

1 ADOPTED: 11/13/19
2 EFFECTIVE: 11/28/19

3
4 SNOHOMISH COUNTY COUNCIL
5 SNOHOMISH COUNTY, WASHINGTON

6
7 AMENDED ORDINANCE NO. 19-057
8

9 RELATING TO THE GROWTH MANAGEMENT ACT, AMENDING THE SNOHOMISH
10 COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN GENERAL
11 POLICY PLAN RELATED TO LAND USE POLICY ADDRESSING URBAN GROWTH
12 AREAS AND SPECIAL FLOOD HAZARD AREAS (GPP19-4 DENSITY FRINGE)
13

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

18 WHEREAS, the GMA requires counties to adopt Urban Growth Areas (UGA)
19 within which urban growth shall be encouraged and outside of which growth can occur
20 only if it is not urban in nature (RCW 36.70A.110); and
21

22 WHEREAS, the GMA also requires counties to designate and protect critical
23 areas including, but not limited to, frequently flooded areas; and
24

25 WHEREAS, Snohomish County (the "County") participates in the National Flood
26 Insurance Program (NFIP) administered by the federal government through the Federal
27 Emergency Management Agency (FEMA); and
28

29 WHEREAS, the County is required to adopt FEMA-prepared flood studies and
30 maintain development regulations consistent with NFIP regulations to maintain eligibility in
31 the NFIP; and
32

33 WHEREAS, chapter 30.65 SCC codifies the minimum flood plain management
34 standards and regulations of the NFIP set forth in the Code of Federal Regulations at 44
35 C.F.R. pt. 60.3 as a condition of eligibility in the NFIP; and
36

37 WHEREAS, the County has determined that chapter 30.65 SCC, adopted to
38 meet requirements for participation in the NFIP, also satisfies GMA requirements to
39 designate and protect frequently flooded areas (Ord. No. 06-061, Section 3.J.); and
40

41 WHEREAS, chapter 30.65 SCC was originally adopted in 1984 as title 27 SCC
42 which contained special flood hazard area designations: floodway, floodway fringe, and
43 density fringe areas; and also included standards for development and enumerated the
44 allowed and prohibited land uses within each of the designations; and
45

46 WHEREAS, the original title 27 SCC pre-dates the 1990 adoption of the GMA
47 and subsequent mapping of the UGAs in the County; and

AMENDED ORDINANCE 19-057
RELATING TO THE GROWTH MANAGEMENT ACT, AMENDING THE SNOHOMISH COUNTY
GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN GENERAL POLICY PLAN RELATED TO
LAND USE POLICY ADDRESSING URBAN GROWTH AREAS AND SPECIAL FLOOD HAZARD AREAS
(GPP19-4 DENSITY FRINGE)

1
2 WHEREAS, the original standards and land uses allowed within the special flood
3 hazard area designations contained in title 27 SCC did not anticipate the GMA goals
4 and requirements for UGAs in the event that a UGA may overlap with a special flood
5 hazard area; and

6
7 WHEREAS, the UGA coincides with the special flood hazard area, specifically
8 the Density Fringe designation, in two locations within the county: (1) the westernmost
9 portion of Smith Island north of the City of Everett; and (2) south of the City of
10 Snohomish just south of the Snohomish River; and

11
12 WHEREAS, the permitted land uses within the Density Fringe have remained
13 unchanged since 1984 with one exception, the addition of sawmill storage yards
14 adjacent to existing sawmill uses within the UGA (Ord. No. 01-105); and

15
16 WHEREAS, the addition of sawmill storage yards adjacent to existing sawmills
17 as a permitted use within the Density Fringe where it overlaps with the UGA was a
18 result of a specific docket request; and

19
20 WHEREAS, the GMA authorizes the County to update its comprehensive plan
21 once per year (RCW 36.70A.130); and

22
23 WHEREAS, pursuant to chapter 30.73 SCC, the Department of Planning and
24 Development Services (PDS) completed final review and evaluation of the GPP19-4
25 Policy Amendment – Density Fringe proposal and forwarded a recommendation to
26 approve the proposal to the Snohomish County Planning Commission (“Planning
27 Commission”); and

28
29 WHEREAS, on May 28, 2019, PDS briefed the Planning Commission on the
30 GPP19-4 Policy Amendment – Special Flood Hazard Areas within UGAs; and

