

COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON



CO00021704

ORDINANCE NO. 97-056
AMENDING THE FUTURE LAND USE MAP OF THE GROWTH
MANAGEMENT ACT COMPREHENSIVE PLAN TO INCLUDE CERTAIN
LANDS IN THE COMMERCIAL FOREST LAND DESIGNATION

WHEREAS, the Snohomish County Council adopted the GMA Comprehensive Plan on June 28, 1995; and

WHEREAS, several appellants filed appeals to various provisions of the plan, including the designation of commercial forest lands, with the Central Puget Sound Growth Management Hearings Board (*Sky Valley, et al. v. Snohomish County, Consolidated Case No. 95-3-0068c, (Sky Valley)*); and

WHEREAS, the Board issued a Final Decision and Order in *Sky Valley* on March 12, 1996, and an Order on Motions to Reconsider and Correct on April 15, 1996, and directed the county to reconsider and amend, if necessary, some portions of the text and maps of its GMA Comprehensive Plan, including the commercial forest land designations; and

WHEREAS, the county in response to the Final Decision and Order in *Sky Valley* evaluated all lands removed from the commercial forest land designation and determined that certain specified lands removed from the commercial forest designation in the GMA Comprehensive Plan may meet all criteria for designation as commercial forest land; and

WHEREAS, on December 2, 1996, in its Second Statement of Actions Taken to Comply with the GMA and the Final Decision and Order in *Sky Valley* the county agreed to reconsider whether certain specified lands not designated in the GMA Comprehensive Plan should be designated commercial forest; and

WHEREAS, the Snohomish County Planning Commission held a public work session on the proposed commercial forest designation of certain specified lands on February 11, 1997, and a public hearing on February 25, 1997; and

WHEREAS, the Snohomish County Council held a public hearing on July 2, 1997, to consider the Planning Commission's recommendations; and

WHEREAS, the county council considered the entire hearing record including the Planning Commission's recommendation, and written and oral testimony submitted during the council hearing.

NOW, THEREFORE, BE IT ORDAINED:

Section 1: The Snohomish County Council makes the following findings of fact and conclusions:

- A. The GMA requires the county to designate forest lands that are not characterized by urban growth and that have long term significance for commercial production of timber.
- B. The GMA requires the county to adopt development regulations to conserve designated forest lands.
- C. The county adopted the Interim Forest Land Conservation Plan and Interim Regulations to Conserve Forest Lands in December, 1992.
- D. In response to changes in state law and direction in the Interim Forest Land Conservation Plan, the county revisited the designation of forest lands during the development of the General Policy Plan.
- E. The county established final forest land designations when it adopted the GMA Comprehensive Plan: General Policy Plan in June, 1995.
- F. The adoption of the General Policy Plan removed from the commercial forest land designation approximately 15,420 acres of land.
- G. An appeal was filed with the Central Puget Sound Growth Management Hearings Board alleging, among other things, that the county failed to comply with GMA when it removed these lands from the commercial forest designation. *Sky Valley et al. v. Snohomish County*, CPSGMHB Case No. 95-0068(c).
- H. The Growth Management Hearings Board, in its *Sky Valley* Final Decision and Order dated March 12, 1996, remanded the final forest land designations with instructions for the county to make a requisite showing of how the reduction in designated forest lands was consistent with the comprehensive plan.
- I. The county, in response to the Final Decision and Order, reviewed the action to remove approximately 15,420 acres of forest land for consistency with the forest land designation criteria of the General Policy Plan.
- J. In its review, the county determined that six sites that were removed from the commercial forest land designation, totaling approximately 462 acres, likely fulfilled all requirements for designation as commercial forest land.

