM amendments adopted by the County Council as part of the GMACP update.
43
- 44 C. The proposed zoning map amendments are consistent with assumptions made in the 2012
45 Buildable Lands Report and the Land Capacity Analysis prepared for this 2015 GMACP
46 update regarding future densities achieved through rezones during the 2035 planning
47 horizon. The Buildable Lands Report is a part of the legislative record for this ordinance.
48 The Land Capacity Analysis was adopted by the County Council in the ordinance adopting
49 amendments to the FLUM as part of this 2015 GMACP update, and is part of the legislative
50 record for this ordinance.
51

- 1 D. The proposed zoning map amendments enhance the availability of affordable housing and
2 provide a variety of housing types through legislative rezones.
3
- 4 E. The proposed zoning map amendments will support economic development by eliminating
5 the need for quasi-judicial rezones for isolated parcels that are surrounded by more
6 intensive zoning. The proposed rezones will assist in processing permits in a timely and fair
7 manner by eliminating the need for a quasi-judicial rezone.
8
- 9 F. The proposed zoning map amendments maintain an efficient multimodal transportation
10 system by encouraging growth in urban growth areas. The amendments also allow higher
11 densities to promote infill development near proposed services and future transit. By
12 encouraging infill along transit corridors, the amendments minimize increased greenhouse
13 gas emissions and vehicle miles travelled.
14
- 15 G. The proposed zoning map amendments provide opportunities for increased densities in
16 urban areas to accommodate future growth. By encouraging infill development in urban
17 areas, the amendments relieve pressure to develop rural and resource lands outside urban
18 growth areas.
19
- 20 H. Procedural requirements.
21
- 22 1. State Environmental Policy Act (SEPA) requirements with respect to this non-project
23 action have been satisfied through the completion of a Draft EIS issued on
24 September 8, 2014, and a Final EIS issued on June 3, 2015. The rezones contained
25 in this ordinance are within the range of alternatives analyzed in the DEIS and the
26 scope of additional analysis contained in the FEIS.
27
 - 28 2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
29
 - 30 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was
31 transmitted to the Washington State Department of Commerce for distribution to
32 state agencies on December 17, 2014.
33
 - 34 4. The public participation process used in the adoption of this ordinance has complied
35 with all applicable requirements of the GMA and the Snohomish County Code (SCC).
36 The general public and various interested agencies and parties were notified of the
37 public hearings by means of legal notices, property postings, news releases, the
38 county website, and over 30,000 direct mail notices sent to owners and neighbors of
39 affected properties. Notification was provided in accordance with SCC 30.73.050.
40 There has been early and continuous public participation in the review of the
41 proposed amendments.
42
 - 43 5. The Washington State Attorney General last issued an advisory memorandum, as
44 required by RCW 36.70A.370, in December of 2006 entitled "Advisory Memorandum:
45 Avoiding Unconstitutional Takings of Private Property" to help local governments
46 avoid the unconstitutional taking of private property. The process outlined in the
47 State Attorney General's 2006 advisory memorandum was used by Snohomish
48 County in objectively evaluating the regulatory changes proposed by this ordinance.
49

1
2 I. This ordinance is consistent with the record.

3
4 1. The proposed zoning map amendments:

- 5
6 a. Maintain consistency with the GMACP and FLUM as required by the GMA.
7 b. Rezone isolated parcels that are surrounded by more intensive zoning to streamline
8 the development application approval process.
9 c. Downzone properties where future redevelopment at the current plan designation
10 and zoning is not feasible or is unlikely during the 2035 planning horizon.
11 d. Resolve a County Council remand action that was included in Motion No. 05-602 for
12 the Urban Village located near 148th and Seattle Hill Road. The zoning map is
13 amended to align the Urban Village plan designation and zoning with the constructed
14 existing uses.
15 e. Rezone properties along the Lowell-Larimer Road from Rural Conservation to R-7200
16 so they are consistent with the FLUM.
17 f. Rezone properties added to the FLUM as infill changes designed to create additional
18 capacity ahead of the next GMA mandated update of the GMACP.
19 g. Rezone to Agriculture-10 an area northeast of Monroe that is suitable for commercial
20 agriculture.

21 2. A brief rationale for each of the proposed zoning map amendments is found in a
22 document titled "Rationale for Potential FLUM and Zoning Map Amendments," which is a
23 part of the legislative record for this GMACP update.