31
32 WHEREAS, on June 6, 2019, PDS transmitted an informational memorandum to
33 the County Council which contained a revised list of proposed County-initiated
34 comprehensive plan amendments for consideration and final action in 2019 consistent
35 with chapter 30.73 SCC, including the GPP19-4 – Density Fringe proposal; and

36
37 WHEREAS, on July 5, 2019, PDS provided the Planning Commission with a
38 memorandum that transmitted revised language for the GPP19-4 Policy Amendment –
39 Density Fringe proposal; and

40
41 WHEREAS, the Planning Commission held a public hearing on July 23, 2019, to
42 receive public testimony on the GPP19-4 – Density Fringe proposal and recommended
43 adoption of the amendment contained in this ordinance, as shown in its
44 recommendation letter of July 30, 2019; and

1 WHEREAS, on November 13, 2019, the County Council held a public hearing,
2 after proper notice, to receive public testimony and consider the entire record related to
3 the GPP19-4 – Density Fringe proposed amendment contained in this ordinance; and
4

5 WHEREAS, following the public hearing, the County Council deliberated on the
6 proposed amendment contained in this ordinance;
7

8 NOW, THEREFORE, BE IT ORDAINED:
9

10 Section 1. The County Council adopts the following findings in support of this ordinance:
11

12 A. The foregoing recitals are adopted as findings as if set forth fully herein.
13

14 B. This proposal amends GMACP General Policy Plan (GPP) LU Policy 1.A.12 to
15 provide more flexibility for addressing allowed land uses within special flood
16 hazard areas located within the UGA.
17

18 C. Procedural requirements.
19

20 1. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
21

22 2. The environmental impacts of this proposal are within the range of impacts
23 analyzed by the draft environmental impact statement (DEIS) and final
24 environmental impact statement (FEIS) during the update to the GMACP in
25 2015. No new probable significant adverse environmental impacts from this
26 proposal have been identified. Therefore, State Environmental Policy Act
27 (SEPA) requirements with respect to this non-project action have been met
28 through issuance on July 30, 2019, of Addendum No. 18 to the FEIS for the
29 2015 update to the GMACP.
30

31 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance
32 was transmitted to the Washington State Department of Commerce for
33 distribution to state agencies on May 29, 2019.
34

35 4. The public participation process used in the adoption of this ordinance has
36 complied with all applicable requirements of the GMA and the SCC.
37

38 5. The Washington State Attorney General last issued an advisory
39 memorandum, as required by RCW 36.70A.370, in September of 2018
40 entitled “Advisory Memorandum: Avoiding Unconstitutional Takings of Private
41 Property” to help local governments avoid the unconstitutional taking of
42 private property. The process outlined in the State Attorney General’s 2018
43 advisory memorandum was used by Snohomish County in objectively
44 evaluating the regulatory changes proposed by this ordinance.
45

1
2 D. This ordinance is consistent with the record.
3

- 4 1. This policy amendment is proposed to address the intent of the GMA related
5 to allowing a range of urban land uses within the UGA.
6
- 7 2. The areas where the UGA overlaps with special flood hazard areas are
8 designated and zoned for industrial use in the GMACP, and designated as
9 Density Fringe on the Flood Insurance Rate Maps for purposes of
10 implementing the NFIP.
11
- 12 3. The proposed policy amendment removes language from LU Policy 1.A.12
13 that promotes code amendments to chapter 30.65 SCC but addresses only
14 specific land uses related to existing airports and sawmills within the special
15 flood hazard area where it overlaps with the UGA. Removing this language
16 does not prevent or require future code revisions to chapter 30.65 SCC but
17 instead only removes the restriction on which types of land uses could be
18 addressed by a potential code revision.
19
- 20 4. The revised policy language requires that when UGAs are located within the
21 floodplain compliance with flood hazard regulations contained in chapter
22 30.65 SCC is required without anticipating, or limiting, any specific changes to
23 that chapter.
24
- 25 5. The amended policy continues to support the original intent for land use
26 limitations within the special flood hazard areas to protect life, property, and
27 water quality consistent with the existing requirements of chapter 30.65 SCC.
28
- 29 6. The proposed amendment represents a balanced approach by allowing for
30 future code amendments that may expand the allowed uses within UGAs that
31 overlap special flood hazard areas while also maintaining the protection of
32 public health, safety, and welfare under chapter 30.65 SCC.
33
- 34 7. This proposed amendment simplifies the language of the original policy
35 without eliminating the possibility of future amendments to chapter 30.65 SCC
36 regarding allowed uses in the Density Fringe, and without limiting the scope
37 of future code amendments to support airport or sawmill related uses.
38
- 39 8. The proposed amendment will simplify the policy language, remove detailed
40 language that is more appropriate for a development code, and increase
41 implementation options while preserving the purpose and intent of chapter
42 30.65 SCC.
- 43 9. This proposed amendment provides flexibility for a city or town to consider
44 revisions to the list of allowed uses within an urban growth area that overlaps
45 a special flood hazard area after such an area is annexed into the city or
46 town. The proposed amendment maintains a requirement for the city or town

