



CO00019752

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 98-068

REVISING THE EXISTING URBAN GROWTH AREA FOR THE CITY OF ARLINGTON;
AMENDING ORDINANCE NO. 97-076 AND
AMENDED ORDINANCE NO. 94-125

WHEREAS, the Growth Management Act, Chapter 36.70A RCW (GMA) requires Snohomish County to designate an urban growth area (UGA) within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature (RCW 36.70A.110(1)); and

WHEREAS, the Snohomish County Council designated a Final UGA for Arlington, Marysville, and the Smokey Point area (Amended Ordinance No. 94-120) on June 28, 1995, after holding public hearings from April 19, 1994, through January 18, 1995, in conformance with the requirements of the GMA; and

WHEREAS, the county council divided the Final UGA for Arlington, Marysville, and the Smokey Point area into two separate UGAs for Arlington and Marysville on September 15, 1997 (Ordinance No. 97-076) after holding public hearings from February 25, 1997, to September 15, 1997, in conformance with the requirements of the GMA; and

WHEREAS, on June 28, 1995, the county council approved Amended Ordinance 94-125 which adopted a GMA Comprehensive Plan including a General Policy Plan and Future Land Use map, both of which were last amended by Ordinance No. 98-051 on August 3, 1998; and

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

WHEREAS, the Board's Order affirmed the county's action removing the Spencer Island, Smith Island and Island Crossing areas from the agricultural designation and placing them in the UGA; and

WHEREAS, the Board's Final Decision and Order was appealed to Superior Court (*Agriculture for Tomorrow, et al. v. Central Puget Sound Growth Management Hearings Board*); and

WHEREAS, Snohomish County Superior Court Judge James Allendoerfer issued a written order finding that the county's removal of the Spencer Island, Smith Island and Island Crossing areas from the agricultural designation and placement within the UGA was not supported by substantial evidence in the record before the Board or Court; and

WHEREAS, the Court remanded these areas to the Board for a detailed explanation of its holding, and at its discretion, entry of findings on GMA criteria with respect to removal of these areas from agricultural designation and inclusion in the UGA; and

WHEREAS, the Board subsequently remanded these areas to the county, ordering the county to conduct public hearings with respect to the GMA designations for these three areas; and

WHEREAS, the Snohomish County Planning Commission held a hearing on June 23, 1998, on proposed plan map and UGA amendments in these areas without being able to reach a majority recommendation; and

WHEREAS, the county council held public hearings on August 19 and 26, 1998, and September 2 and 9, 1998, to consider the planning commission's public hearing record; and

WHEREAS, the county council considered the planning commission's and its own hearing record including written and oral testimony submitted during the council hearings.

NOW, THEREFORE, BE IT ORDAINED:

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

A. The county council hereby adopts and incorporates by reference the findings and conclusions adopted in Section 1 of Amended Ordinance 98-069 with respect to the Island Crossing area.

B. The county council hereby adopts and incorporates by reference the findings and conclusions adopted and the legislative records developed in adopting Amended Ordinance 94-120 and Ordinance 97-076.

C. The county council determined in Amended Ordinance 98-069 that the Island Crossing area, with the exception of the existing commercial node at the interchange of Interstate 5 and State Route 530, should be designated as agricultural land pursuant to RCW 36.70A.170. The GMA allows land designated as agricultural to

be included within a UGA only if the municipality within the UGA has adopted a program authorizing the transfer or purchase of development rights. RCW 36.70A.060. There is no evidence in the record indicating that the City of Arlington has adopted such a program.

D. The county council has determined that the edge of the floodplain creates a natural boundary, beyond which the land descends into the floodway of the Stillaguamish River. This natural boundary, and not Interstate 5, is the appropriate boundary of the Arlington UGA.

E. The county council concludes that the Island Crossing area should be removed from the Arlington UGA as indicated on the map attached to this ordinance as Exhibit A.

F. Considering Changes to the UGA Boundary.

1. The GMA requires that the county consult with cities with respect to the location of a UGA which contains a city's municipal boundaries. The county has invited and considered input from the city of Arlington with respect to the determination of whether the Island Crossing area should remain within the UGA, in accordance with Judge Allendoerfer's decision.
2. The county has met all state and local requirements for interjurisdictional coordination with regard to the modification of the UGA boundary.

Section 2. The county council hereby amends Ordinance No. 97-076 as adopted on September 15, 1997, to repeal Exhibits A and C which were therein incorporated and to replace and incorporate herein a new Exhibit A, a map which depicts the modified UGA boundary for the city of Arlington UGA, and a new Exhibit C, which are county assessor's maps that accurately depict the boundary of the city of Arlington UGA.

Section 3. The county council hereby amends the Future Land Use map of the Snohomish County Growth Management Act Comprehensive Plan-General Policy Plan which was adopted as Map 4 of Exhibit A in Section 4 of Amended Ordinance No. 94-125 on June 28, 1995, and last amended by Amended Ordinance No. 98-051 on August 3, 1998, to include the boundaries of the city of Arlington UGA as depicted in Exhibit A which is attached hereto and incorporated herein by this reference.

Section 4. 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 9th day of September, 1998.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Kirk Stevens

Chair

ATTEST:

Kathryn L. Bratcher

Clerk of the Council

- APPROVED
- VETOED
- EMERGENCY

Date: 9-20-98

[Signature]

County Executive

APPROVED AS TO FORM

ATTEST:

Barbara Dykes 9/8/98
Deputy Prosecuting Attorney

[Signature]

ARLINGTON Urban Growth Area

EXHIBIT A ORD. No. 98-068

- ~ UGA Boundary
- ~ Other Adjoining UGA's
- ~ City Limits
- ~ Local Streets (county maintained)
- ~ Arterial Streets (Arterial Circulation Plan)
- ~ Incorporated City Area
- ~ Arlington Urban Growth Area
- ~ Area to be Removed from UGA

The Snohomish County Council revised the existing Urban Growth Area September 13, 1987 by Ordinance No. 87-078 to establish a separate Urban Growth Area for the City of Arlington.

0 1320 2640 3960 5280



Scale in Feet

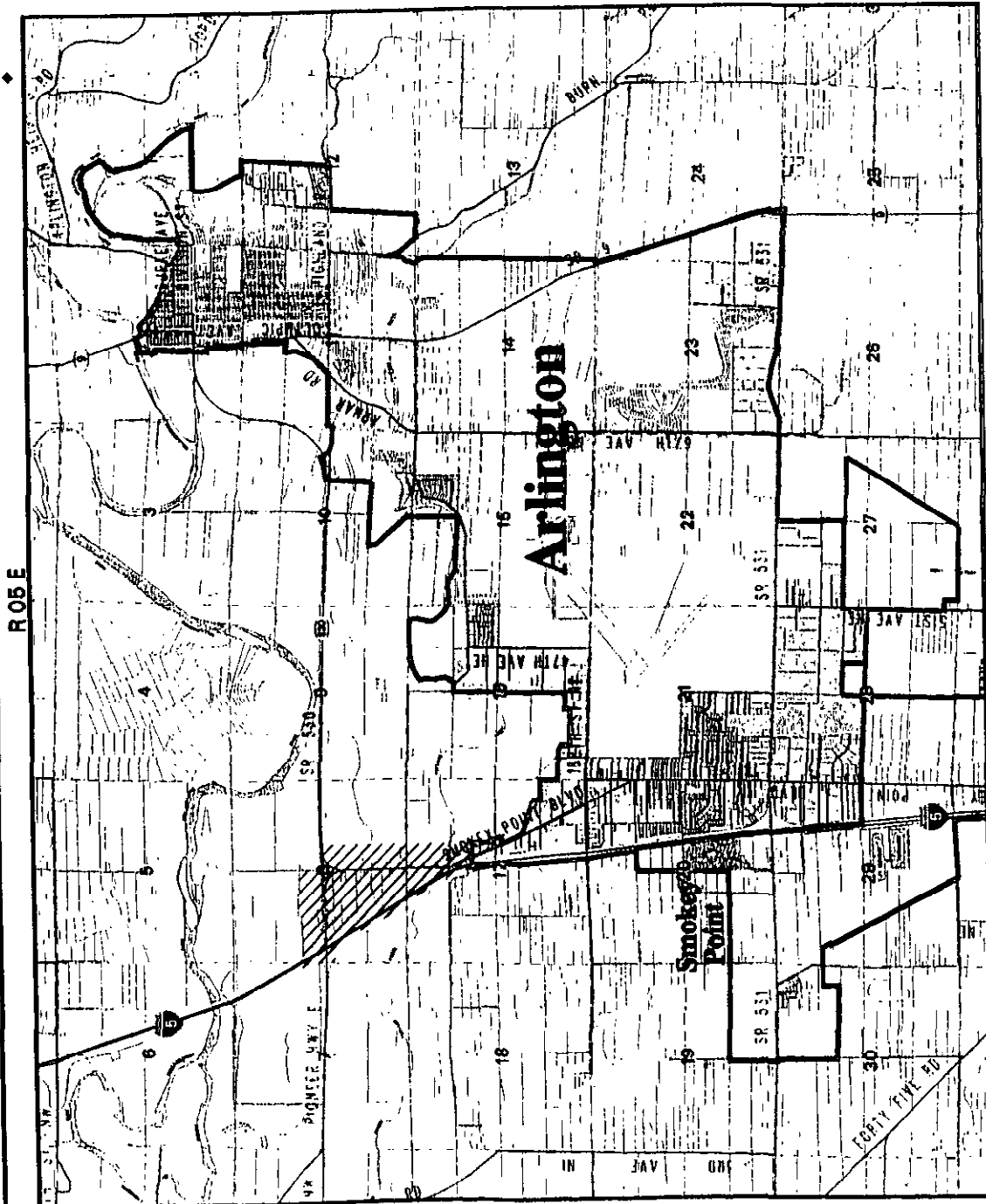
Original map scale 1:24,000

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The bases used to compile this map is the 1987 Census of the Snohomish County Urban Growth Area. The map is not intended to be used for any other purpose.



Snohomish County



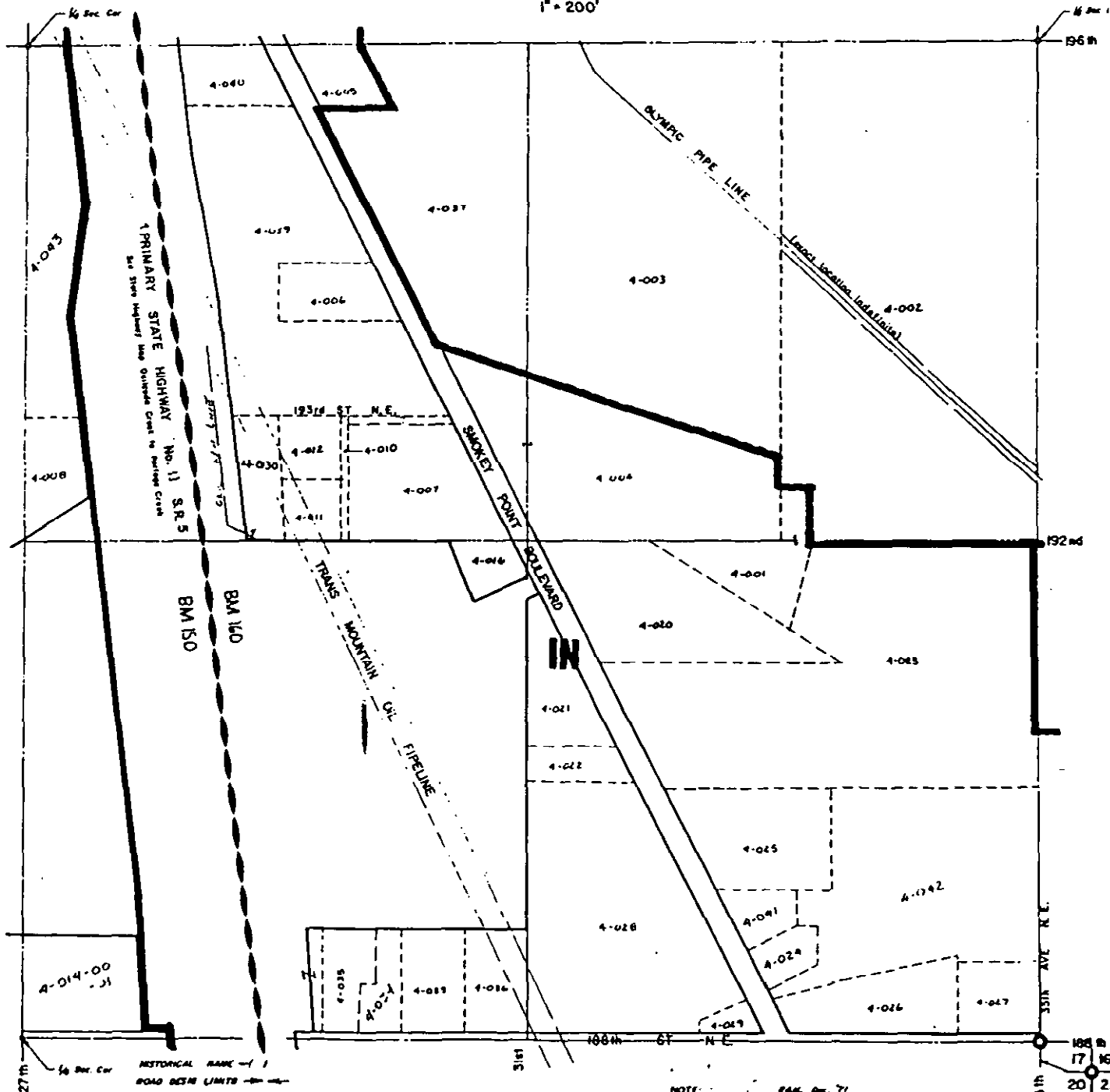
R 05 E

T 31 N

Exhibit C

Amended Ord 98-068

S.E. 1/4, SEC. 17, T31N., R.5E.
1" = 200'



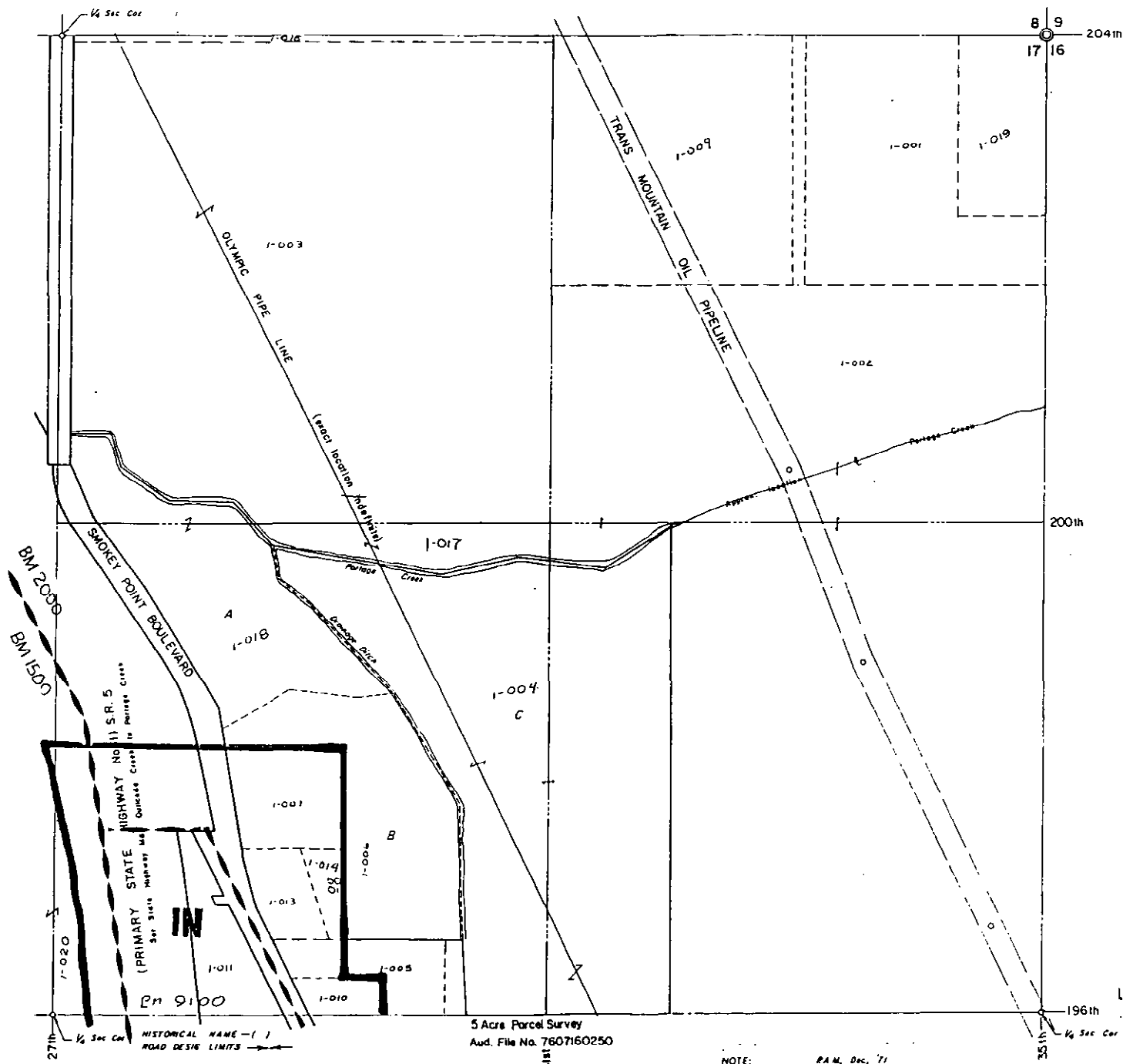
NOTE: This is not a survey, it is a parcel map used for location of property only.