- K. At a compliance hearing held December 19, 1996, the county informed the Growth Management Hearings Board that it would consider whether these six sites should be placed in the commercial forest land designation.
- L. Staff briefed the planning commission on the proposal to designate the six sites as commercial forest on February 11, 1997.
- M. The public was notified of the planning commission's public hearing by means of published legal notices in The Herald and local newspapers.
- N. The owners of the six sites proposed to be designated commercial forest and landowners within 300 feet of the sites to be designated commercial forest were notified of the public hearing by mail.
- O. The proposal has been broadly disseminated and opportunities have been provided for written comments and public hearing after effective notice.
- P. The designation of commercial forest lands in the county was fully addressed in the Draft Environmental Impact Statement (DEIS) and Final Environmental Impact Statement (FEIS) completed for the GMA Comprehensive Plan: General Policy Plan. This proposal therefore complies with SEPA and Title 23 of the Snohomish County Code.
- Q. The planning commission and county council held public hearings on the proposal to designate the six sites as commercial forest land.
- R. The planning commission and the county council have fully considered public input in making their recommendations on this amendment to the General Policy Plan.
- S. The county council concludes that, based on the application of the criteria for designation of commercial forest land established by the General Policy Plan, the six sites totaling approximately 462 acres should be designated commercial forest in the Future Land Use Map of the General Policy Plan.
- T. The council concludes that it is permissible to amend the comprehensive plan at this time under RCW 36.70A.130(1)(b), as this amendment is in response to the *Sky Valley* appeal.

Section 2. Based on the foregoing findings and conclusions, the Snohomish County Growth Management Act Comprehensive Plan Future Land Use Map adopted as Map 4 to Exhibit A and county assessor's maps attached as Exhibit B, in Section 4 of Amended Ordinance No. 94-125 on June 28, 1995, and last amended by Amended Ordinance No. 96-074 on November 27, 1996, are amended to incorporate the commercial forest designations depicted on parcel specific maps as sites 4, 14, 15, 85, 91, and 92, which are attached hereto as Exhibits A through F and incorporated by this reference.

Section 3. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

Passed this 2nd day of July, 1997.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

John Larson
Chair

ATTEST:

Sheila McAllister
Clerk of the Council

Date: 7/2/97

- APPROVED
- VETOED
- EMERGENCY

Gary Weibel
County Executive

Approved as to form:

Barbara Dyles 7/2/97
Deputy Prosecuting Attorney

ATTEST:
J. Johnson Date 7/2/97

Sec. 29 T. 27 R. 07

Acct. # 292707-1-001

292707-1-002



0 300 600 900 1200

Scale in Feet

SITE 4

Parcel / Zoning map.