24 Section 2. The County Council makes the following conclusions:

- 25
26 A. The amendments to the zoning map maintain consistency between the zoning map and
27 the FLUM and other elements of the GMACP.
28
29 B. The amendments are consistent with the CPPs and the MPPs.
30
31 C. The amendments are consistent with and comply with the procedural and substantive
32 requirements of the GMA.
33
34 D. The county has complied with all SEPA requirements with respect to this non-project
35 action.
36
37 E. The amendments do not result in an unconstitutional taking of private property for a
38 public purpose.
39

40 Section 3. The Snohomish County Council bases its findings and conclusions on the
41 entire record of the County Council, including all testimony and exhibits. Any finding, which
42 should be deemed a conclusion, and any conclusion which should be deemed a finding, is
43 hereby adopted as such.
44

45 Section 4. The Snohomish County Official Zoning Map, last amended by Ordinance No.
46 14-068 on October 8, 2014, is amended as indicated in Exhibit A to this ordinance, which is
47 attached hereto and incorporated by reference into this ordinance.

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Section 5. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

PASSED this 10th day of June, 2015.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

/s/ Dave Somers
Council Chair

ATTEST:

/s/ Debbie Eco
Clerk of the Council

- (X) APPROVED
- () EMERGENCY
- () VETOED

DATE: 06/22/15

/s/ John Lovick
County Executive

ATTEST:

/s/ LaTanja Outlaw

Approved as to form only:

Deputy Prosecuting Attorney

Exhibit A

Amended Ordinance No. 14-130

Official Zoning Map Amendments

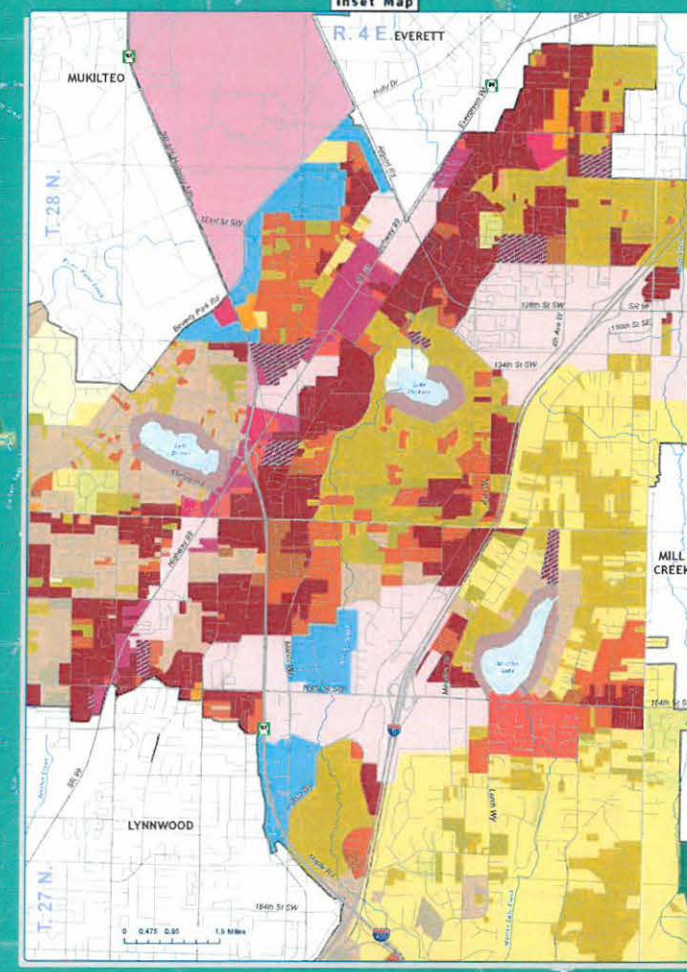
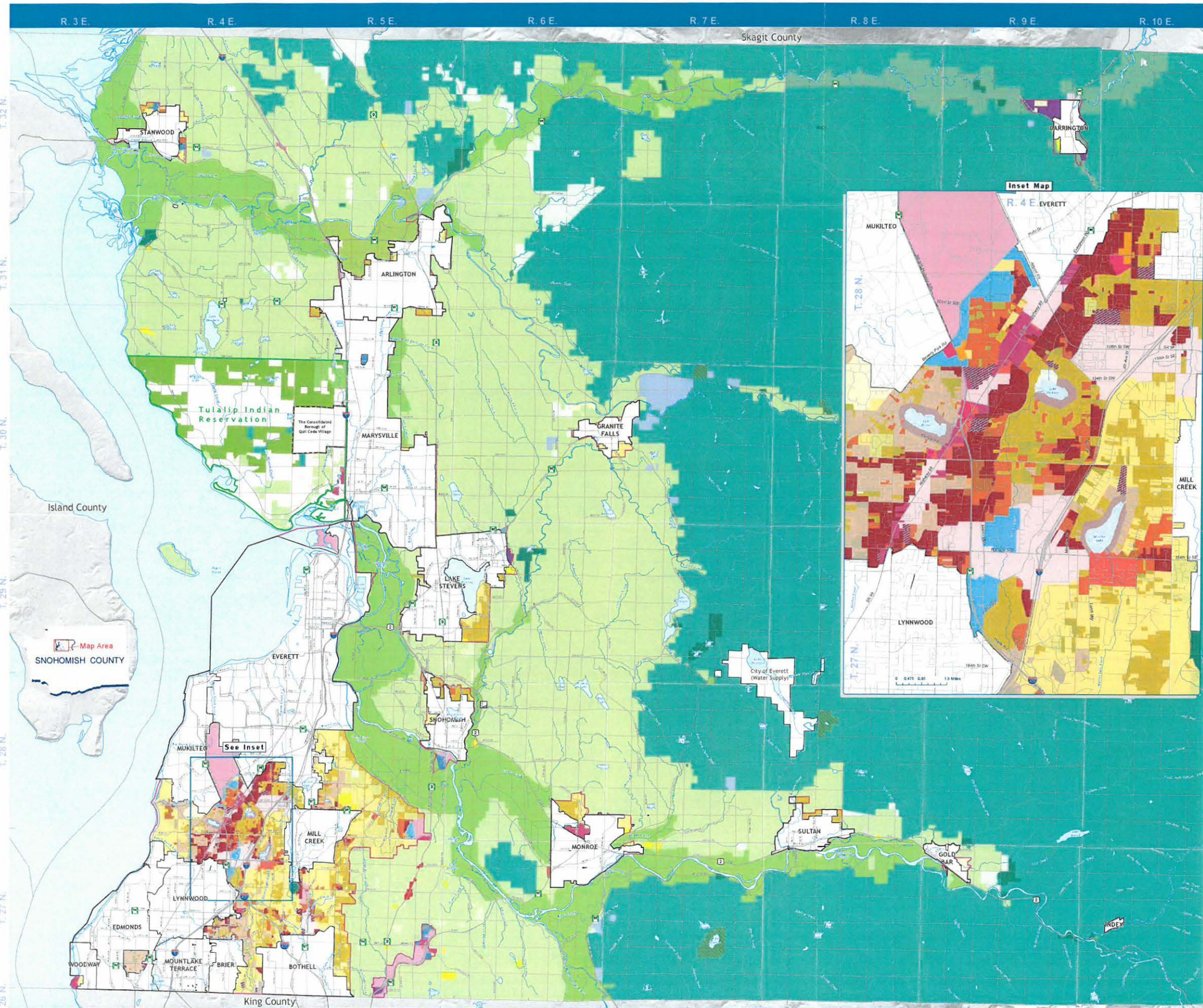
1. The use zones on the county's official zoning maps are changed to the zones depicted on Exhibit A1, which is attached hereto and incorporated by reference into this ordinance.
2. Pursuant to SCC 30.21.035, the zoning designations on the official zoning maps are changed to include the suffix "-RA" in all areas where TDR receiving areas are created by:
 - a. Legislative rezones changing the current zoning designations to the zoning designations depicted on Exhibit A1 where such changes increase the maximum allowable number of lots or dwellings, pursuant to SCC 30.35A.080(5);
 - b. Comprehensive Plan amendments changing the current Future Land Use Map designations to the Future Land Use Map designations depicted on Exhibit P to Amended Ordinance No. 14-129, where such changes increase the maximum allowable number of lots or dwellings, pursuant to SCC 30.35A.080(3);
 - c. The legislative rezone changing the Rural 5-Acre zoning designation to the Residential-9,600 zoning designation depicted on Exhibit B to Ordinance No. 14-132, pursuant to SCC 30.35A.080(5);
 - d. The Comprehensive Plan amendment changing the Future Land Use Map designation of Rural Residential-5 (1 DU/5 Acres) to Urban Low Density Residential depicted on Exhibit A to Amended Ordinance No. 14-133, pursuant to SCC 30.35A.080(3); and
 - e. The legislative rezone changing the Rural 5-Acre zoning designation to the Residential-9,600 zoning designation depicted on Exhibit B to Amended Ordinance No. 14-133, pursuant to SCC 30.35A.080(5).