MAY 25 1993

x h k l A

N.E. 1/4, SEC. 17, T. 31N., R. 5E.

1" = 200'

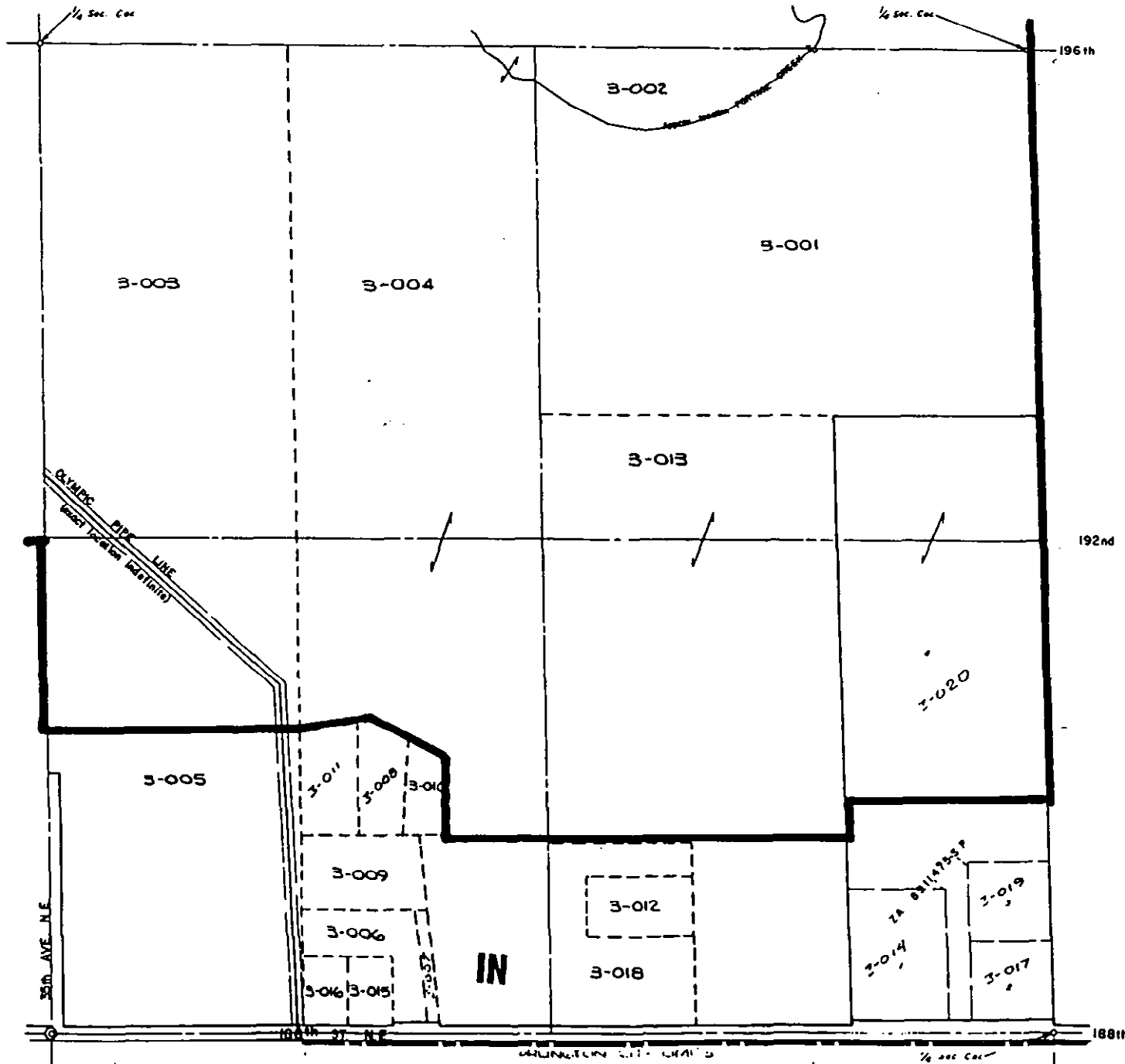


NOTE: RAM, Dec, '71
This is not a survey, it is a parcel map
used for location of property only

S.W. 1/4, SEC. 16, T. 31, R. 5 E.

1" = 200'

BM 160



17 16
20 21

HISTORICAL NAME ()
ROAD DESIGN LIMITS

39th

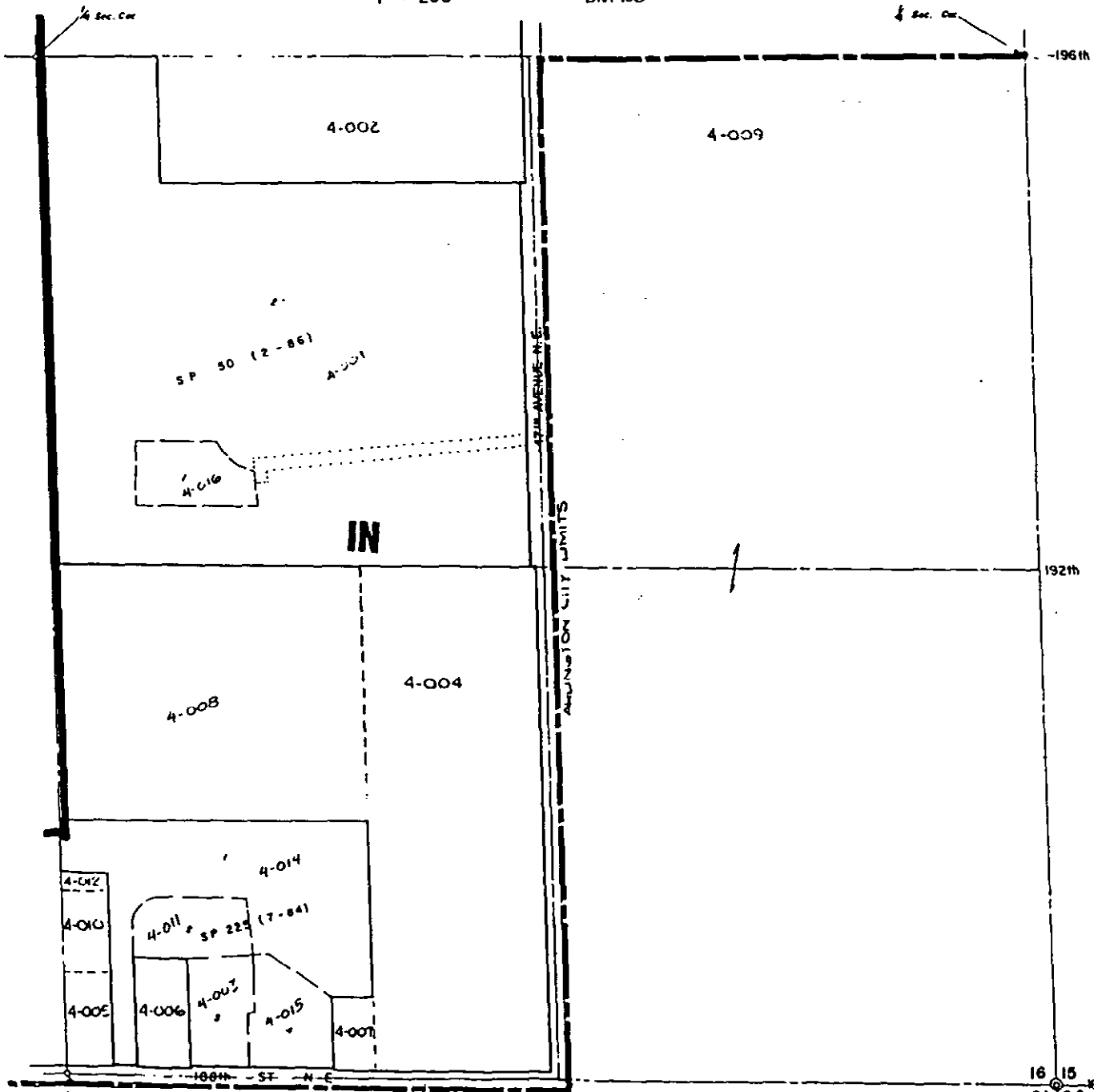
NOTE: This is not a survey, it is a parcel map used for location of property only

MAY 25 1955

S. E. 1/4, SEC. 16, T. 31, R. 5 E.

1" = 200'

BM 160



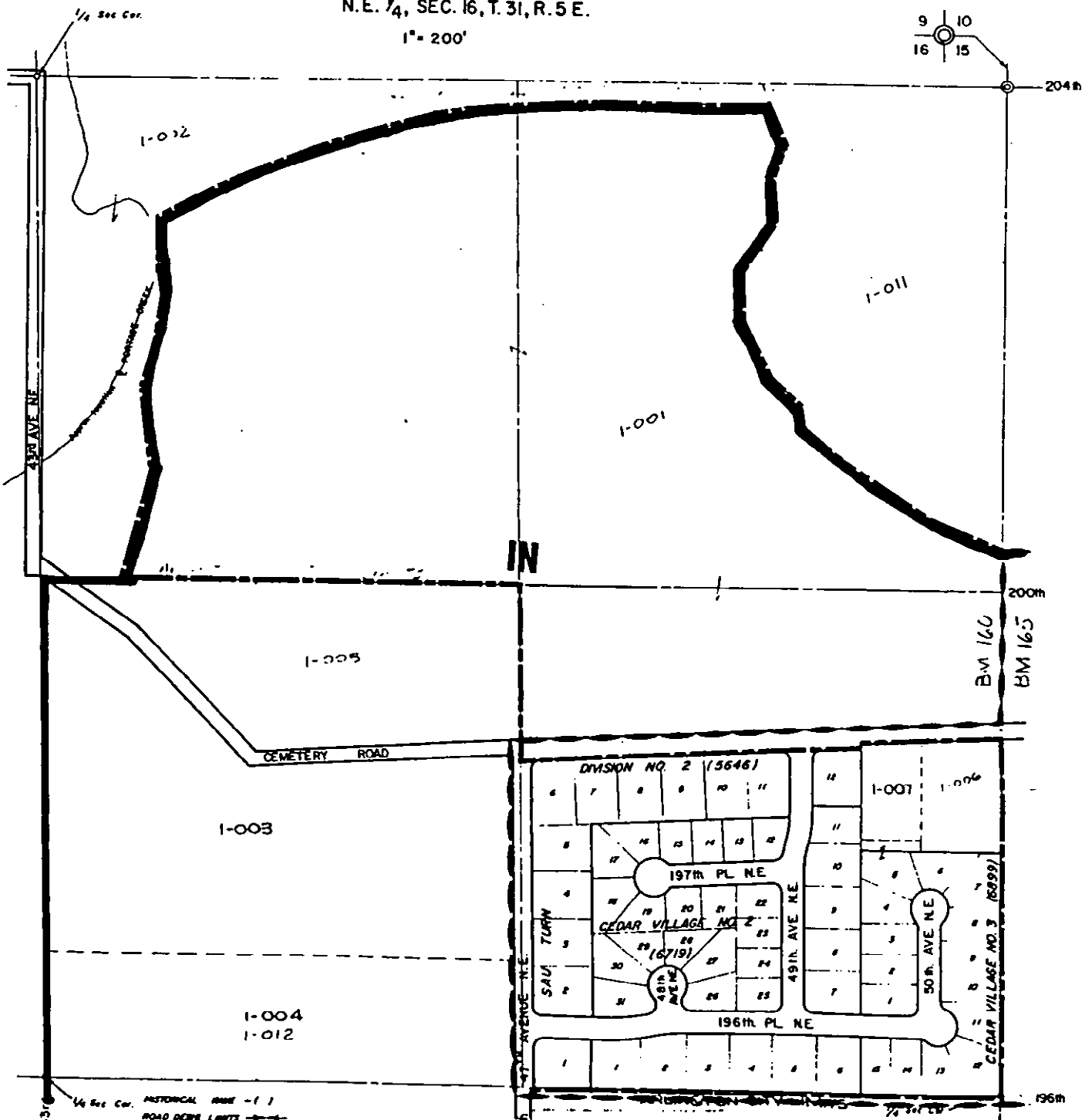
1/4 Sec. Cor. HISTORICAL NAME - ()
ROAD DESIGN LIMITS

NOTE. S. G. S., Dec., '71
This is not a survey, it is a plat of map
used for location of property only

16 15
21 22
188th

MAY 25 1895

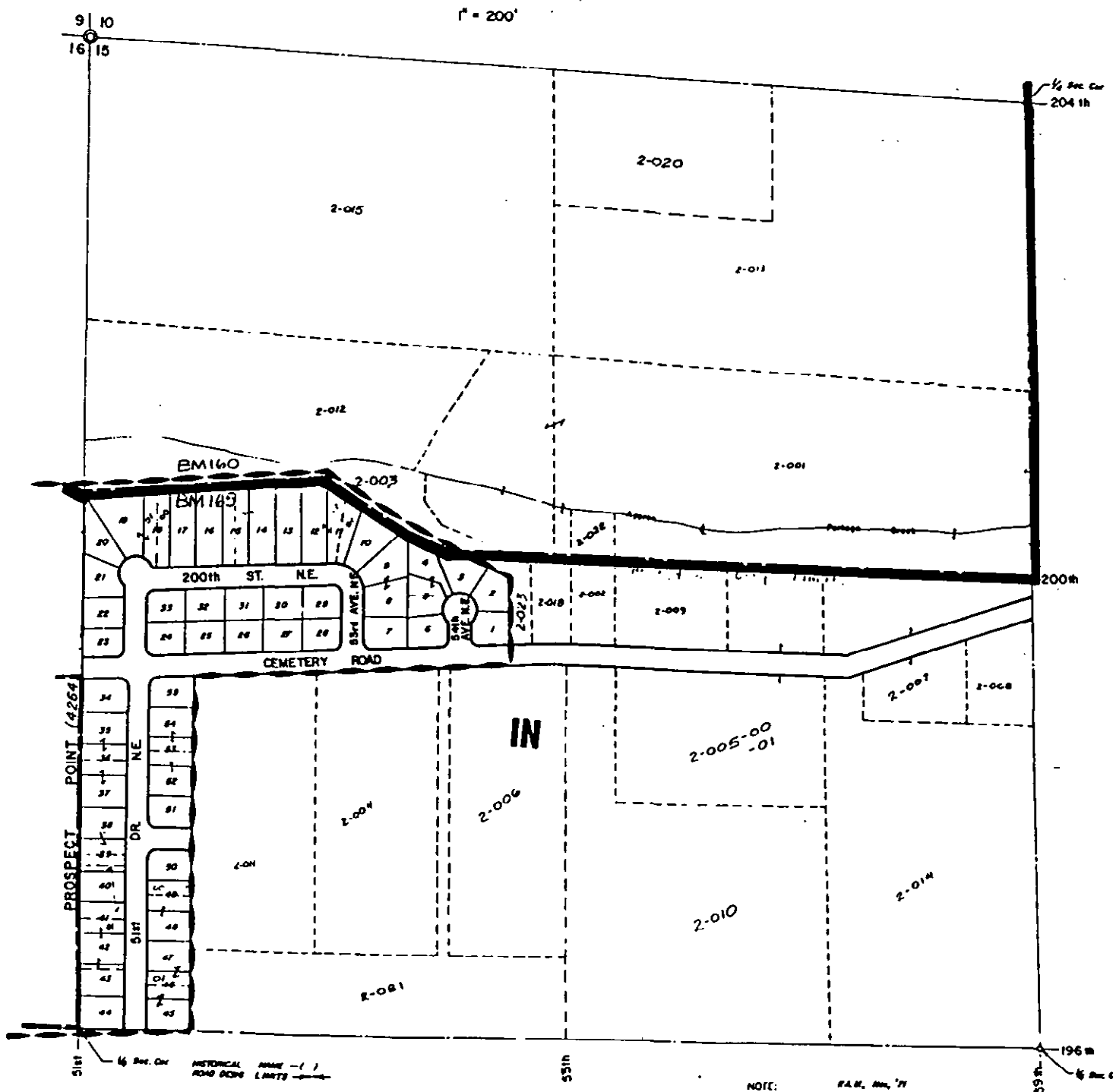
N.E. 1/4, SEC. 16, T. 31, R. 5 E.
1" = 200'



NOTE: This is not a survey. It is a parcel map used for location of property only.