This is not a survey. For relational location of property only

Snohomish County Planning and
Development Services

Feb. 1997

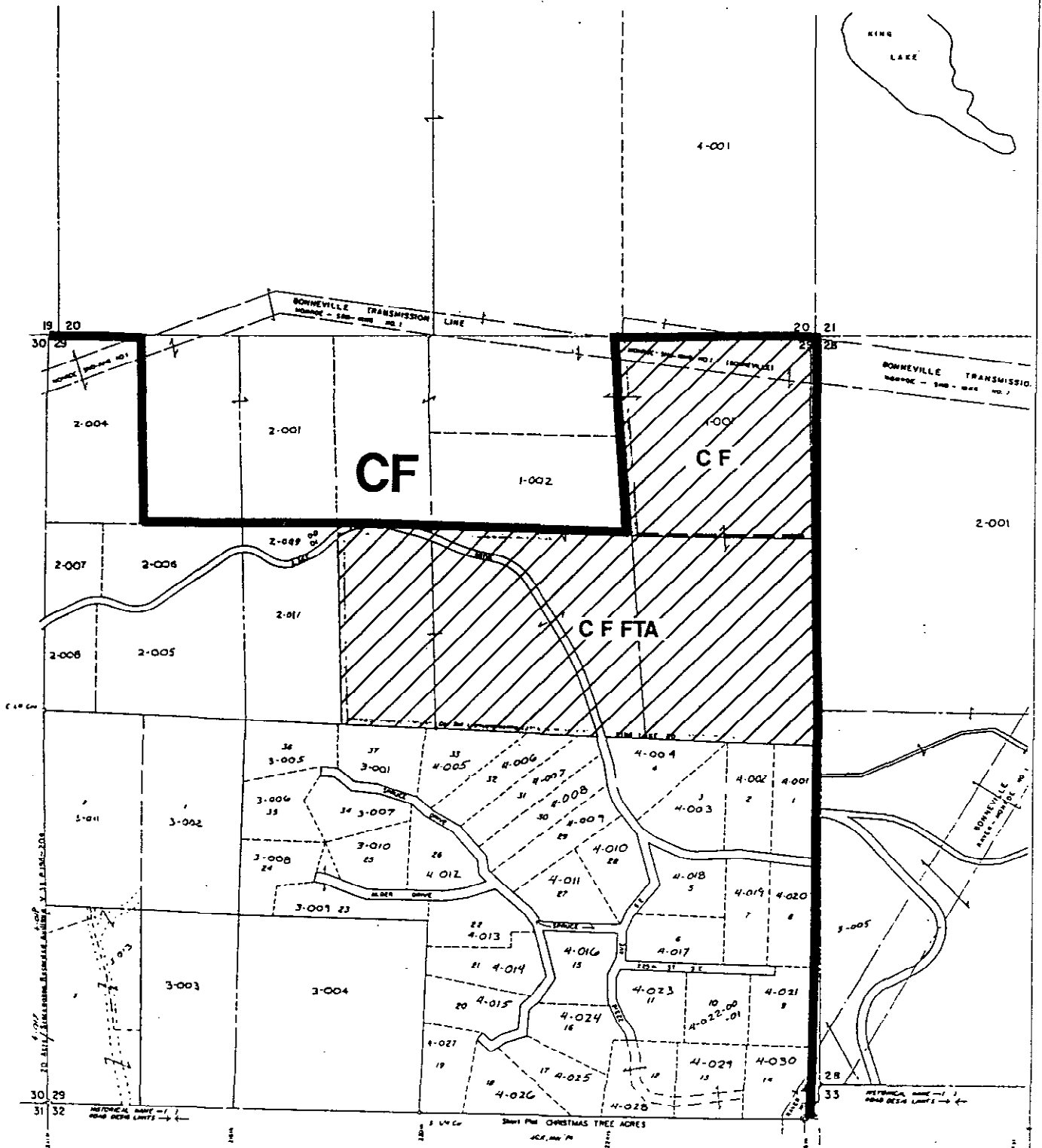


Exhibit A

Sec. 24 T. 28 R. 07

Acct. # 242807-2-001



0 330 660 990 1320

Scale in Feet

SITE 14

Parcel / Zoning map.