1 to maintain compliance with other provisions in chapter 30.65 SCC, including
2 maximum allowable density, maximum allowable obstruction, and the
3 purpose and intent of the chapter.
4

5 E. In developing the proposed amendment, the County considered the goals of the
6 GMA, specifically those goals related to encouraging growth in urban areas,
7 reducing sprawl, respecting private property rights, and protecting the
8 environment. The proposed amendment support these goals by removing specific
9 limitations for allowing new land uses provided such uses are consistent with the
10 intent of chapter 30.65.SCC. The proposed amendment is consistent with:

- 11 1. GMA Planning Goal 1 (RCW 36.70A.020(1)): Urban growth. Encourage
12 development in urban areas where adequate public facilities and services
13 exist or can be provided in an efficient manner.
14
- 15 2. GMA Planning Goal 2 (RCW 36.70A.020(2)): Reduce sprawl. Reduce the
16 inappropriate conversion of undeveloped land into sprawling, low-density
17 development.
18
- 19 3. GMA Planning Goal 6 (RCW 36.70A.020(6)): Property rights. Private
20 property shall not be taken for public use without just compensation having
21 been made. The property rights of landowners shall be protected from
22 arbitrary and discriminatory actions.
23
- 24 4. GMA Planning Goal 10 (RCW 36.70A.020(10)): Protect the environment and
25 enhance the state's high quality of life, including air and water quality, and the
26 availability of water.
27

28
29 F. This proposal is consistent with the Puget Sound Regional Council Vision 2040
30 Multicounty Planning Policies (MPPs) and positively advances the following policies
31 by seeking to balance efficient and environmentally sensitive utilization of the
32 UGAs:

- 33 1. MPP-DP-4: Accommodate the region's growth first and foremost in
34 the urban growth area. Ensure that development in rural areas is
35 consistent with the regional vision.
36
- 37 2. MPP-En-13: Maintain natural hydrological functions within the
38 region's ecosystems and watersheds and, where feasible, restore
39 them to a more natural state.
- 40 3. MPP-PS-1: Protect and enhance the environment and public health
41 and safety when providing services and facilities.
42

1
2 G. The proposed amendment supports the Snohomish County Countywide Planning
3 Policies (CPPs). Consistent with the CPPs, the proposed amendment supports
4 use of the UGA as envisioned in the comprehensive plan while recognizing the
5 limitations resulting from designation as special flood hazard areas and is
6 consistent with the following CPPs:
7

- 8 1. JP-6: The County and cities shall develop comprehensive plan policies and
9 development regulations that provide for the orderly transition of
10 unincorporated Urban Growth Areas (UGAs) to incorporated areas in UGAs.
11 Mutual agreements may be utilized to address governance issues and
12 expedite the transition.
- 13 2. DP-5: The County and cities shall adopt comprehensive plans and
14 development regulations (RCW 36.70A.040). In Urban Growth Areas (UGAs),
15 such plans and regulations shall:
- 16 a. Achieve urban uses and densities;
- 17 b. Provide for urban governmental services and capital facilities sufficient
18 to accommodate the broad range of needs and uses that will
19 accompany the projected urban growth; and
- 20 c. Permit the urban growth that is projected to occur in the succeeding
21 twenty-year period (RCW 36.70A.110(2)).

22 The County shall adopt such plans and regulations for its
23 unincorporated territory. Each city shall adopt such plans and
24 regulations for territory within its city limits. Additionally, cities may
25 adopt such plans and proposed development regulations for adjacent
26 unincorporated territory within its UGA or Municipal UGA (MUGA) to
27 which the city has determined it is capable of providing urban services
28 at some point in the future, via annexation.

29 When amending its comprehensive plan, the County shall give
30 substantial consideration to the city's adopted plans for its UGA or
31 MUGA. Likewise, the affected city shall give substantial consideration
32 to the County's adopted plan for the same area.