MAY 23 1985

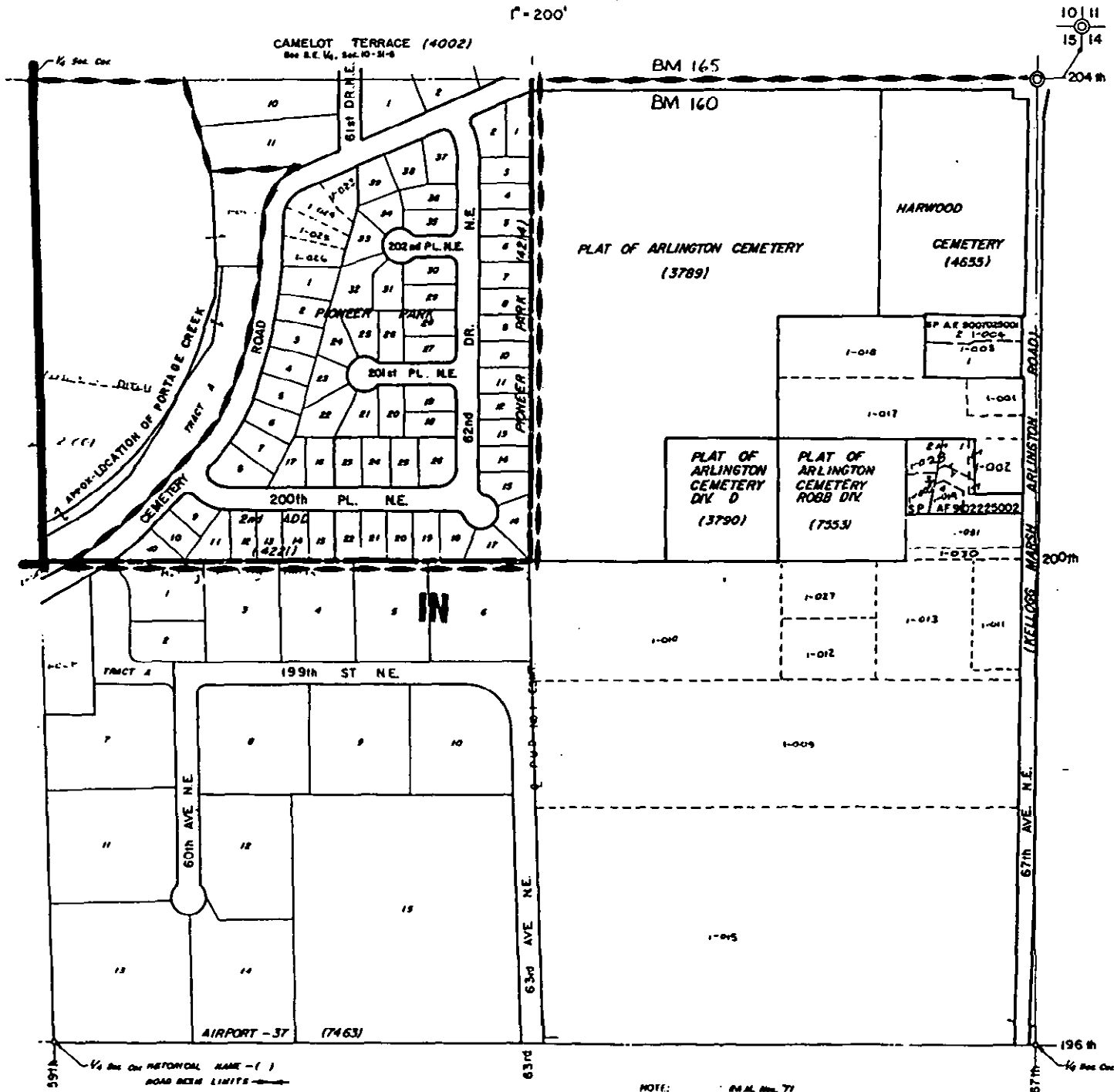
N.W. 1/4, SEC. 15, T.31N, R.5E.
 1" = 200'



NOTE: P.A.M. May, '77
 This is not a survey, it is a parcel map
 used for location of property only

MAY 25 1985

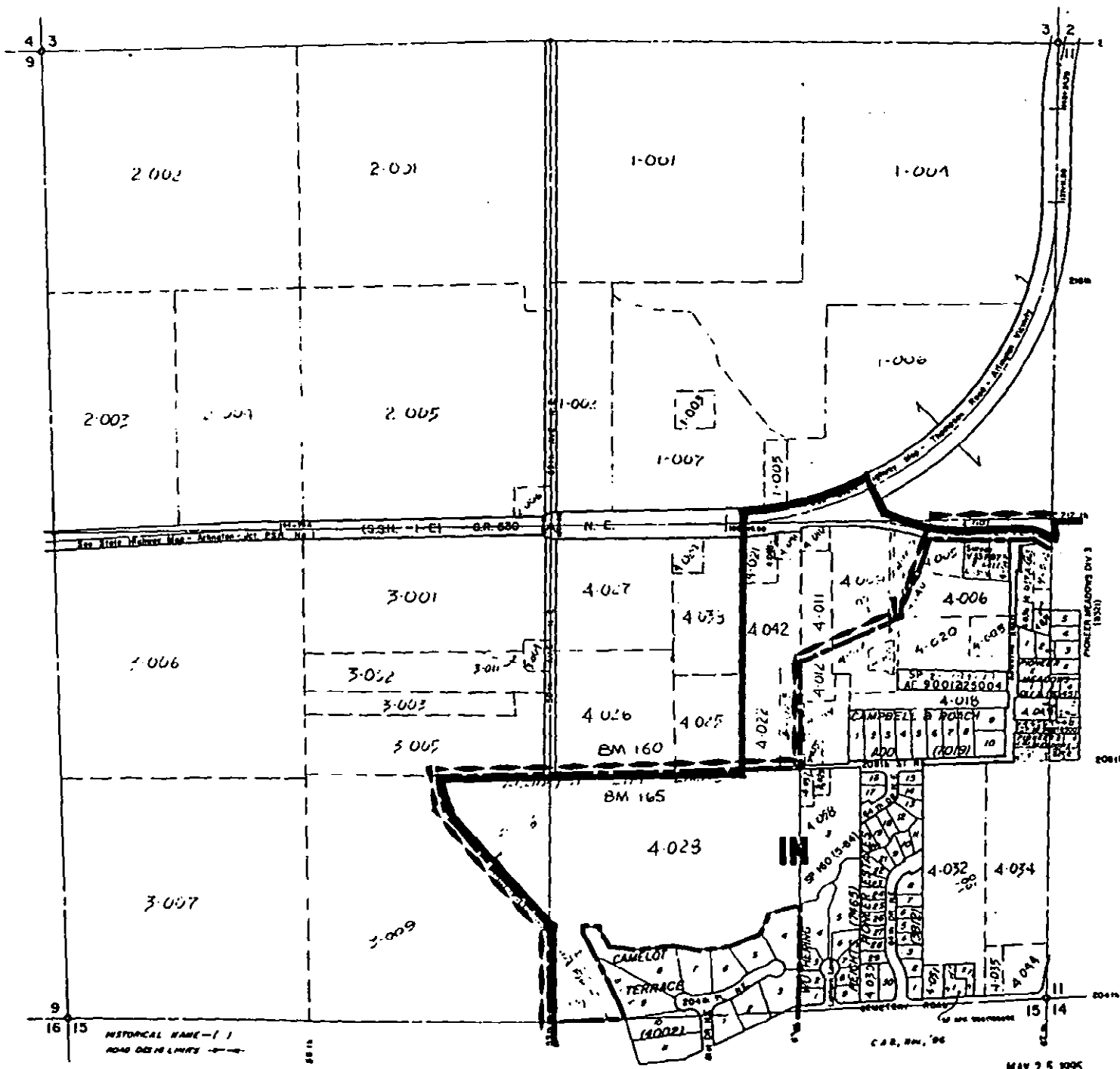
NE 1/4, SEC. 15, T.31N, R.5E.
 1" = 200'



NOTE: See A. M. No. 77
 This is not a survey, it is a parcel map
 used for location of property only

MAY 25 1995

SEC. 10, T. 31N., R. 5E.W.M.
1" = 400'

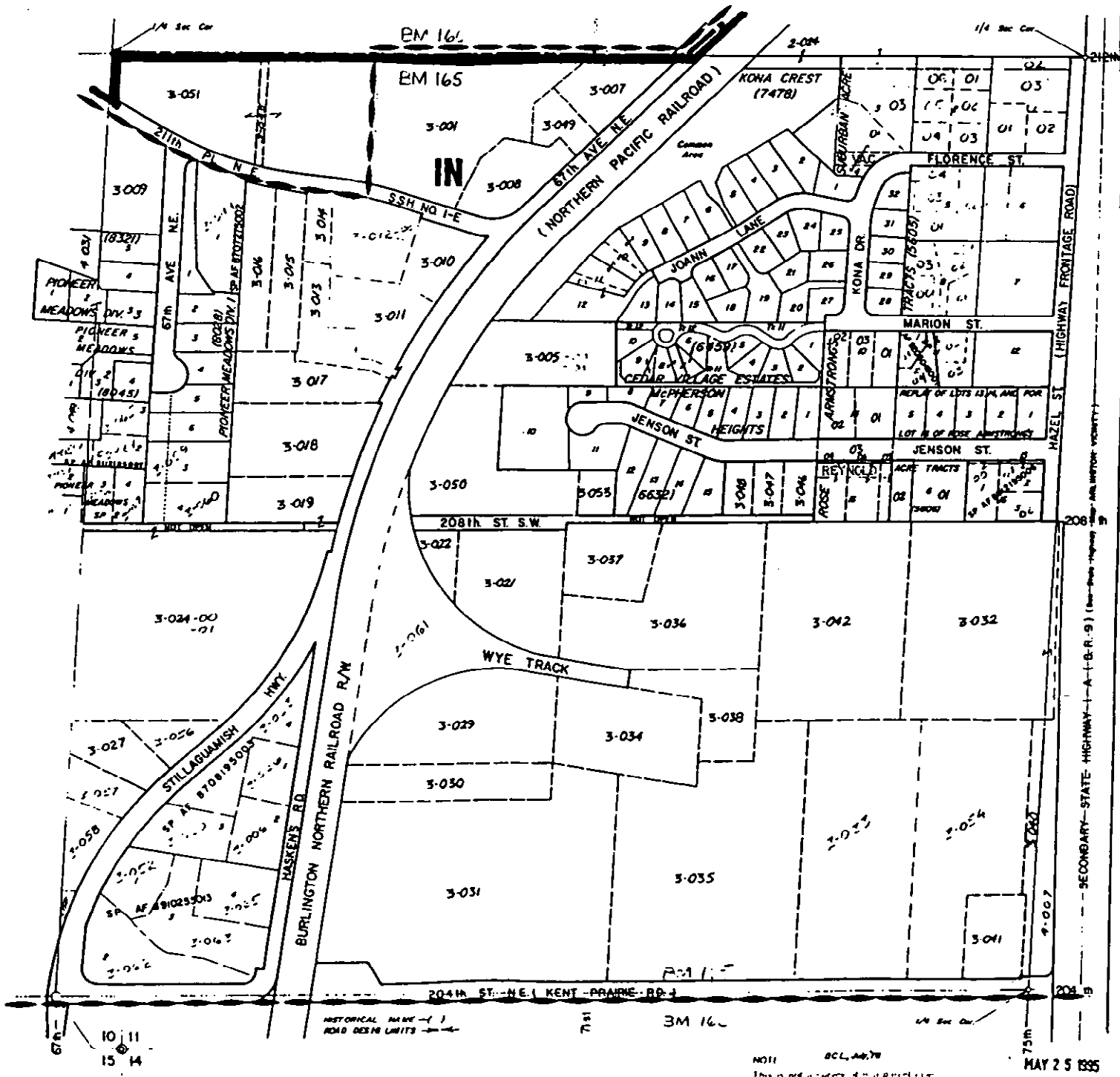


NOTE:
This is not a survey, it is a parcel map
used for taxation of property only

MAY 25 1895

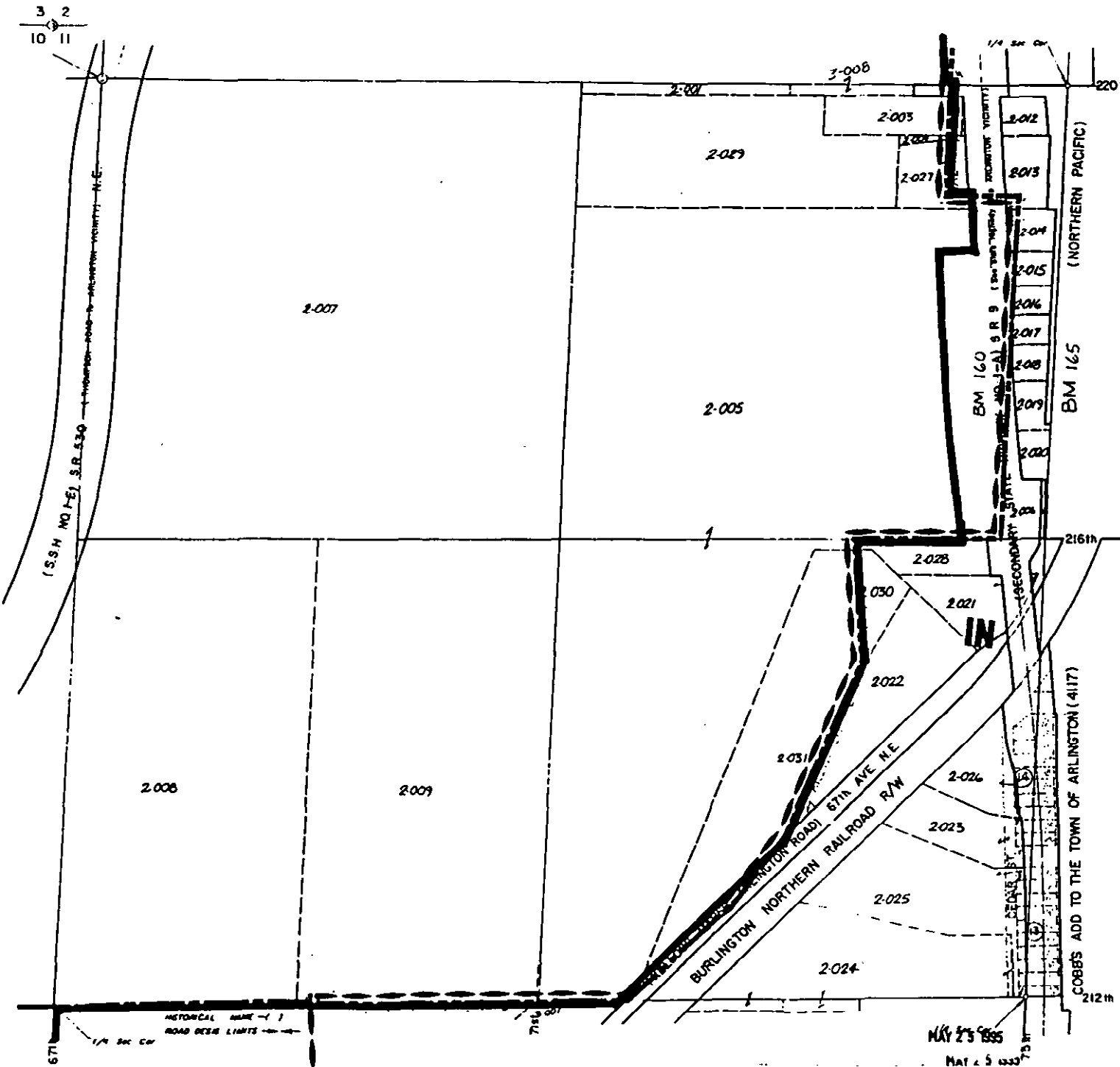
SW 1/4, SEC. 11, T. 31N., R. 5E.W.M.