This is not a survey. For relational location of property only

Snohomish County Planning and
Development Services

Feb. 1997

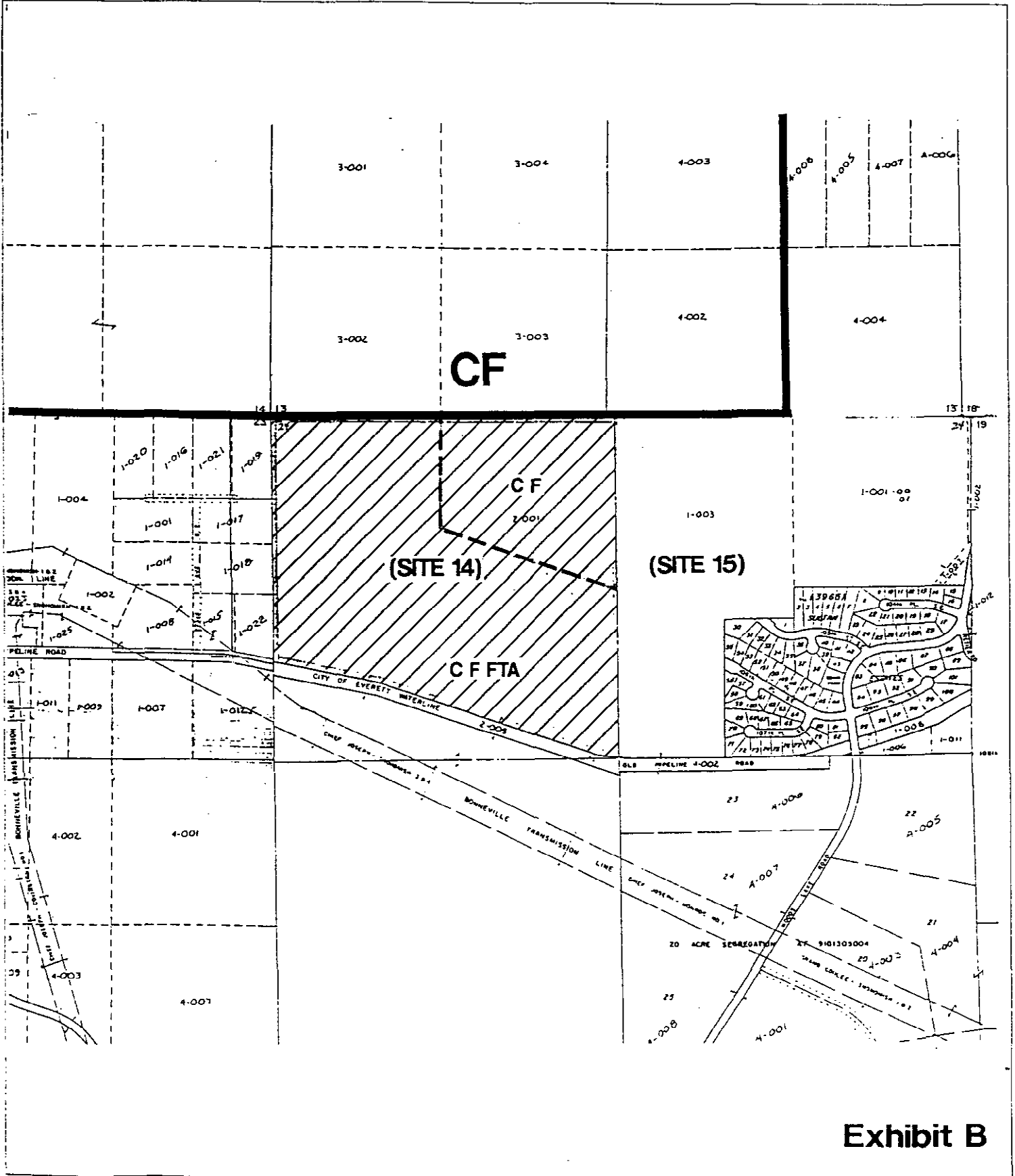


Exhibit B

Sec. 24 T. 28 R. 07
Acct. # 242807-1-003

SITE 15

Parcel / Zoning map.
This is not a survey. For relational location of property only