33 However, nothing in this policy shall limit the authority of the County to
34 plan for and regulate development in unincorporated territory for so
35 long as it remains unincorporated, in accordance with all applicable
36 county, state and federal laws. Similarly, nothing in this policy shall
37 limit the authority of cities to plan for territory in and adjacent to their
38 current corporate limits and to regulate development in their current
39 corporate limits, in accordance with all applicable city, county, state
40 and federal laws.

- 1 3. DP-11: The County and cities should revise development regulations and
2 incentives, as appropriate, to encourage higher residential densities and
3 greater employment concentrations in Urban Growth Areas.
- 4 4. DP-28: The County and cities should meet the demand for new commercial
5 activity and services as well as new industrial job base in Urban Growth
6 Areas (UGAs) with limited exceptions as identified below. Outside of UGAs,
7 the County should limit commercial and industrial development consistent
8 with GMA and the Regional Growth Strategy, by allowing for:
- 9 a. Resource-based and resource supportive commercial and industrial
10 uses;
- 11 b. Limited convenience commercial development serving the daily needs
12 of rural area residents;
- 13 c. Home-based businesses;
- 14 d. Low traffic and employment enterprises that benefit from a non-urban
15 location due to large lots, vegetative buffers, etc; and,
- 16 e. Maintenance of the historical locations, scale, and character of existing
17 commercial services and industrial activities.
- 18 f. Resource-dependent tourism and recreation oriented uses provided
19 they do not adversely impact adjoining rural and resource uses.
- 20 5. DP-37: The County and cities should conserve designated industrial land for
21 future industries and related jobs by:
- 22 a. Protecting it from encroachment by incompatible uses and
23 development on adjacent land;
- 24 b. Discouraging non-industrial uses on it unless such uses support and
25 enhance existing industrial land uses; and
- 26 c. Discouraging conversion of it to other land use designations unless it
27 can be demonstrated that a specific site is not suitable for industrial
28 uses.
- 29 6. ED-2: The County and cities should encourage the establishment and growth
30 of locally owned, small businesses through comprehensive plan policies,
31 infrastructure investments, and fair and appropriate land use regulations in all
32 communities.
- 33 7. ED-9: As appropriate, the County and cities should adopt plans, policies, and
34 regulations that preserve designated industrial, commercial, agricultural, and
35 resource land base for long-term regional economic benefit.

36

- 1 8. Env-1: All jurisdictions shall protect and enhance natural ecosystems
2 through their comprehensive plans, development regulations, capital
3 facilities programs, and management practices. Jurisdictions should
4 consider regional and countywide strategies and assessments, as
5 well as best available qualitative and quantitative information, in
6 formulating plans and regulations that are specific to their community.
7
- 8 H. The proposed amendment furthers policies in the GPP related to supporting
9 industrial uses in the UGAs and providing economic opportunities in balance with
10 the natural environment, in particular, the following objectives and policies in the
11 GPP:
- 12 1. Objective LU 1.A: Establish UGAs with sufficient capacity to
13 accommodate the majority of the county’s projected population,
14 employment, and housing growth over the next 20 years.
- 15 2. Objective LU 2.C: Encourage intensification and revitalization of
16 existing and planned commercial and industrial areas.
- 17 3. Policy LU 2.C.1: The county shall encourage the expansion,
18 revitalization, redevelopment, and intensification of existing areas,
19 with special focus on those located within designated centers and
20 along transit emphasis corridors, before new sites are designated
21 and zoned.
- 22 4. Objective ED 1.B: Snohomish County shall balance economic and
23 environmental concerns – recognizing that a healthy environment is
24 essential to quality of life.
- 25 5. Policy ED 3.A.2: Snohomish County shall ensure a sufficient base of
26 appropriately designated and zoned land for employment targets as
27 delineated in the Future Land Use Map of the Comprehensive Plan.
28 The vitality of the economy calls for large sites as well as parcels
29 suitable for the large number of small businesses within the county.
- 30 6. Policy ED 3.A.3: Snohomish County shall strive to provide
31 assistance and incentives for the intensification and re-use of existing
32 employment areas in incorporated and unincorporated areas.
- 33 7. Objective NE 1.A: Balance the protection of the natural environment
34 with economic growth, housing needs and the protection of property
35 rights.
- 36 8. Policy NE 1.A.5: The county shall encourage and accommodate
37 economic growth through plans and programs in a manner that
38 minimizes impacts to the natural environment.
39