1" = 200'



MAY 25 1955

NW 1/4, SEC. 11, T. 31N, R. 5EWM.
 1"=200'

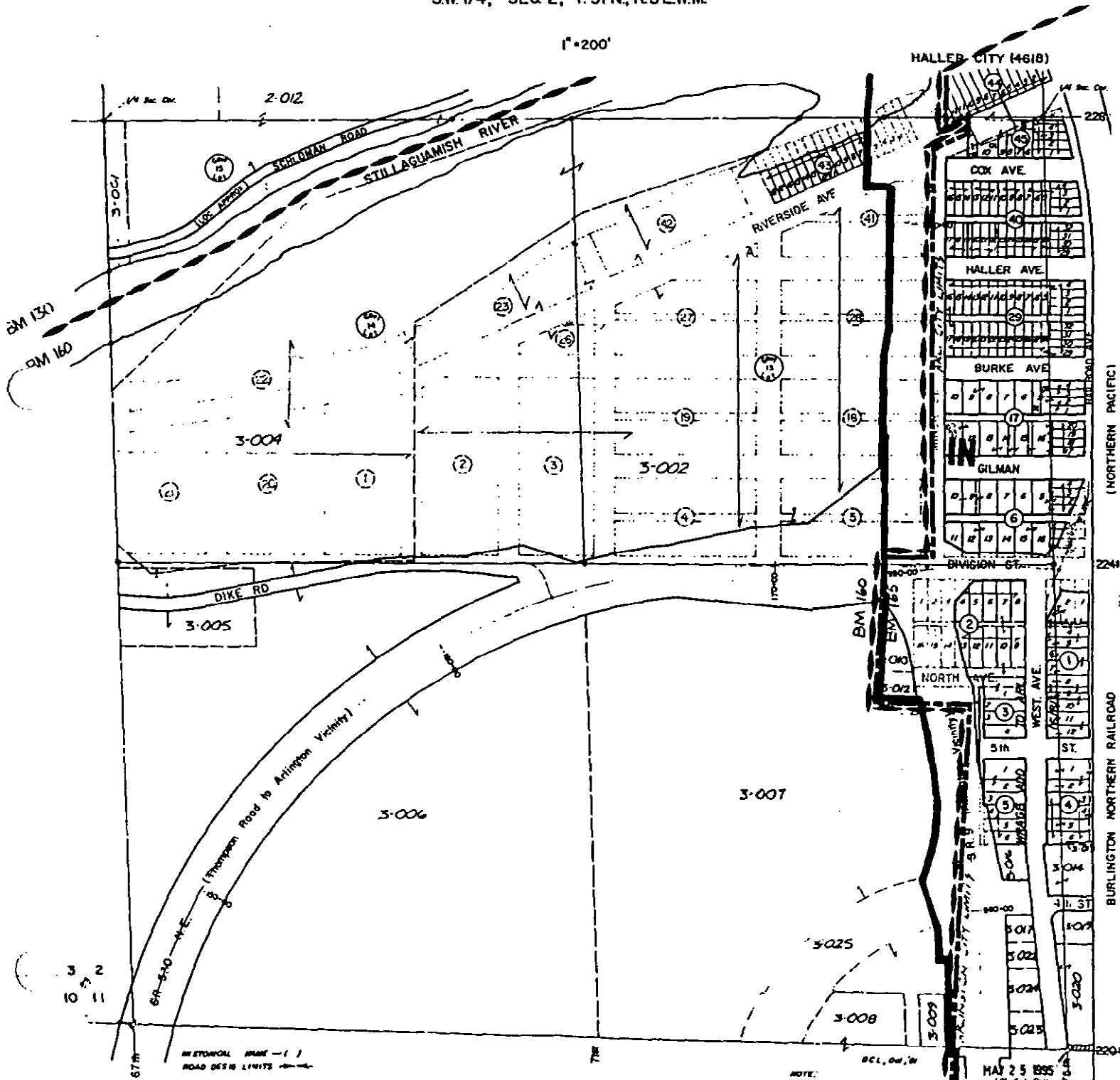


NOTE: B.C.L. 446,74
 This is not a survey of a parcel map.

MAY 25 1955
 MAY 25 1955

SW 1/4, SEC 2, T. 31 N., R. 5 E. W. M.

1"=200'



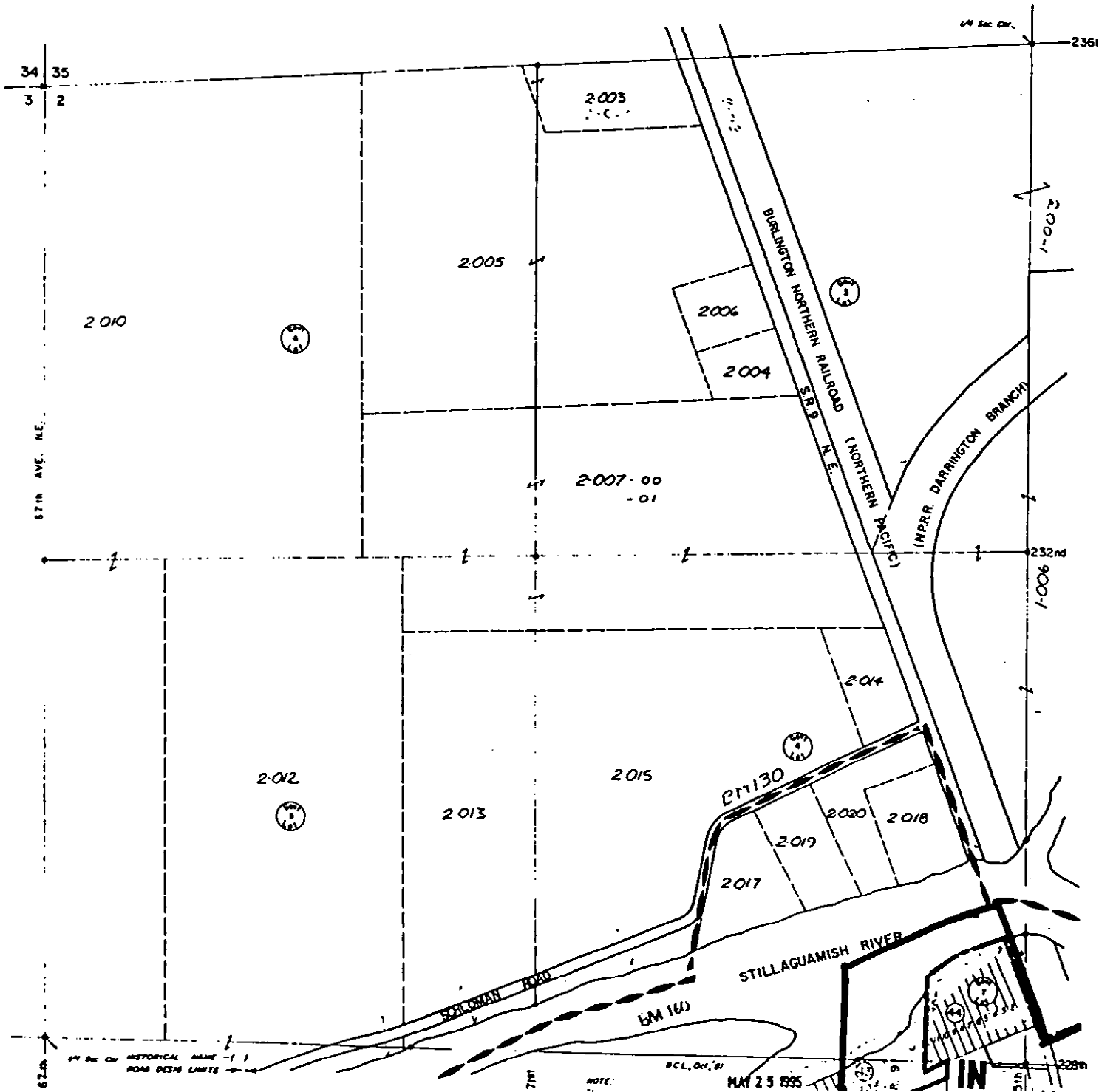
HISTORICAL NAME - ()
ROAD DESIGN LIMITS - - - -

NOTE:
This is not a survey, it is a record only

MAY 25 1995
L. W. Sec. Cor.

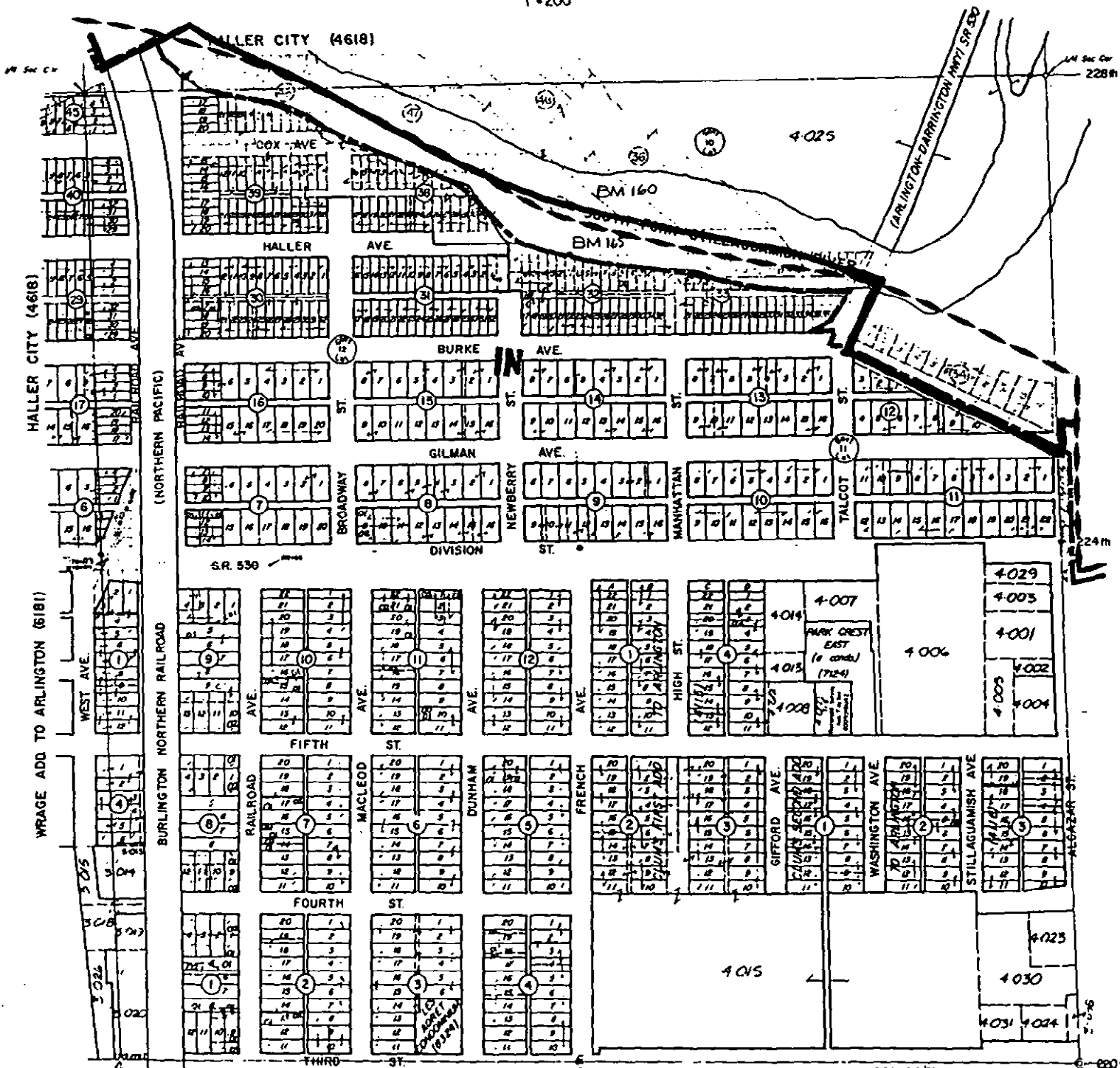
N.W. 1/4, SEC. 2, T.31N., R.5E.W.M.

1"=200'



S.E. 1/4, SEC. 2, T. 31N., R. 5E.W.M.

1"=200'



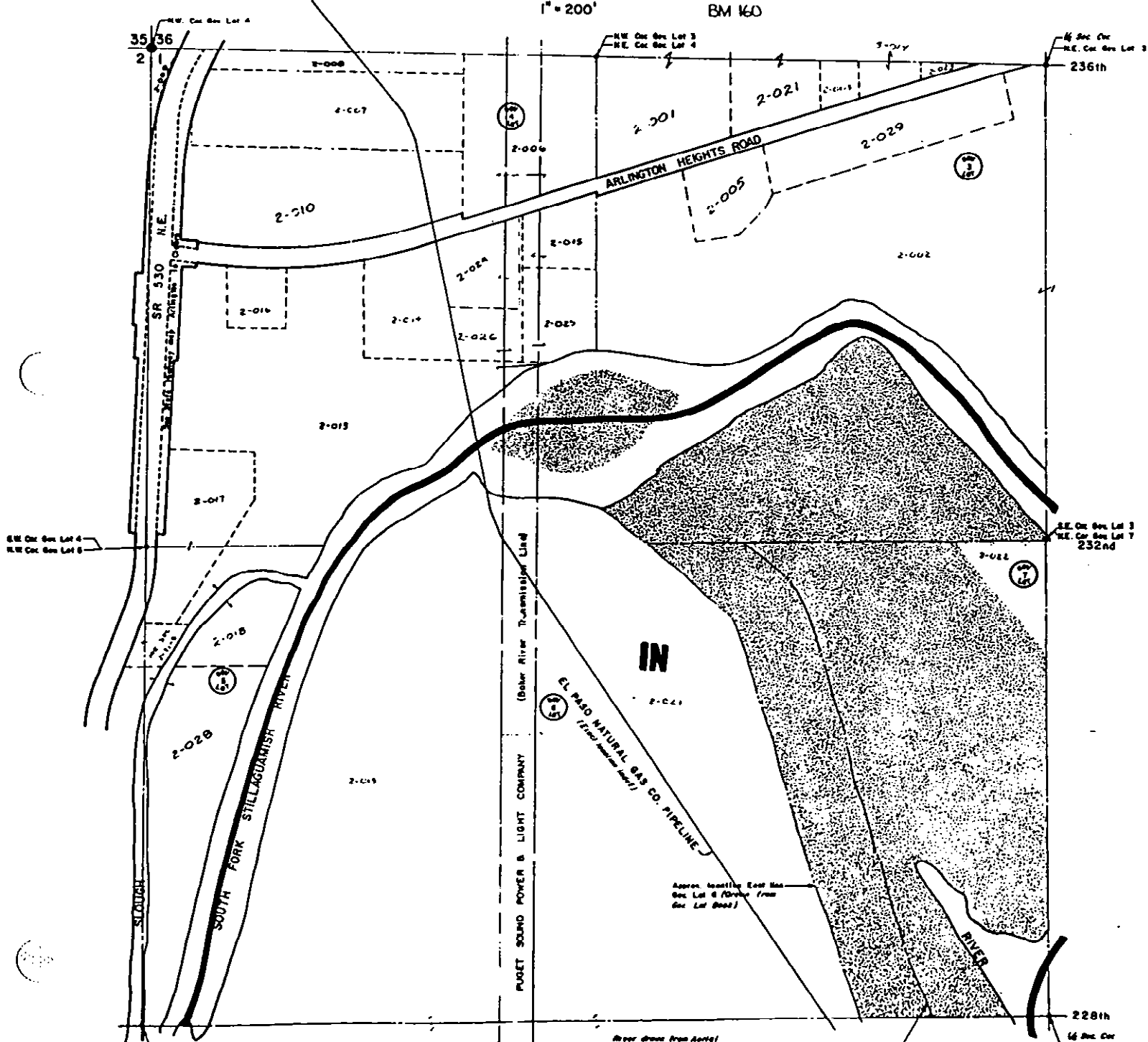
McMAHON'S FIRST ADD. TO ARLINGTON (5299)
NORTHWEST CORNER
ROAD DEEM LAWS

NOTE:
This is not a survey, it is a plat map.
B.C.L. Oct. '31
MAY 2 5 2005

N.W. 1/4, SEC. 1, T. 31N., R. 5E.