Snohomish County Planning and
Development Services

Feb. 1997

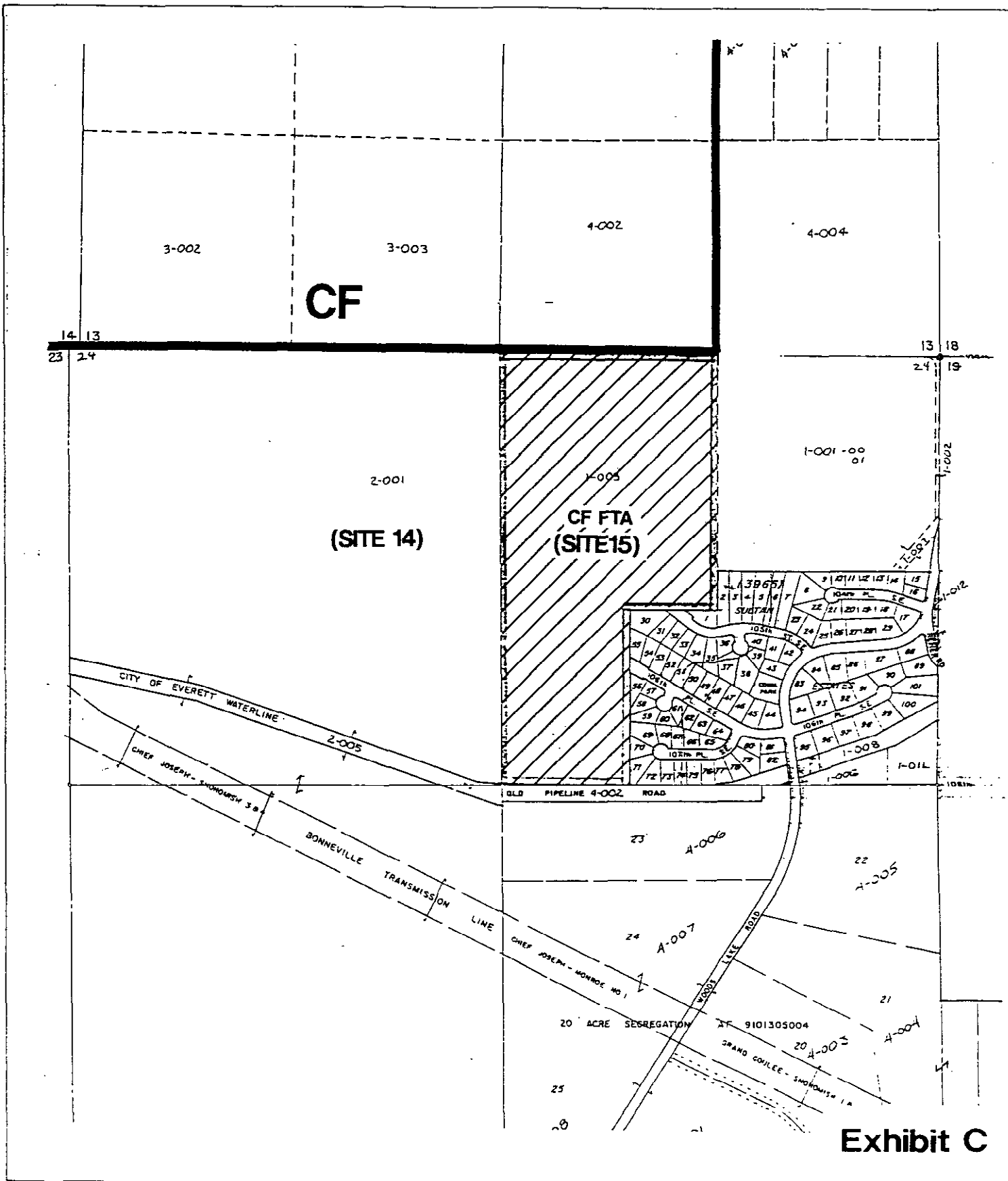


Exhibit C

Sec. 26 T. 32 R. 05
Acct. # 263205-1-001

SITE 85

Parcel / Zoning map.
This is not a survey. For relational location of property only