- 1 9. Objective NE 1.C: Protect and enhance natural watershed
2 processes, wetlands, fish and wildlife habitat conservation areas,
3 shorelines, and water resources with the long-term objective of
4 protecting ecological function and values.
- 5 10. Objective NE 1.D: The county shall protect the health, safety,
6 welfare and the economy of the community by minimizing the risks
7 associated with natural hazards.
- 8 11. Policy NE 3.D.2: The county shall allow only those developments
9 and land uses in floodplains that are compatible with floodplain
10 processes.
- 11 12. Policy NE 3.D.3: The county should meet the requirements of the
12 National Flood Insurance Program.

13
14 Section 2. The county council makes the following conclusions:

- 15
16 A. This ordinance is consistent with state law and chapter 30.73 SCC.
17
18 B. The amendment is consistent with and complies with the procedural and
19 substantive requirements of the GMA.
20
21 C. The amendment is consistent with and complies with the MPPs, CPPs, and goals,
22 objectives, and policies of the GMACP.
23
24 D. All SEPA requirements with respect to this non-project action have been satisfied.
25
26 E. The amendment is consistent with the requirements for continued participation in
27 the NFIP.
28
29 F. This proposal does not result in an unconstitutional taking of private property for a
30 public purpose and does not violate substantive due process guarantees.
31

32 Section 3. The county council bases its findings and conclusions on the entire
33 record of the planning commission and the county council, including all testimony and
34 exhibits. Any finding which should be deemed a conclusion, and any conclusion which
35 should be deemed a finding, is hereby adopted as such.
36

37 Section 4. The Land Use Chapter of the GPP, last amended by Ordinance No.18-062
38 on November 13, 2018, is amended as indicated in Exhibit A, which is attached hereto and
39 incorporated by reference into this ordinance.

40 Section 5. The county council directs the Code Reviser to update SCC 30.10.060
41 pursuant to SCC 1.02.020(3).
42

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Section 6. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings Board, or 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 13th day of November, 2019

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair


ATTEST:



Clerk of the Council

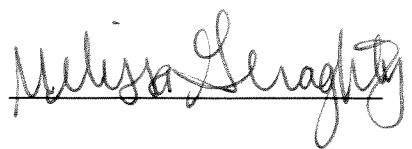
- APPROVED
- EMERGENCY
- VETOED

DATE: 11/18, 2019



Snohomish County Executive

ATTEST:



Approved as to form only:

Deputy Prosecuting Attorney

D-5

Exhibit A
Amended Ordinance No. 19-057
GPP19-4 – Density Fringe
Amendments to the Land Use Chapter of the GPP

General Policy Plan

Land Use

This land use element is comprised of interrelated land use goals which form the basis of the county's land use strategy and:

- provide for a supply and distribution of land use types to accommodate the majority of county population and employment growth within urban growth areas;
- reduce land consuming urban development patterns and provide structure for urban development within neighborhoods or urban centers;
- reduce development pressures and patterns of sprawl within rural areas;
- conserve agricultural, forest and mineral resource lands of long-term commercial significance; and
- preserve and protect open space, scenic and cultural resources.

The following sections provide more detailed explanations of the land use strategy. Each section includes various land use goals, objectives, policies, and implementation measures to carry out the strategy.

Urban Growth Areas

The GMA requires that urban growth areas (UGAs) be designated through the county's plan. UGAs are to include areas and densities sufficient to permit the urban growth that is projected to occur in the county over the next twenty years. Urban growth should be located first in areas already characterized by urban

Policy framework for this chapter comes from the Growth Management Act RCW 36.70A (GMA), the Puget Sound Regional Council's Vision 2040 and Destination 2030 Policy Documents and the Countywide Planning Policies (CPPs).

The sections are:

- Urban Growth Areas:
 - Urban Development Patterns
 - Centers
 - Urban Design
 - Small Area and Neighborhood Structure
- Rural Lands
- Agricultural Lands
- Forest Lands
- Mineral Lands
- Open Space, Shoreline and Scenic Resources
- Cultural Resources
- Airport Compatibility
- Transfer and Purchase of Development Rights
- Future Land Use Map.

growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services that are provided by either public or private sources,

General Policy Plan

and third in the remaining portions of the urban growth areas.