1" = 200'

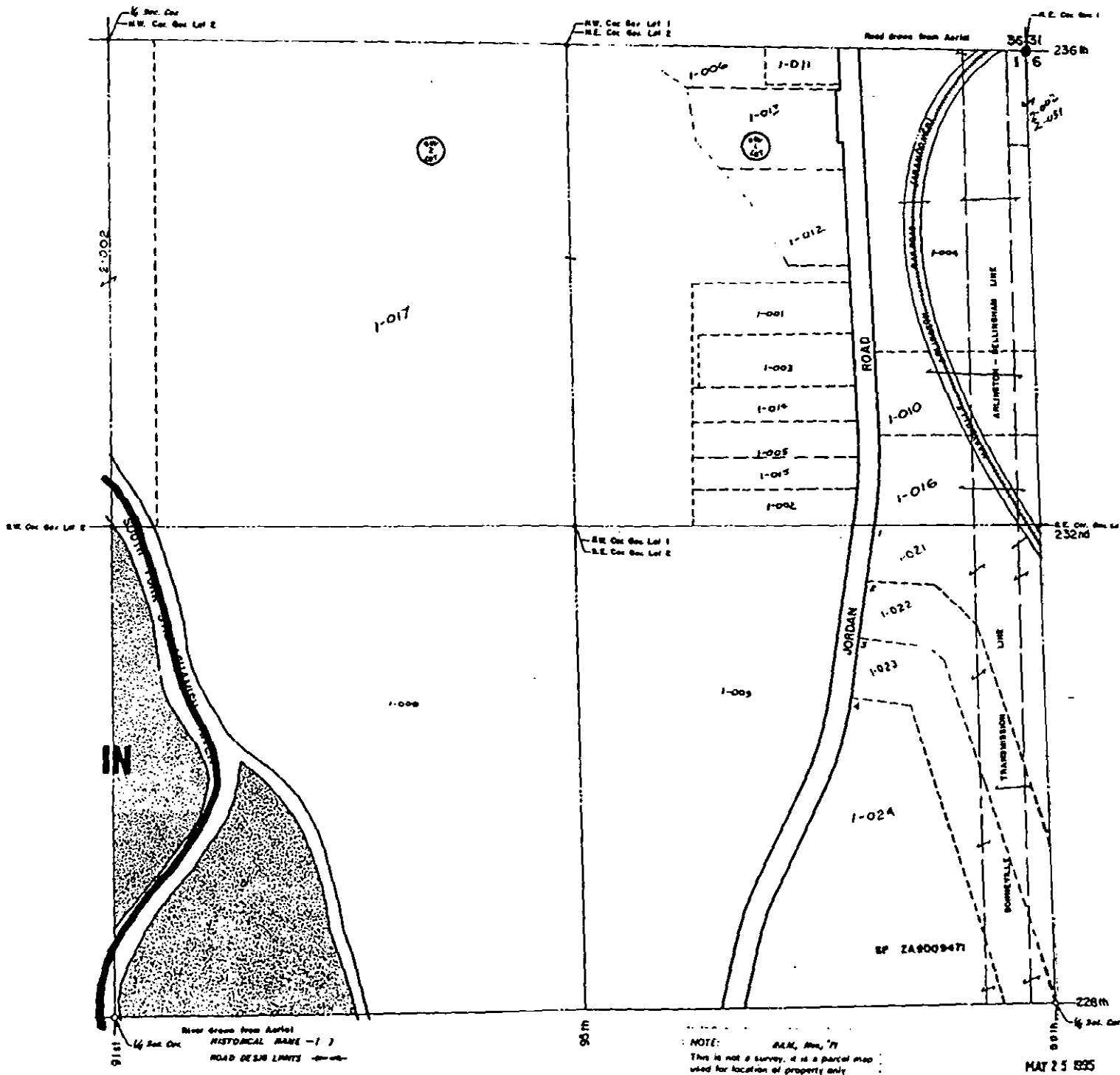
BM 160



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

MAY 25 1935

NE 1/4, SEC. 1, T. 31N., R. 5E.
 1" = 200'



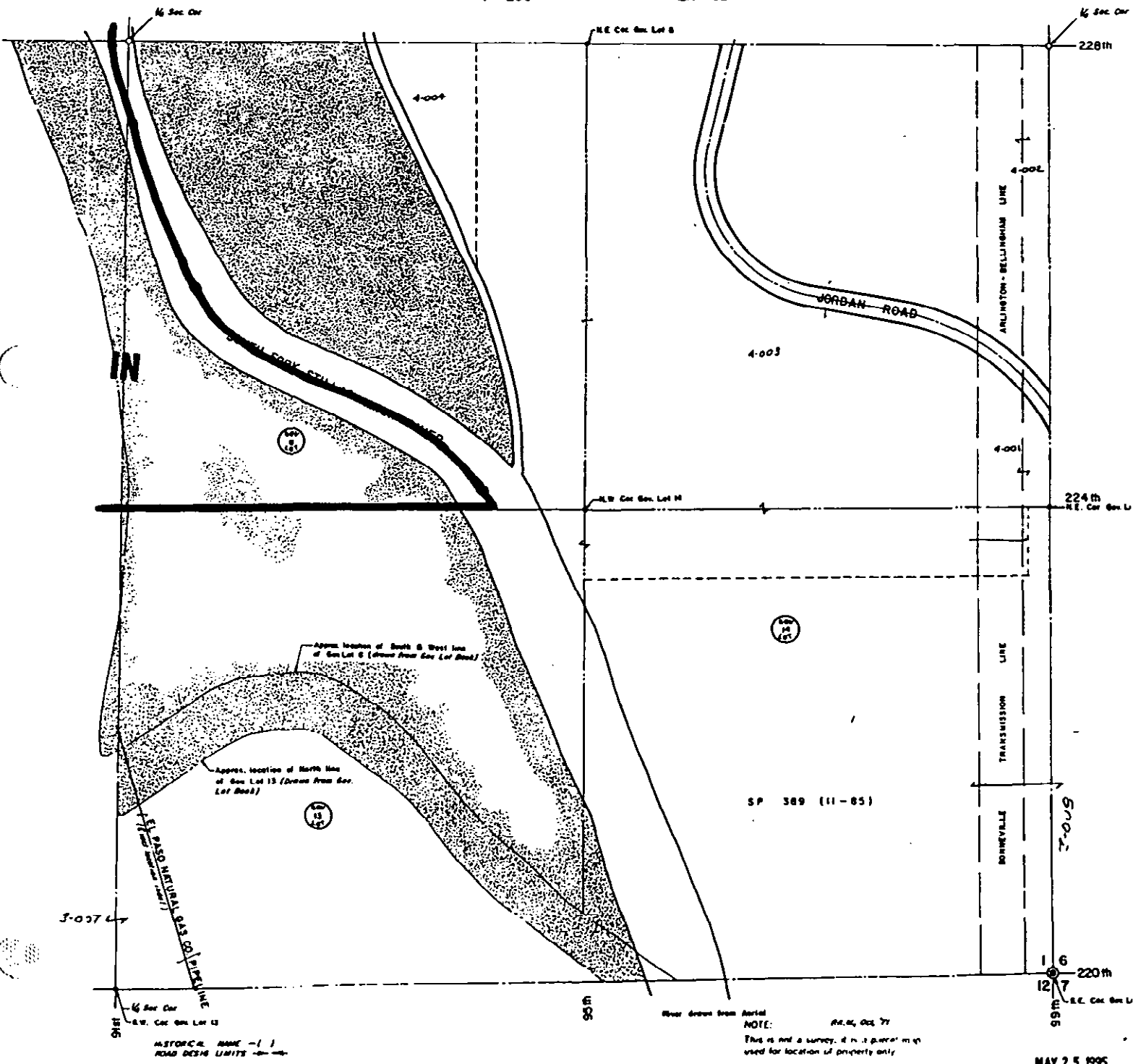
NOTE: This is not a survey, it is a parcel map used for location of property only.

MAT 25 1935

S. E. 1/4, SEC. 1, T. 31 N., R. 5 E.

1" = 200'

BM 160



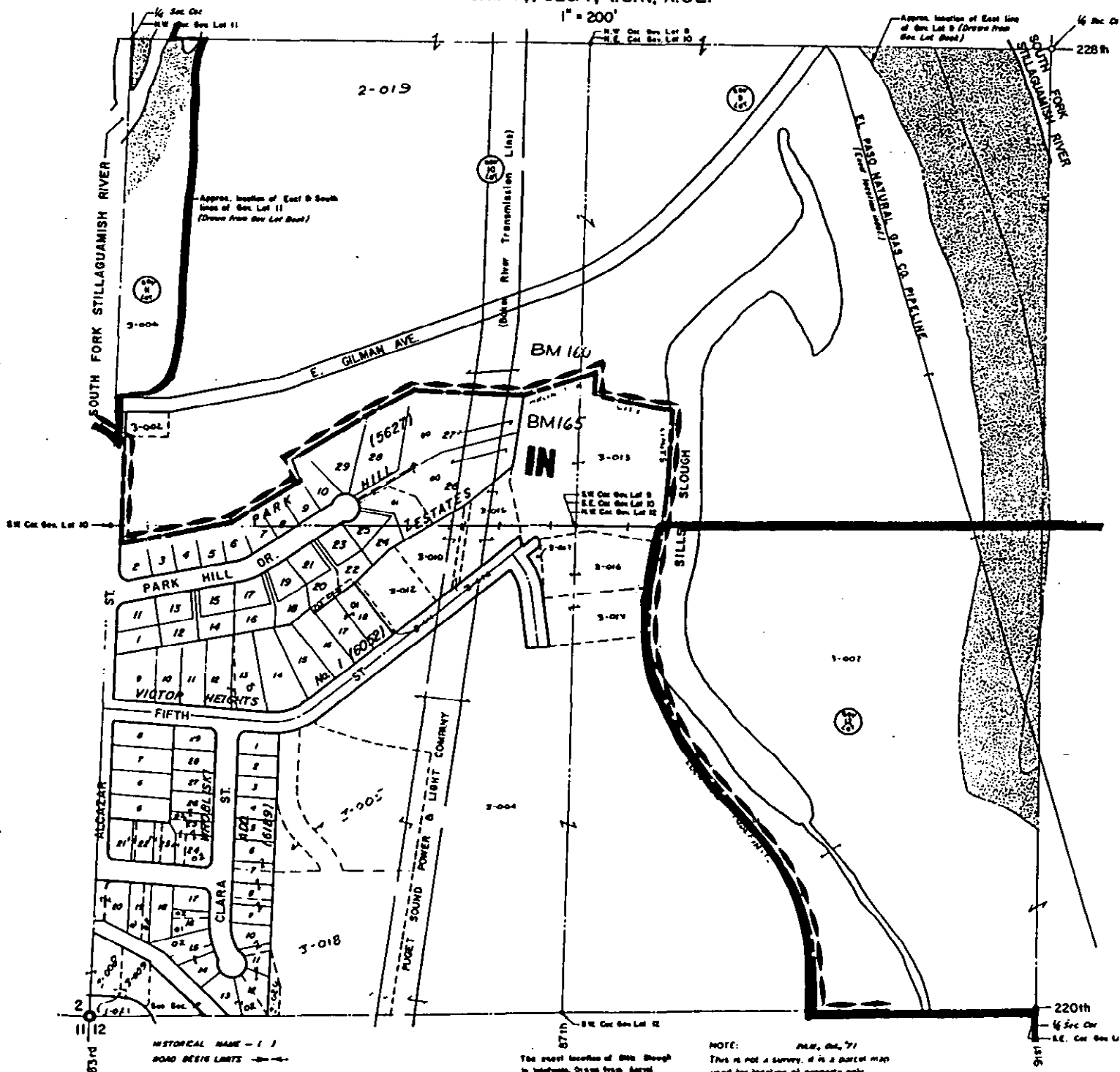
HISTORICAL NAME - I
ROAD DESIGN LIMITS - - - -

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

MAY 25 1995

S.W. 1/4, SEC. 1, T.31N, R.5E.

1" = 200'



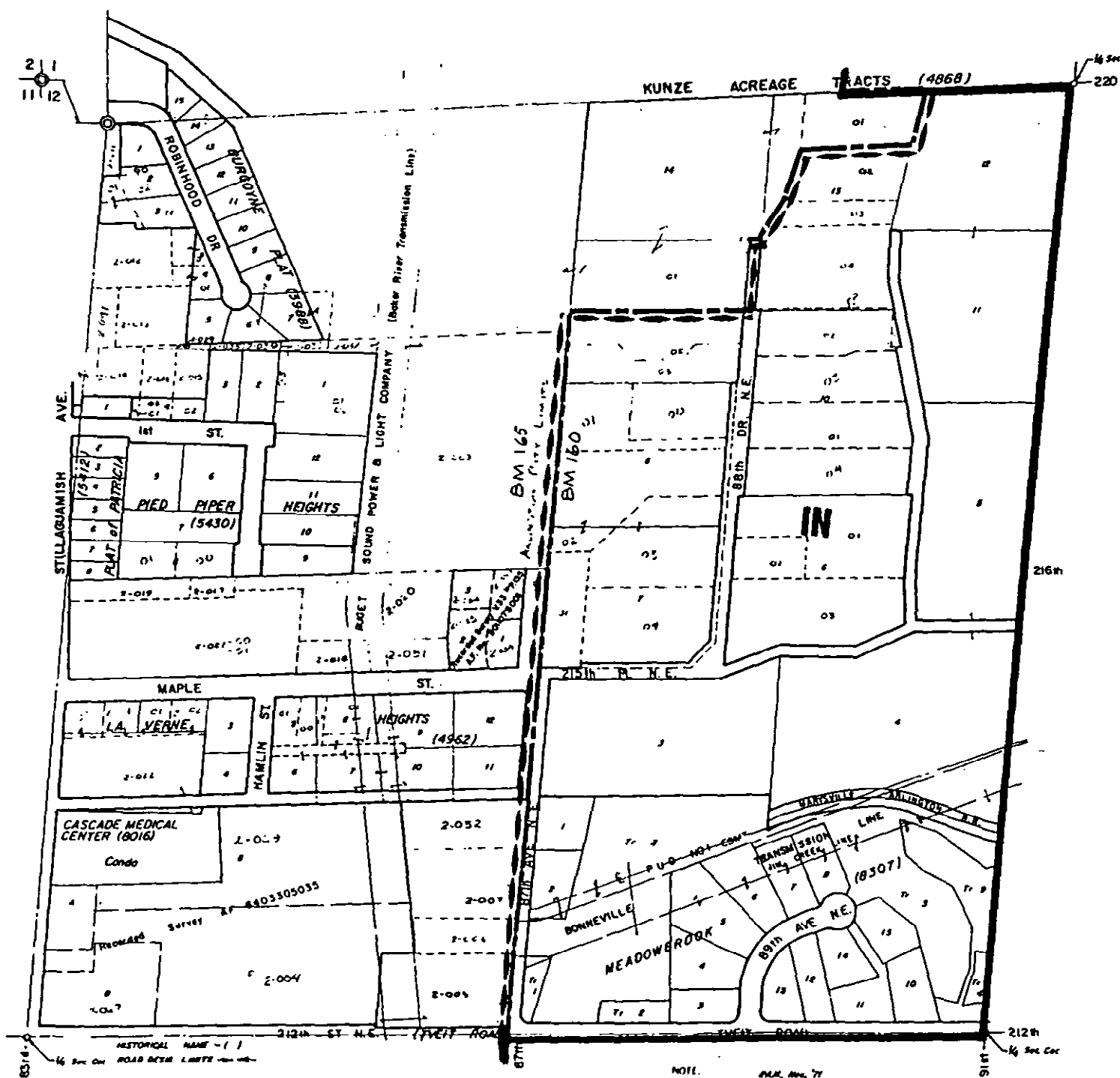
HISTORICAL NAME - ()
ROAD BASIS LIMITS → →