Snohomish County Planning and
Development Services
Feb. 1997

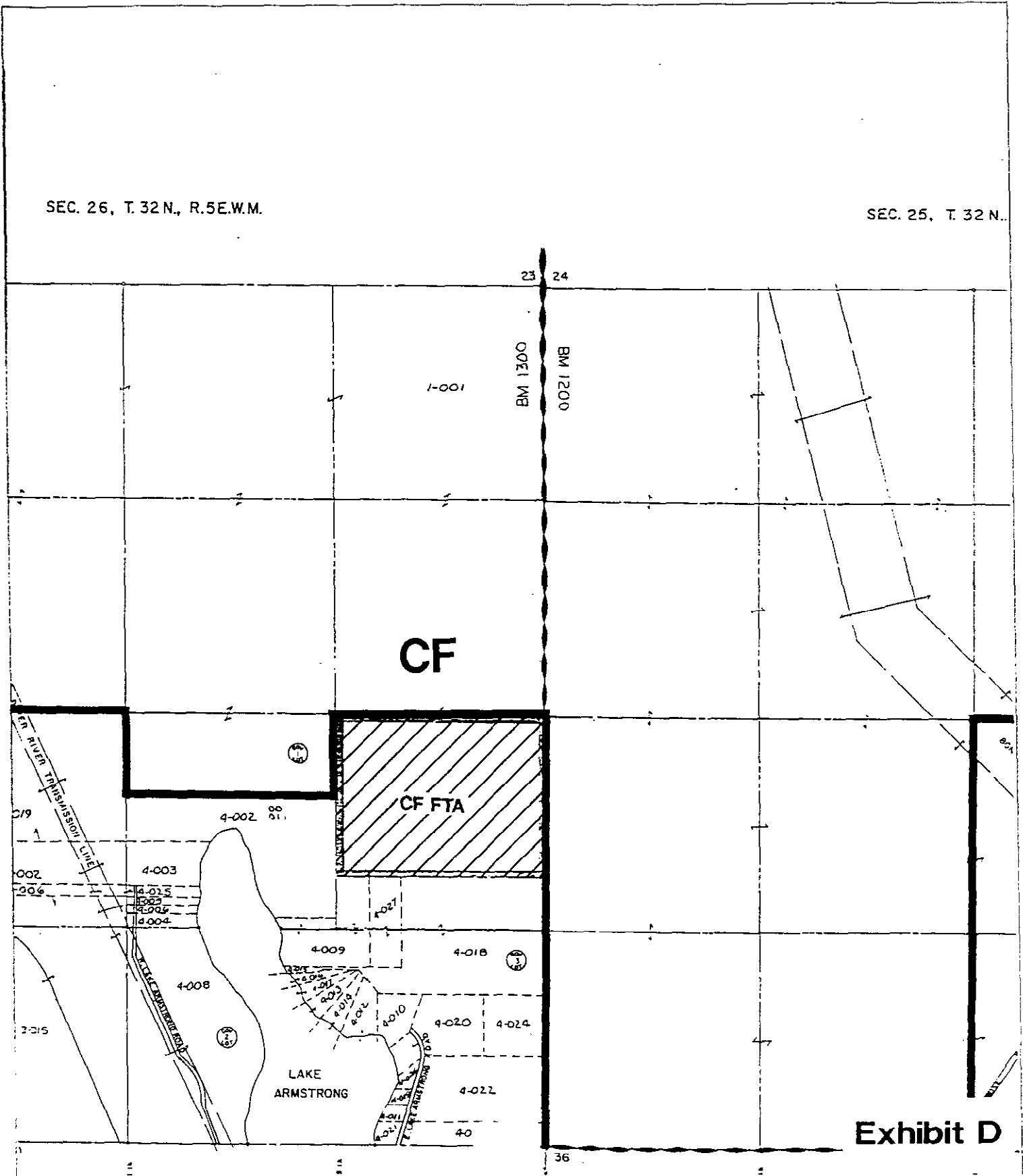
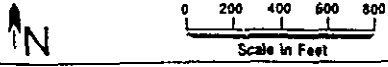


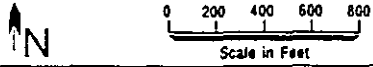
Exhibit D

Sec. 16 T. 32 R. 06
Acct. # 163206-2-001

SITE 91

Parcel / Zoning map.
This is not a survey. For relational location of property only

Snohomish County Planning and
Development Services
Feb. 1997



T32N, R6EWM.

SEC. 16, T32N, R6EWM.