Planning for growth in this way accomplishes two GMA goals: 1) the efficient provision and utilization of public facilities and services, including public transportation; and 2) reduced conversion of undeveloped land into sprawling, low-density development.

UGAs have been designated to include each city and town in the county, with the nine cities in southwest county included in one large UGA. Each UGA contains both incorporated and unincorporated areas. UGA boundaries will be re-evaluated as mandated by GMA to ensure they are adequate to accommodate 20-year growth projections. This assessment of UGA capacity is based upon developable lands, environmental constraints, city comprehensive plans, housing and economic development needs, public facility and service capacities and, lastly, the implementation of growth strategies aimed at developing and enhancing urban development patterns.

The county and the cities and towns within the county collaborated on a policy framework for designating UGAs and directing urban growth patterns. It is called the Countywide Planning Policies (CPP). This policy framework is informed by the multi-county planning policies (Vision 2040 and Transportation 2040) and the countywide planning policies.

The Southwest Urban Growth Area (SWUGA) has been divided to show where

each city may annex the area in the future. These subdivided areas are labeled Municipal Urban Areas (MUGAs) e.g. Lynnwood's MUGA; Mill Creek's MUGA.

This General Policy Plan provides additional direction, consistent with the multi-county and countywide planning policies, for urban growth within the unincorporated portions of all the UGAs.

The plan also provides for the designation of rural urban transition areas (RUTAs) outside of UGAs. Rural urban transition areas are intended to set aside a potential supply of land for employment and residential land uses for possible future inclusion in a UGA. The policies provide direction for the designation of rural urban transition areas.

This plan promotes the use of innovative techniques, such as transfer of development rights receiving area designations, to encourage the preservation of rural and resource lands and the efficient use of urban land.

This chapter of the GPP addresses: 1) locating, sizing, maintaining and expanding UGA boundaries; 2) establishing potential future UGA areas; 3) urban development patterns and design; 4) urban centers; 5) urban phasing; and 6) neighborhood structures.

GOAL LU 1

Establish and maintain compact, clearly defined, well designed UGAs.

Objective LU 1.A

Establish UGAs with sufficient capacity to accommodate the majority of the county's projected population, employment, and housing growth over the next 20 years.

- LU Policies**
- 1.A.1 UGAs shall contain sufficient land capacity for a variety of land uses and densities, including green belts and open space, in suitable locations to accommodate at least 91.5% of the county's 20-year population and employment projections. No expansion of the UGA that increases population or employment capacity shall be permitted if the resulting total additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans would exceed the total 20-year forecasted UGA population growth by more than 15 percent. A portion of the 20-year forecast UGA population may be reserved for allocation to Transfer of Development Rights (TDR) receiving areas.
 - 1.A.2 Snohomish County shall ensure no net loss of capacity to accommodate the amount and type of projected employment growth as adopted in Appendix D while ensuring an adequate supply of both new and existing affordable housing to meet the county's identified current and projected housing needs.
 - 1.A.3 Snohomish County shall ensure a no net loss of housing capacity that preserves the County's ability to accommodate the growth targets, as adopted in Appendix D, while pursuing compliance with all relevant federal, state and local laws and regulations.
 - 1.A.4 UGAs shall have existing or planned infrastructure capacity to adequately support urban growth over the 20-year period.
 - 1.A.5 Determination of adequate land capacity shall be based on methodologies developed jointly with other jurisdictions and shall be consistent with Countywide Planning Policy DP-4.
 - 1.A.6 REPEALED BY AMENDED ORDINANCE NO. 14-129.
 - 1.A.7 Designated forest and agricultural lands shall not be included within the UGA unless the designated lands are maintained as natural resource lands and a TDR/PDR program has been enacted by the city or the county.
 - 1.A.8 UGA boundaries shall be periodically re-evaluated to determine whether or not they are capable of meeting the county's 20-year population and employment projections. This re-evaluation shall be consistent with Snohomish County's "buildable lands" review and evaluation program requirements established in Countywide Planning Policy GF-7.