The exact location of BM 165 Slough to be shown from Aerial

NOTE: P.M., Dec. 71
This is not a survey, it is a parcel map used for location of property only

MAY 25 1955

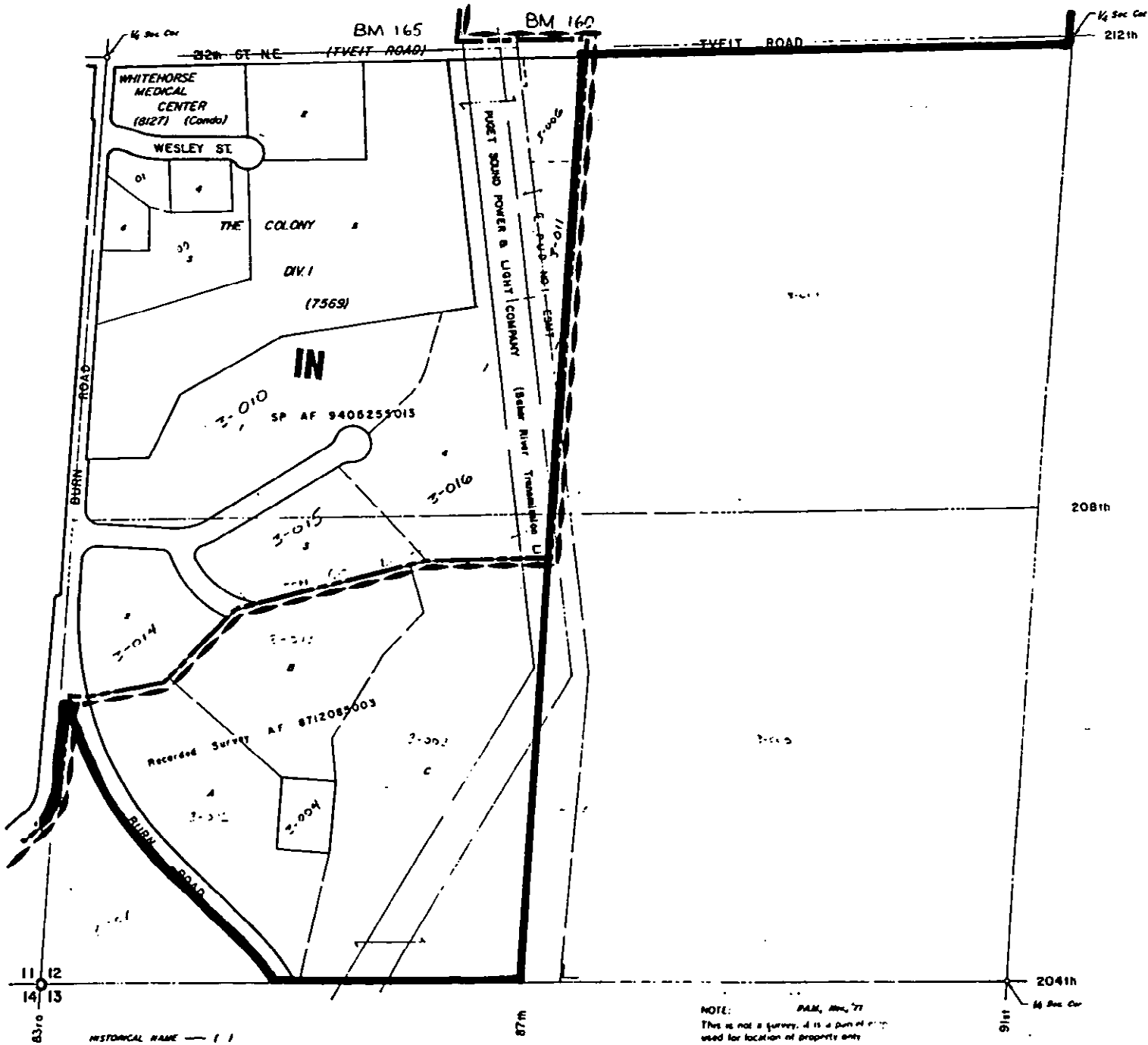
N.W. 1/4, SEC. 12, T.31N., R.5E.
 1" = 200'



NOTE. PLAT, SHOW, 77
 THIS IS NOT A SURVEY OF THE PROPERTY
 SHOWS THE LOCATION OF PROPERTY ONLY

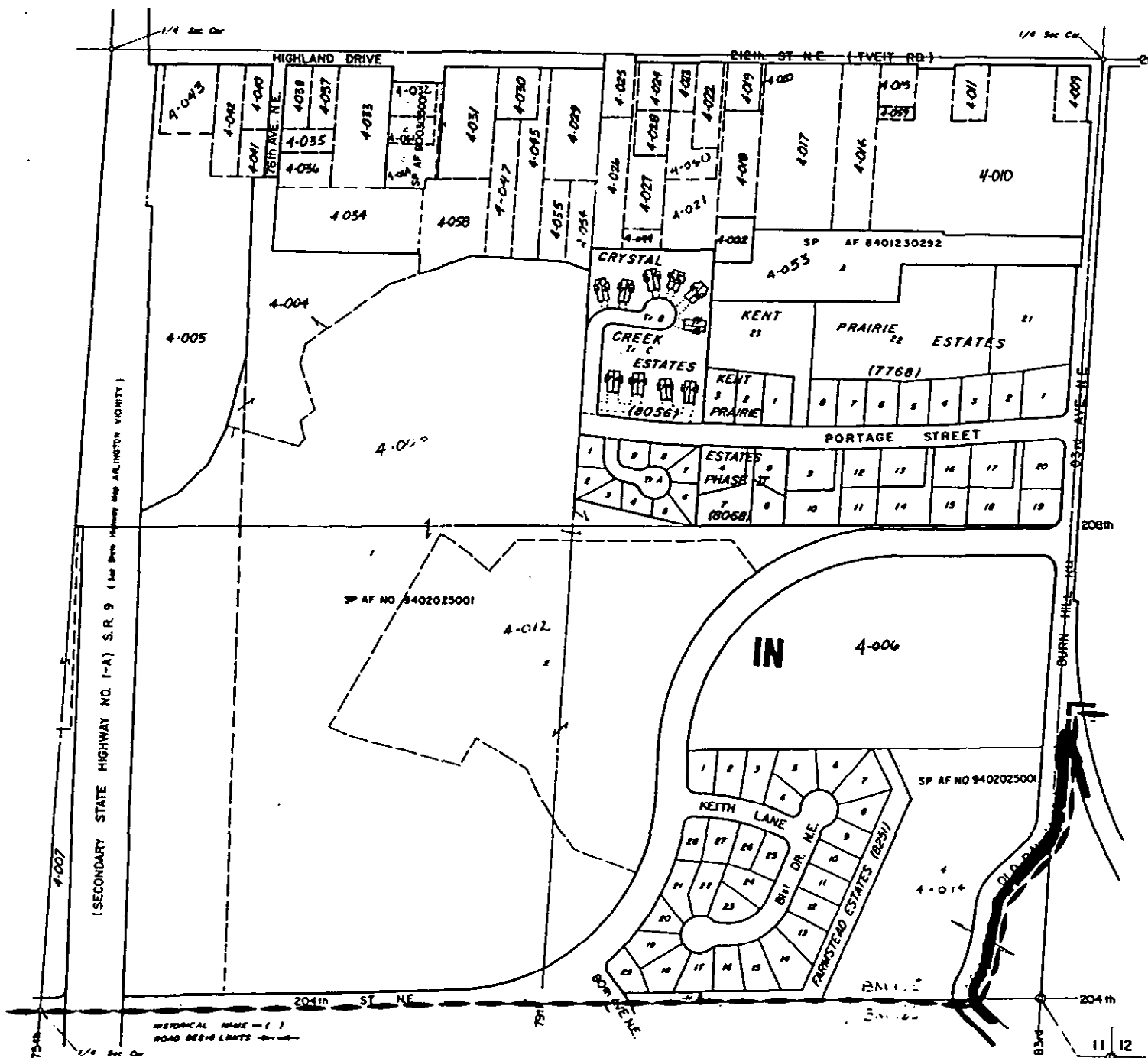
MAY 25 1985

S.W. 1/4, SEC. 12, T. 31N., R. 5E.
1" = 200'



MAY 25 1995

SE 1/4, SEC 11, T31N, R5EWM
 1" = 200'

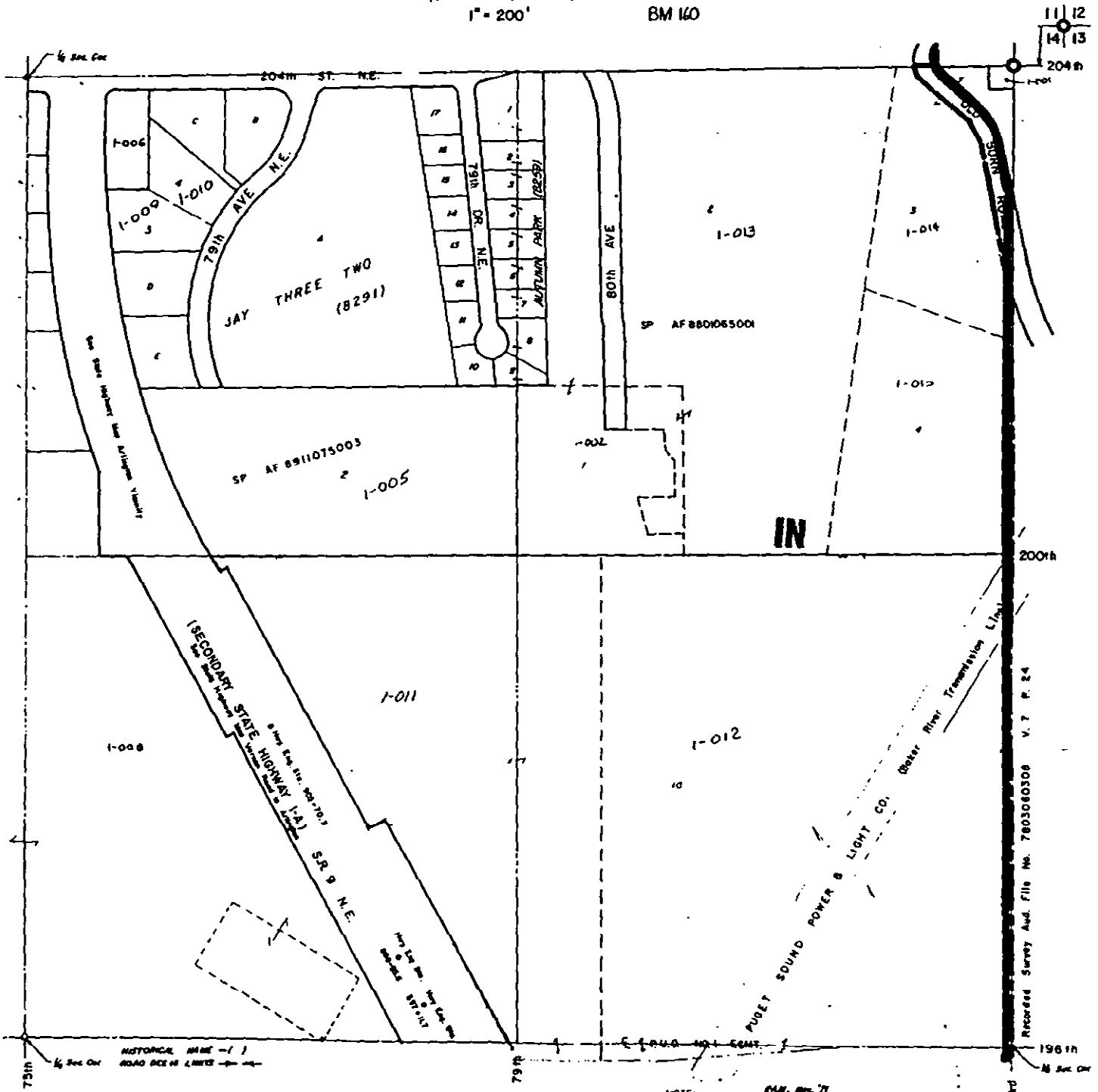


NOTE: BCL, July 79
 This is not a survey, it is a parcel map

MAY 25 1995

NE 1/4, SEC. 14, T.31N, R.5E.
1" = 200'

BM 140



11 12
14 13
204th

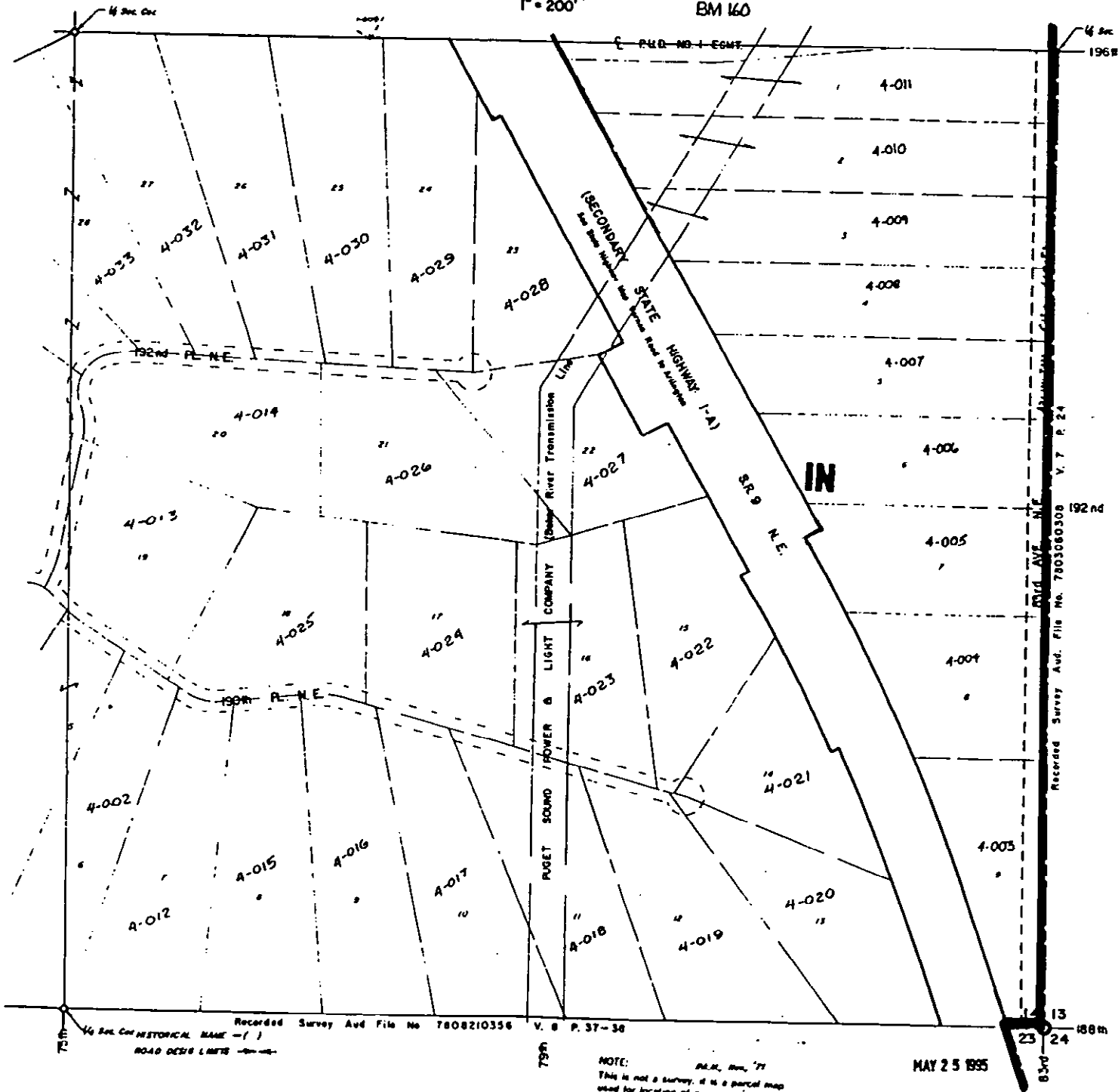
HISTORICAL NAME - ()
ROAD BOUNDARIES - (---)