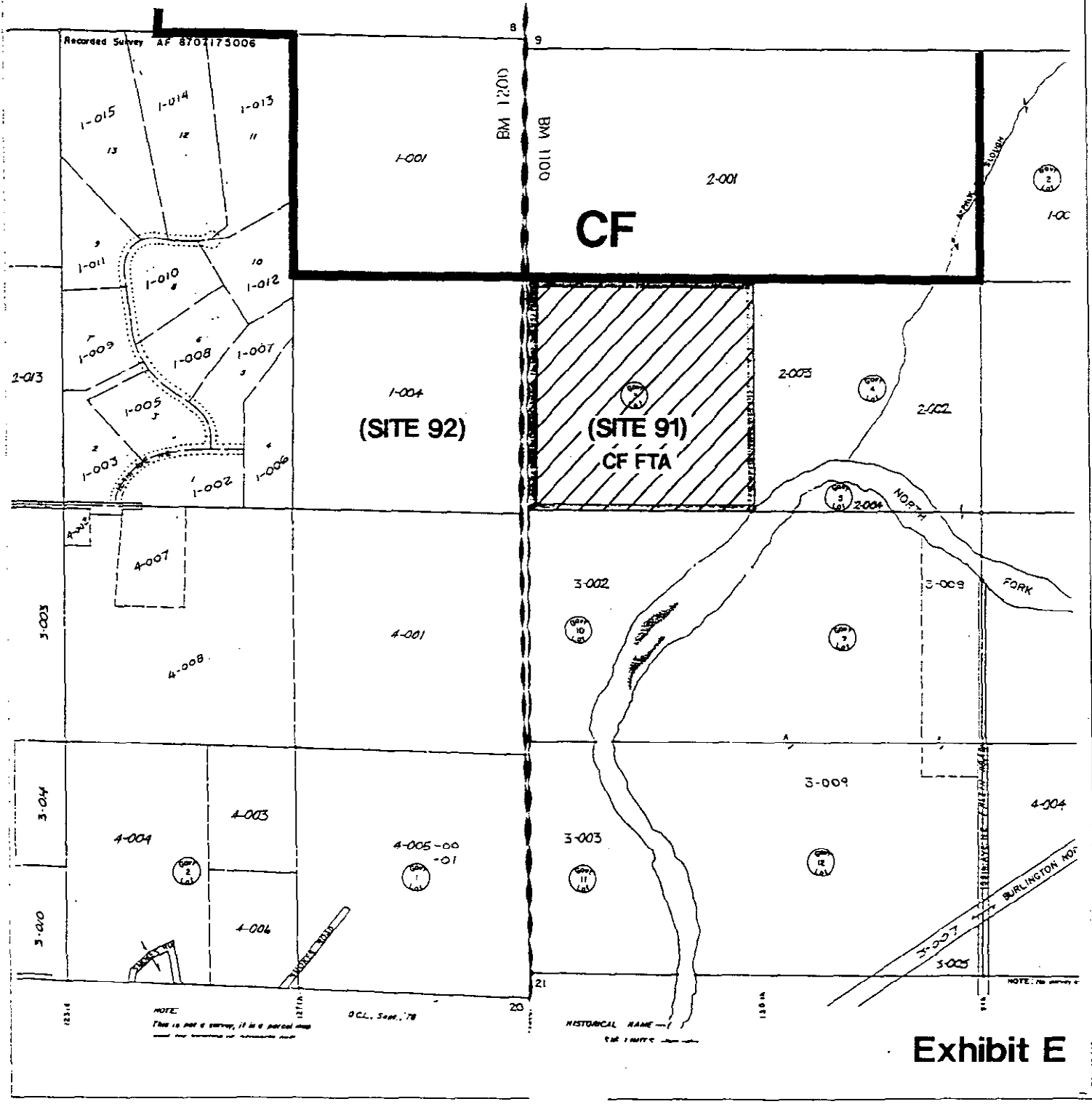


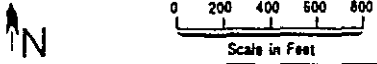
Exhibit E

Sec. 17 T. 32 R. 06
Acct. # 173206-1-004

SITE 92

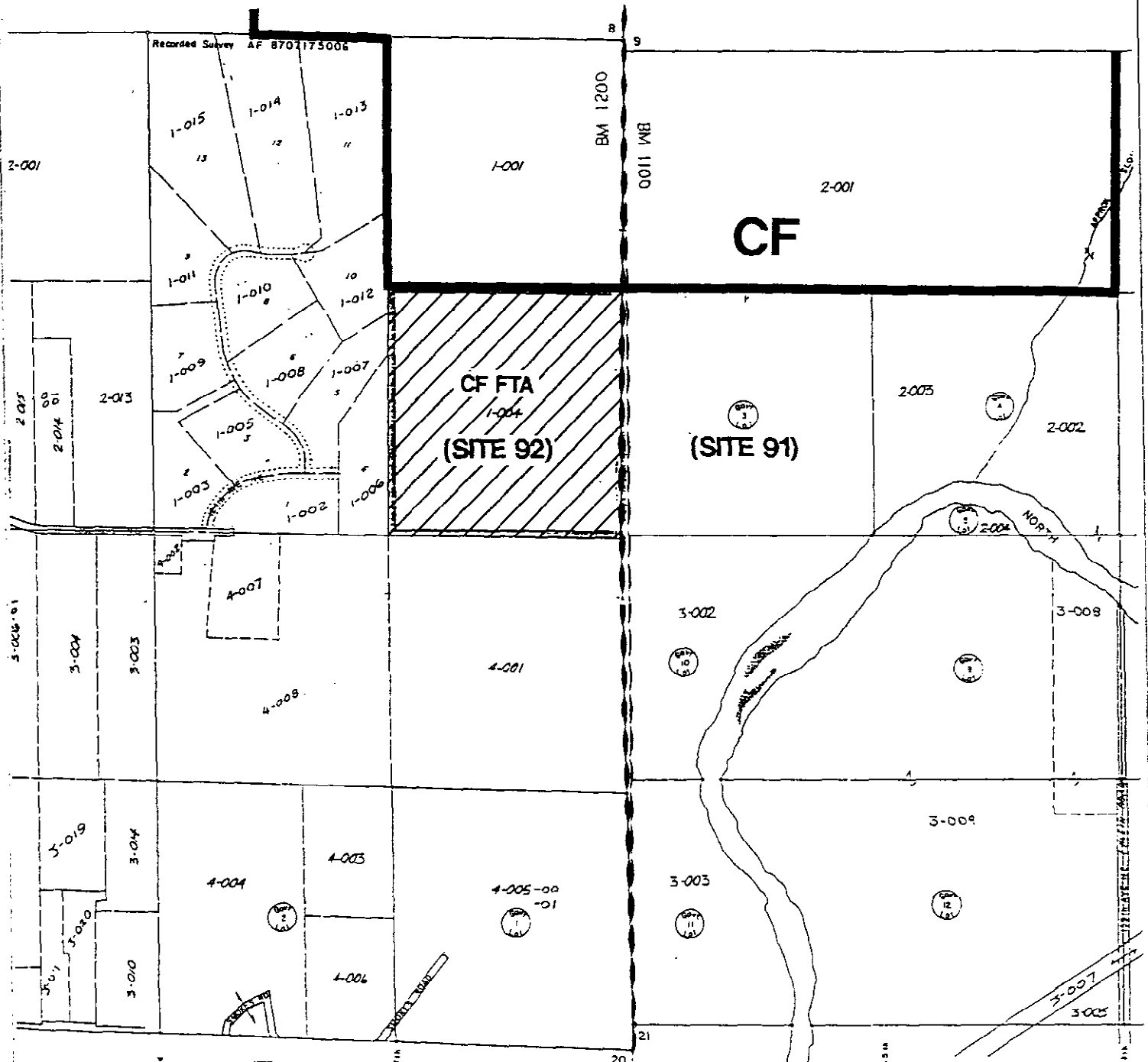
Parcel / Zoning map.
This is not a survey. For relational location of property only

Snohomish County Planning and
Development Services
Feb. 1997



SEC. 17, T32N, R6EW

SEC. 16, T32N, R6E



NOTE:
This is not a survey, it is a parcel map
used for location of property only

O.C.L. 5000, '78

HISTORICAL NAME
ROAD BOUNDING LIMITS

Exhibit F