- 1.A.9 Ensure the efficient use of urban land by adopting reasonable measures to increase residential, commercial and industrial capacity within urban growth areas prior to expanding urban growth boundaries. The County Council will use the list of reasonable measures in accordance with the guidelines for review contained in Appendix D of the Countywide Planning Policies to evaluate all UGA boundary expansions.
- 1.A.10 Expansion of the boundary of an individual UGA to include additional residential, commercial industrial land capacity shall not be permitted unless it complies with the Growth Management Act, is consistent with the Countywide Planning Policies and complies with the criteria established in Countywide Planning Policy DP-2.
- 1.A.11 Land use and capital facilities required for growth within the UGA shall be evaluated consistent with the schedule established in Countywide Planning Policy GF-7 for the “buildable lands” review and evaluation program to determine whether or not modifications to land use or facilities are required to more adequately meet the projected needs of the UGA.
- 1.A.12 Urban growth areas which are located within the floodplain, as identified in chapter 30.65 SCC (Special Flood Hazard Areas), shall comply with all provisions of that chapter. ~~((title,, except that airports, and uses directly related to airports and sawmill storage yards, should be allowed in density fringe areas through a code amendment when located adjacent to existing airport or sawmill uses.))~~ Annexation agreements shall ensure the continued implementation of this policy except that the annexing city or town may revise the list of allowed uses in the density fringe area once the area is annexed, provided that the city or town complies with the two percent maximum allowable density and the fifteen percent maximum allowable obstruction regulations in chapter 30.65 SCC and the purpose and intent of chapter 30.65 SCC are upheld.
- 1.A.13 REPEALED BY AMENDED ORDINANCE NO. 14-129.
- 1.A.14 Any action to expand an UGA while contracting the same UGA in another area without resulting in a net increase of population or employment land capacity shall comply with the Growth Management Act, be consistent with the Countywide Planning Policies and comply with Countywide Planning Policy DP-3.
- 1.A.15 All UGA expansions that add residential land capacity shall be designated as TDR receiving areas and all development approvals in such areas shall be consistent with adopted TDR policies in this chapter.

Objective LU 1.B Designate rural urban transition areas outside of and adjacent to UGAs.

- LU Policies** 1.B.1 The designation of rural urban transition areas (RUTAs) is an overlay that may be applied to rural lands adjacent to UGAs.
- 1.B.2 Rural urban transition area boundaries shall not include designated farm or forest lands.

Objective LU 1.C Establish and maintain a UGA boundary that provides a distinct edge between urban and rural land uses.

- LU Policies** 1.C.1 Unique topographical and physical features such as watershed boundaries, streams, rivers, ridge lines, steep slopes, roads, railroad lines and transmission lines (where they follow property lines) and special purpose district boundaries shall be used, if possible, to delineate and define the boundary.
- 1.C.2 The design of development and the location of structures along the UGA boundary should use guidelines such as the Residential Development Handbook for Snohomish County Communities (Snohomish County Tomorrow, 1992) which includes cluster development techniques.
- 1.C.3 The designation and siting of new industrial, commercial, and public facility land uses along the UGA boundary should include vegetative buffers.
- 1.C.4 Annexations and planned urban densities shall be prohibited outside of the UGA boundary.
- 1.C.5 The county may consider the expansion of UGA boundaries as part of an update to the Comprehensive Plan as required by GMA, or as part of a growth target and plan reconciliation process that follows an update. In situations where urban infrastructure or special regulatory controls are needed and anticipated but are not in place to serve the population and employment allocated to the UGA the county may defer implementing zoning. Where such UGA expansions with deferred implementing zoning are approved, no rezoning of properties within the expansion area may occur until: (1) necessary capital facilities plan updates have been completed and adopted by the utility provider; or (2) the necessary development regulations have been adopted.

Objective LU 1.D

Continue to support the joint city/county planning process that may result in adjustments to UGA boundaries consistent with this plan and GMA.

LU Policies 1.D.1

Following the reconciliation of population and employment projections by Snohomish County Tomorrow and the county, make adjustments to UGA boundaries, if necessary. A UGA boundary adjustment shall be considered only when necessary to ensure adequate capacity for accommodating projected urban growth in the succeeding 20-year period, as required by Policy LU 1.A.10 and when it is consistent with GPP policies and the GMA.

1.D.2

UGA plans may be undertaken to provide greater detail as to the type and location of future land uses and shall address the following.

- (a) Analyze and designate locations for increased residential, commercial, and industrial densities.
- (b) Preserve and enhance unique and identifiable characteristics such as urban centers, cultural and historic resources, critical areas, open space areas and trails, distinctive development patterns, and neighborhood areas.
- (c) Provide for growth phasing areas within UGAs where appropriate.
- (d) Provide for any needed amendments to the General Policy Plan following adoption of the UGA plan.
- (e) Consider open space, parks, and recreational facilities needed for urban growth.