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

Recorded Survey Aud. File No. 7803060308 V. 7 P. 24
MAY 25 1995

S.E. 1/4, SEC. 14, T. 31N, R. 5E.
1" = 200'

BM 160



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

MAY 25 1955

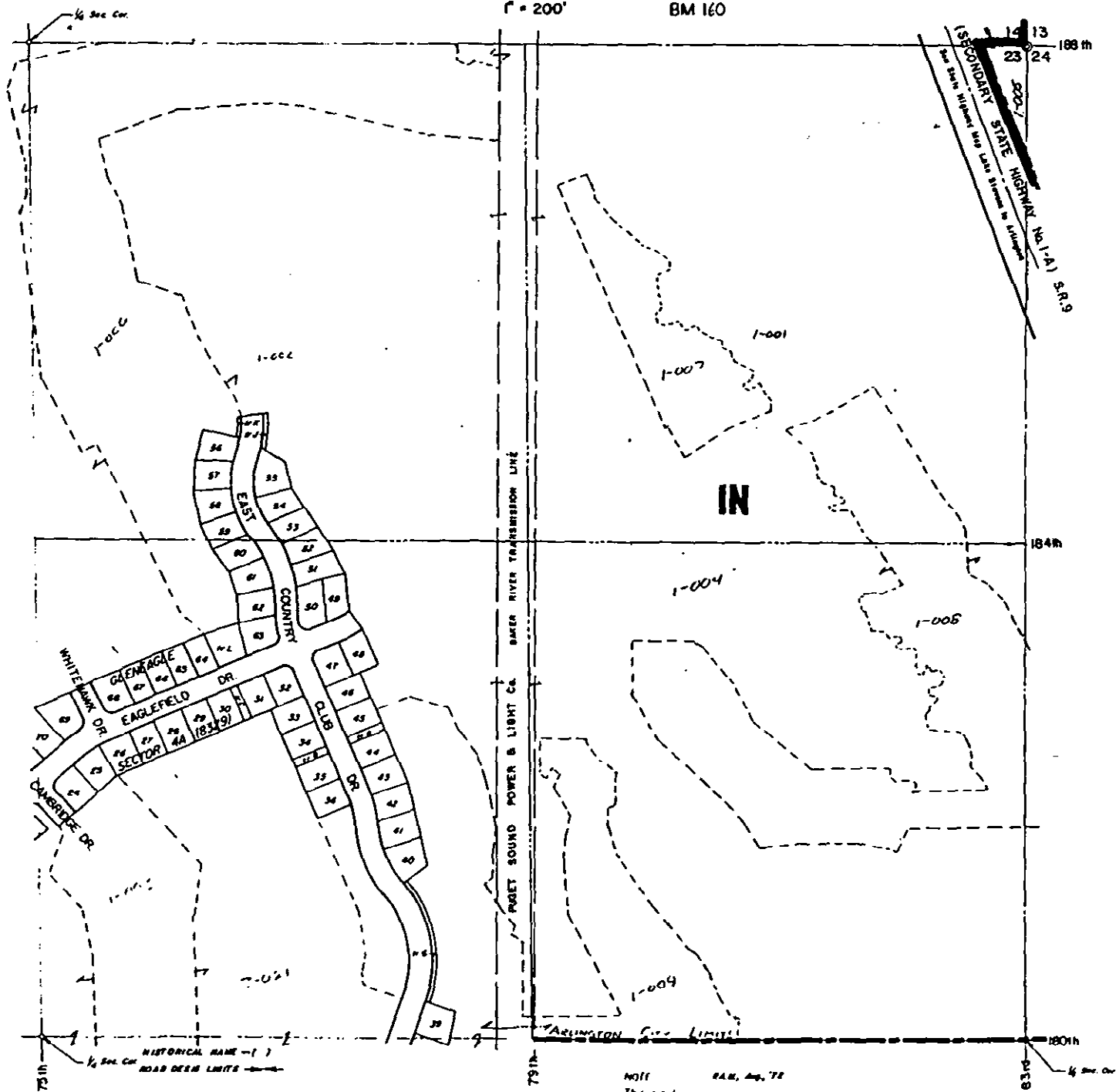
Recorded Survey and File No 7808210356 V. 8 P. 37-38
192nd P.L.N.E.
190th P.L.N.E.
ROAD DESIGN LIMITS

Recorded Survey and File No. 7803080308 V. 7 P. 24

N.E. 1/4, SEC. 23, T.31N., R.5E.

1" = 200'

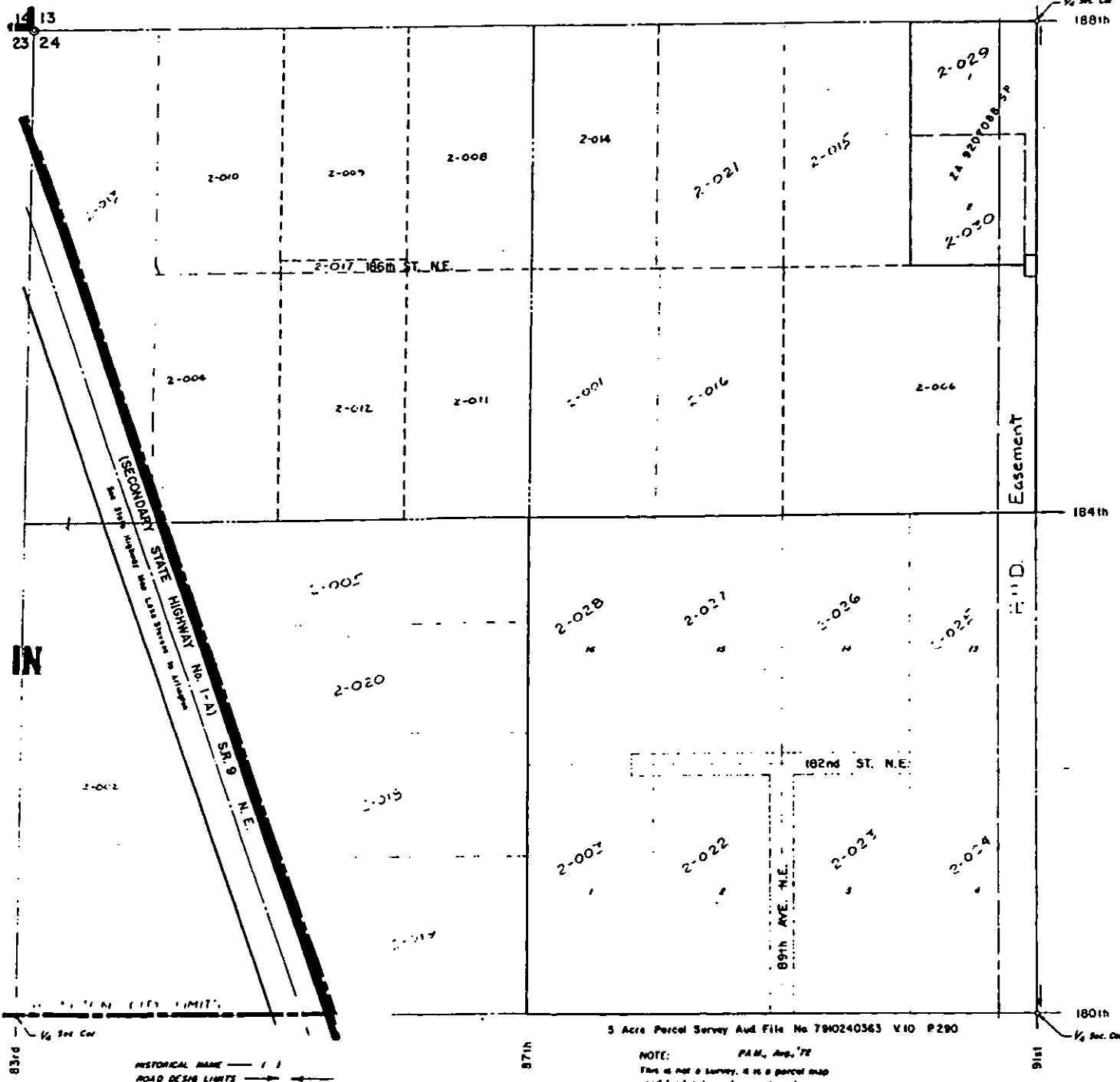
BM 160



MAY 25 1995

N.W. 1/4, SEC. 24, T.31N., R.5E.
1" = 200'

BM 160



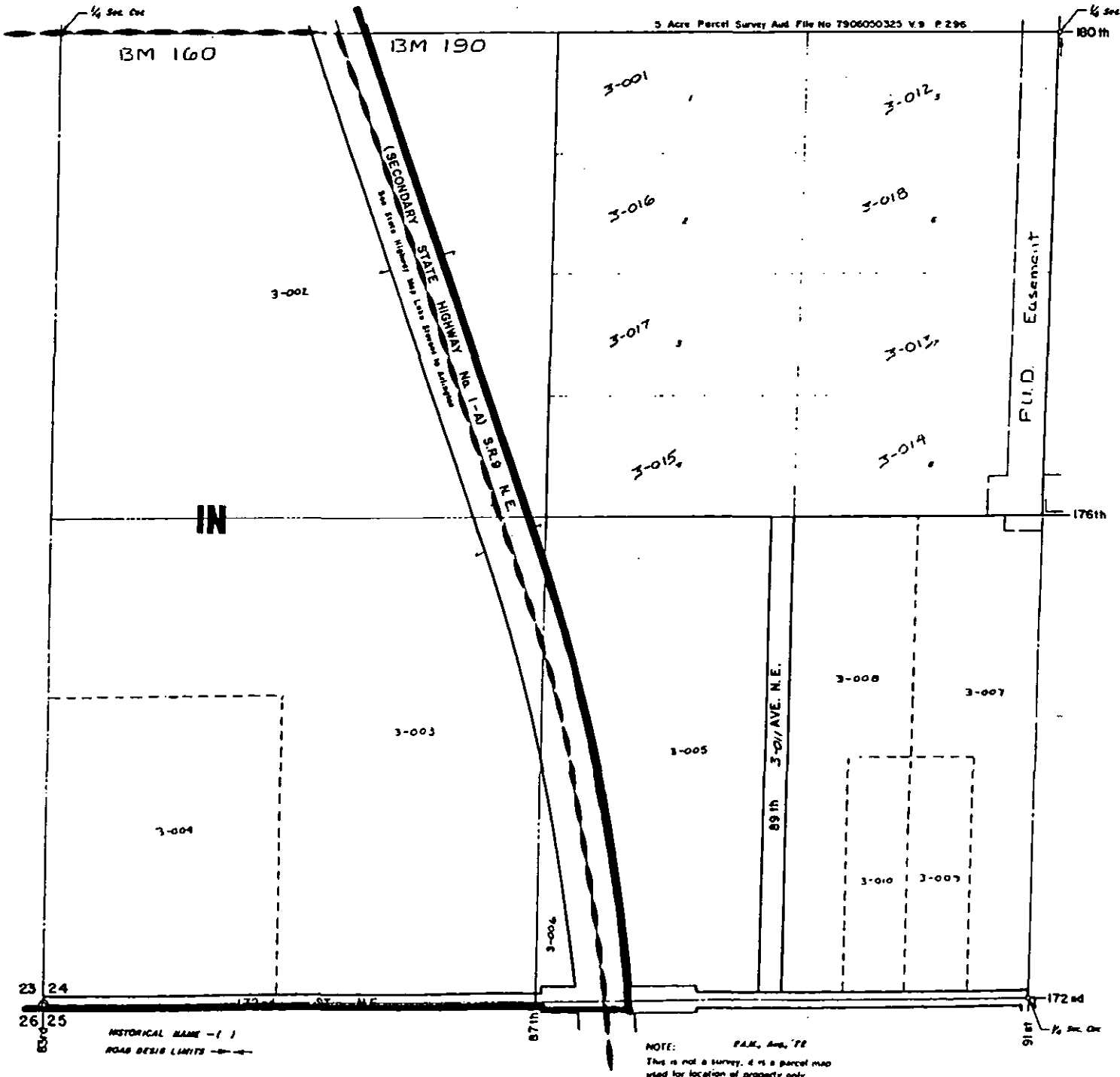
3 Acre Parcel Survey and File No 790240363 Y10 P290

NOTE: P.A.M., Aug. 72
This is not a survey, it is a parcel map
used for location of property only

MAY 25 1995

S.W. 1/4, SEC. 24, T.31N., R.5E.
1" = 200'

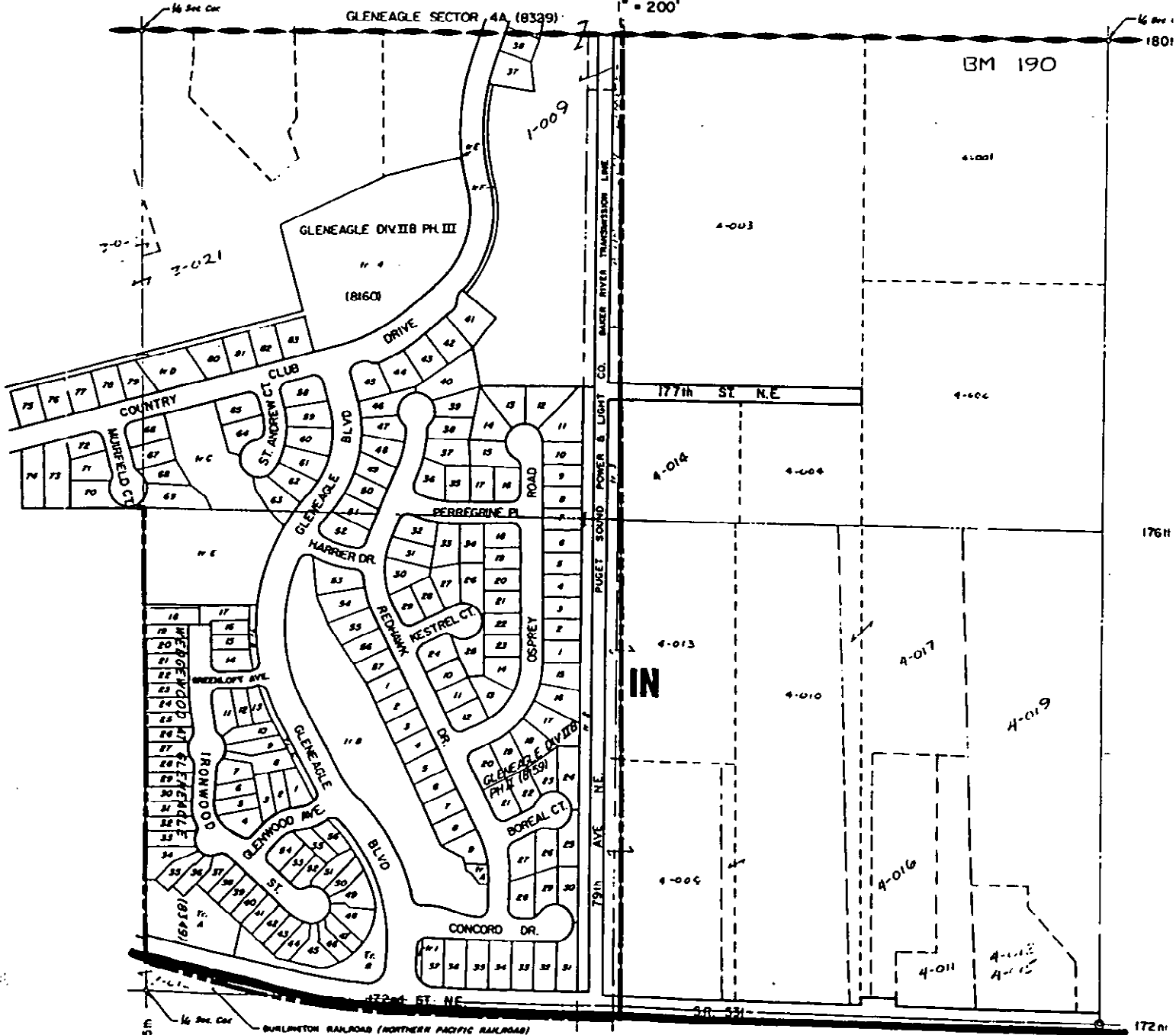
3 Acre Parcel Survey And File No 7906000325 V.9 P.296



MAY 25 1995

S.E. 1/4, SEC. 23, T.31N., R.5E.