For technical reasons, the TDR receiving area overlay represented by the "-RA" suffix on the official zoning maps is not depicted on the countywide representation of the zones on Exhibit A1, as noted on that Exhibit.

(SEE .PDF FILE, D-FILE, OR CLERK FOR ZONING MAP)

SNOHOMISH COUNTY ZONING

EFFECTIVE DATE XXXX XX, 2015



- County Boundary
- Cities & Towns
- Urban Growth Area
- Water Bodies
- Water Courses
- Roads
- Sections
- Tulalip Indian Reservation Boundary (Boundary Not Intended to Display Tidelands)
- The Consolidated Borough of Quil Ceda Village
- Tribes



DATA and MAP DISCLAIMER

All maps, data, and information set forth herein ("Data") are for illustrative purposes only and are not to be considered an official citation to, or representation of, the Snohomish County Code. Amendments and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. Snohomish County makes no representation or warranty concerning the content, accuracy, currency, completeness or quality of the Data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this Data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said Data. Washington State Law, Ch. 42-56 RCW, prohibits state and local agencies from providing access to lists of individuals intended for use for commercial purposes and thus, no commercial use may be made of any Data containing lists of individuals contained herein.

Parcel lines and designation boundaries are adjusted to the Snohomish County Assessor Integrated Land Records Parcel Data Base as of May 2015.

This map is a graphic representation applied from the Snohomish County Geographic Information System. It does not represent survey accuracy. This map is based on the best available information as of the date shown on the map.

For the purposes of land use application review, final determination of proposed zoning changes will be made by the County during the review process.

* TDR receiving areas created by Ord. No. 14-132 and Amended Ord. Nos. 14-129, 14-130, and 14-133 are shown on the official zoning map with a "-RA" suffix but they are not shown on this map. Density in TDR receiving areas may be affected by chapter 30.35A SCC.



Zoning*

- A-10 Agriculture 10-Acre
- A-10-SA Agriculture 10-Acre-Sending Area
- BP Business Park
- CB Community Business
- PRD-CB Planned Residential Development Community Business
- CRC Clearview Rural Commercial
- F Forestry
- F&R Forestry and Recreation
- F&R ORV Forestry and Recreation Off-Road Vehicle
- FS Freeway Service
- GC General Commercial
- HI Heavy Industrial
- IP Industrial Park
- LDMR Low Density Multiple Residential
- PRD-LDMR Planned Residential Development Low Density Multiple Residential
- LI Light Industrial
- MC Mineral Conservation
- MHP Mobile Home Park
- MR Multiple Residential
- PRD-MR Planned Residential Development Multiple Residential
- NB Neighborhood Business
- PCB Planned Community Business
- PIP Planned Industrial Park
- PRUD Planned Residential Unit Development
- R-5 Rural 5-Acre
- R-20,000 Residential-20,000 sq. ft.
- PRD-20,000 Planned Residential Development 20,000 sq. ft.
- PRD-20,000 (Mobile) Planned Residential Development 20,000 sq. ft. (Mobile Home)
- R-12,500 Residential-12,500 sq. ft.
- PRD-12,500 (Mobile) Planned Residential Development 12,500 sq. ft. (Mobile Home)
- R-9,600 Residential-9,600 sq. ft.
- R-9,600 (PRD) Residential-9,600 sq. ft. Planned Residential Development
- PRD-9,600 Planned Residential Development 9,600 sq. ft.
- R-8,400 Residential-8,400 sq. ft.
- R-8,400 (PRD) Residential-8,400 sq. ft. Planned Residential Development
- PRD-8,400 Planned Residential Development 8,400 sq. ft.
- R-7,200 Residential-7,200 sq. ft.
- R-7,200 (PRD) Residential-7,200 sq. ft. Planned Residential Development
- PRD-7,200 Planned Residential Development 7,200 sq. ft.
- PRD-7,200 (Mobile) Planned Residential Development 7,200 sq. ft. (Mobile Home)
- RB Rural Business
- RC Rural Conservation
- RD Rural Diversification
- RFS Rural Freeway Service
- RI Rural Industrial
- RRT-10 Rural Resource Transition 10-Acre
- RU Rural Use
- SA-1 Suburban Agriculture 1-Acre
- PRD SA-1 Planned Residential Development Suburban Agriculture 1-Acre
- T Townhouse
- UC Urban Center
- WFB Waterfront Beach