1" = 200'



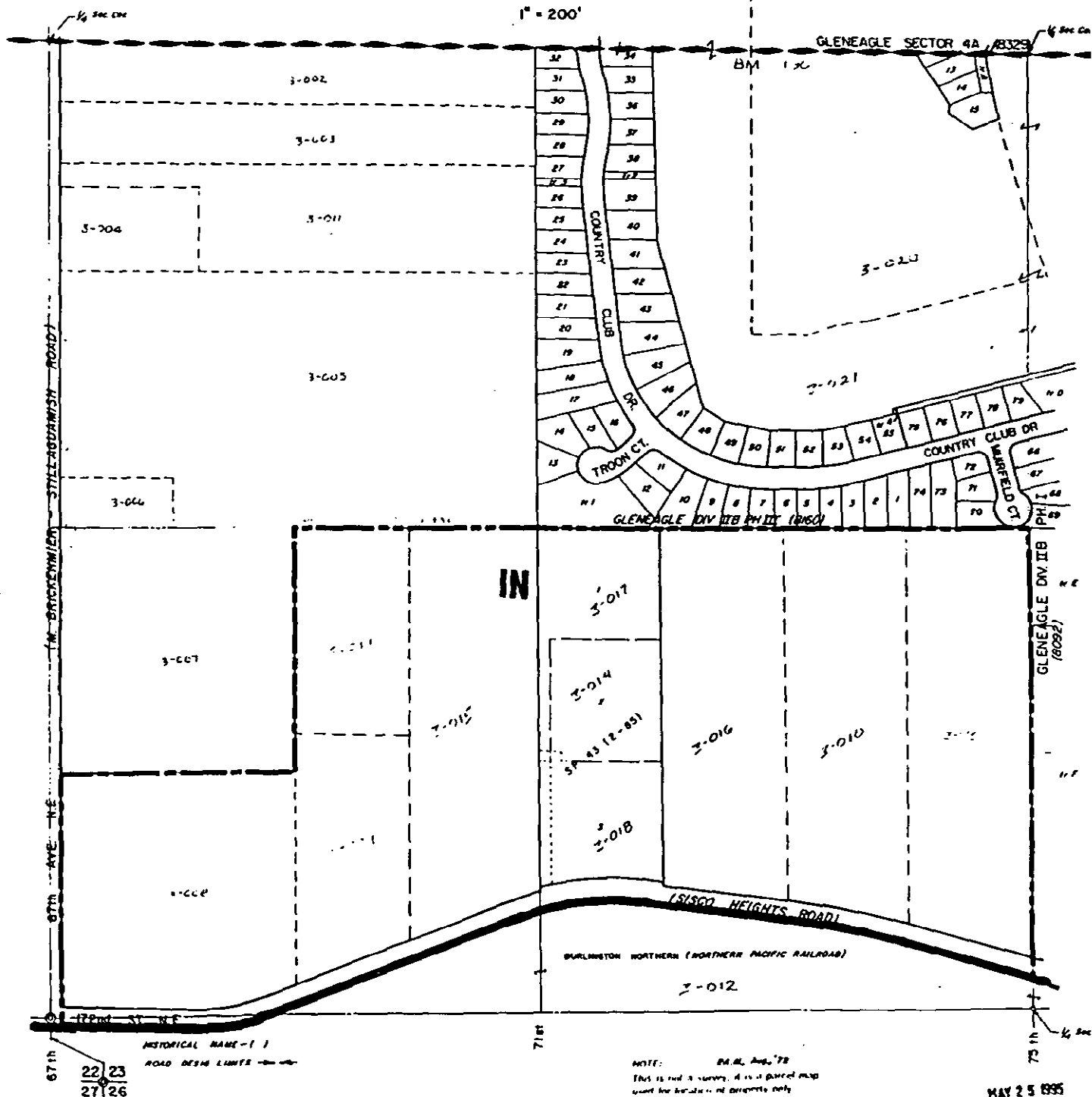
HISTORICAL NAME ——— | |
ROAD DESIG LIMITS ———>

NOTE: R.A.M., Aug. 72
This is not a survey, it is a parcel map
used for location of property only

23 | 24
26 | 25

MAY 25 1995

S.W. 1/4, SEC. 23, T.31N, R.5E.
1" = 200'

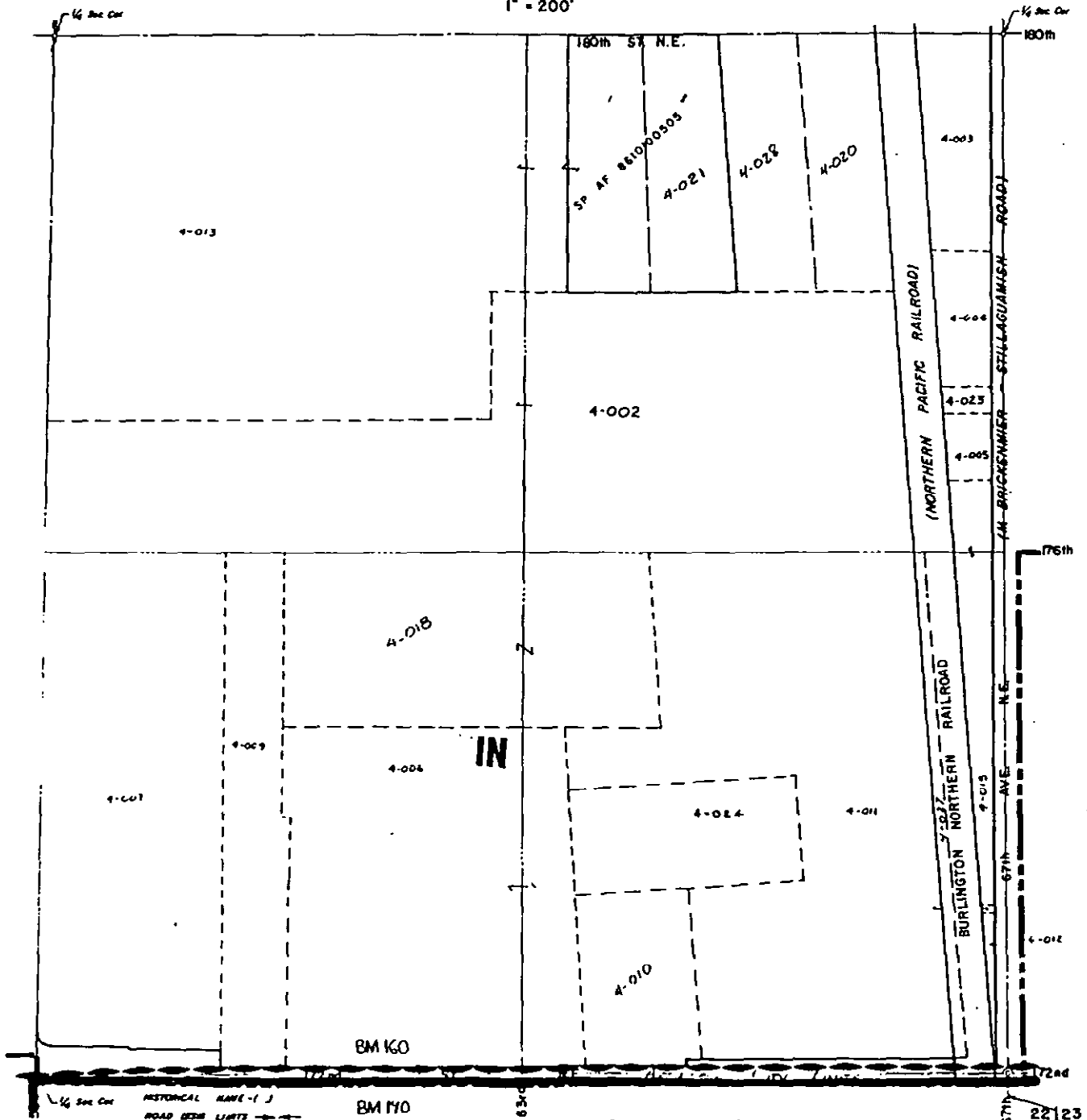


MAY 25 1935

S.E. 1/4, SEC. 22, T.31N, R.5E.

1" = 200'

No survey for this section.
Drawn from adjoining sections.



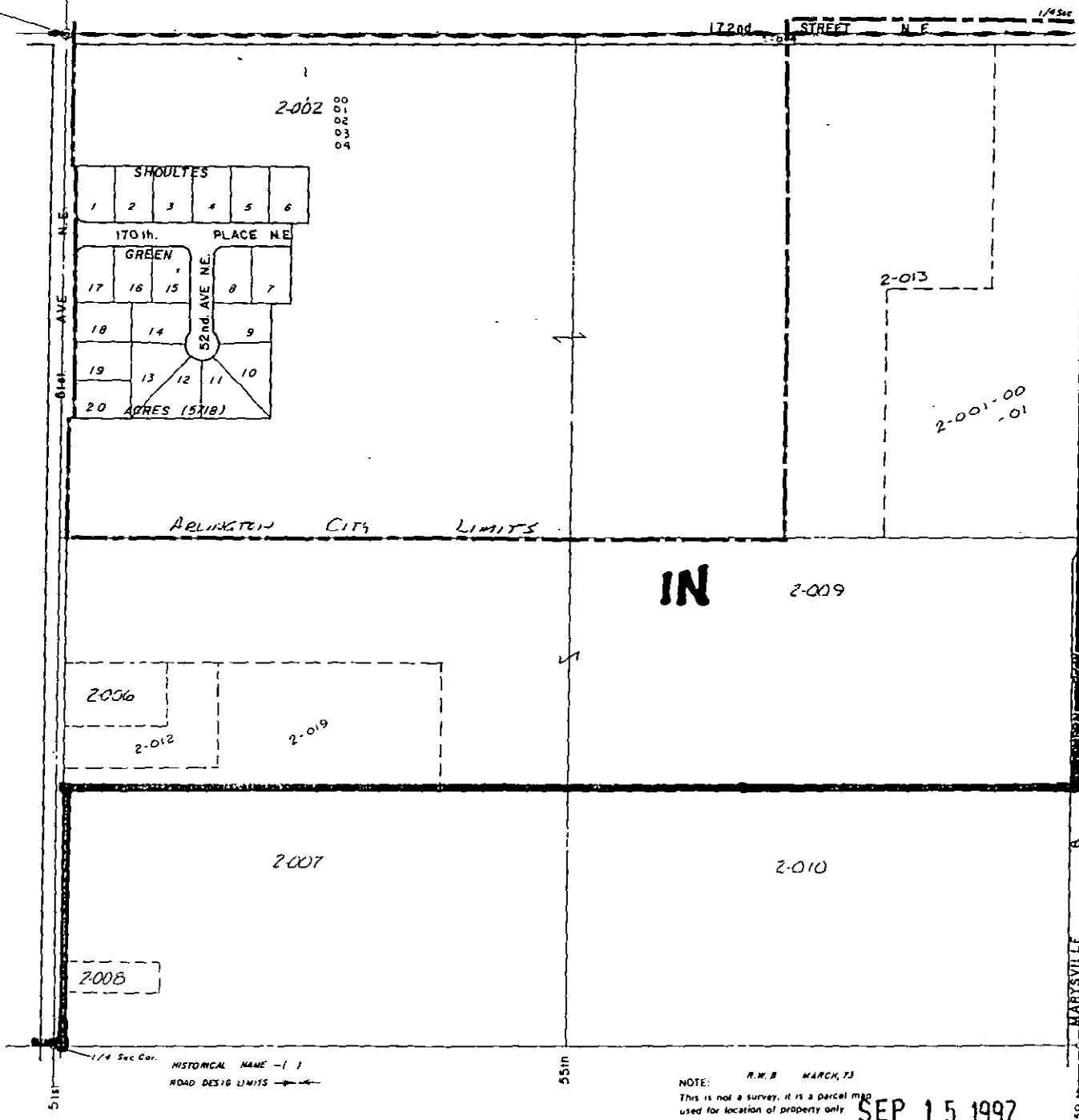
NOTE: R.A.D. Aug. '72
This is not a survey, it is a parcel map
used for location of property only

MAY 25 1935

N. W. 1/4, SEC. 27, T. 31N, R5E.W.M.

1" = 200' B.M. 1900

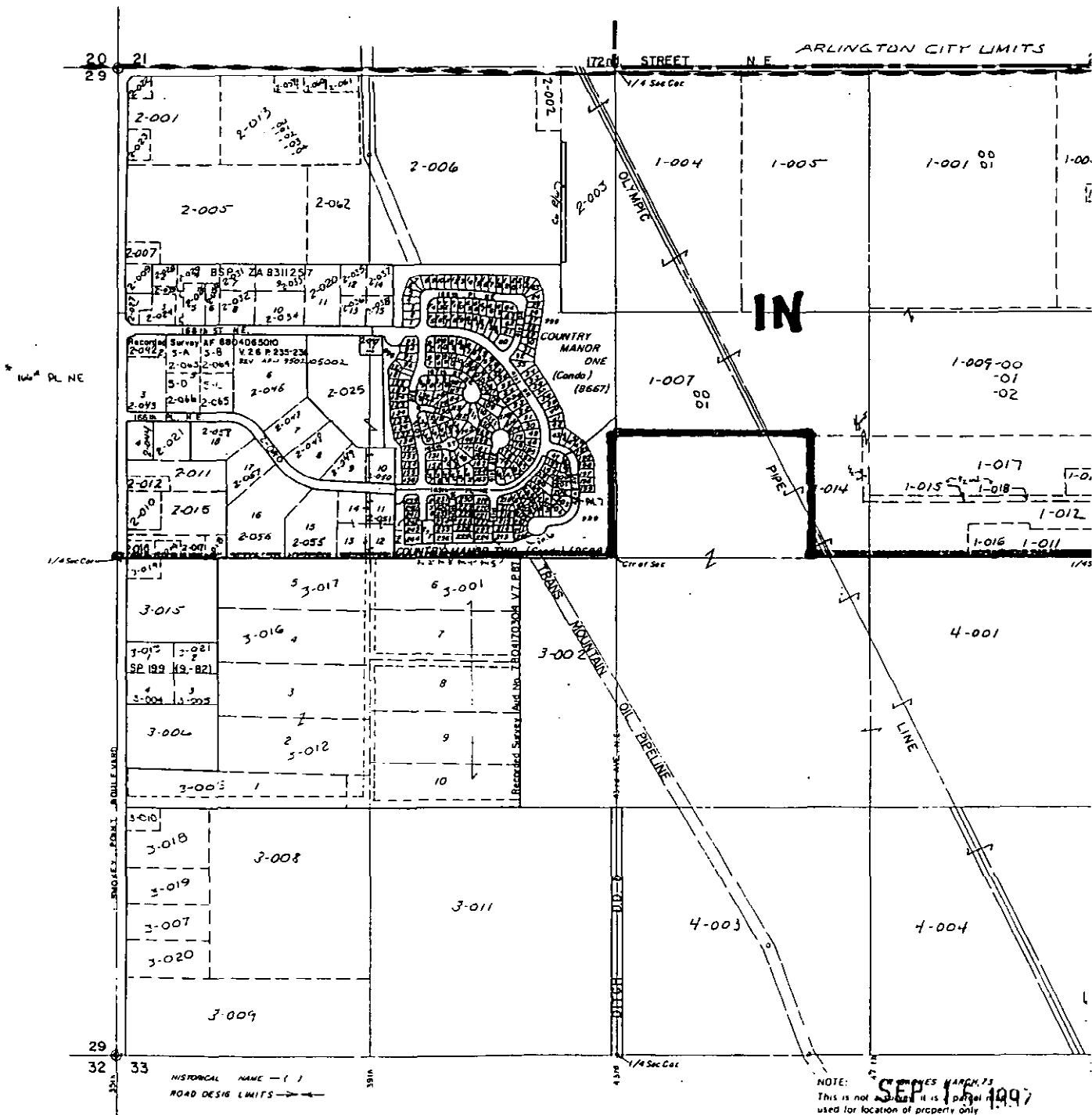
21 22
28 27



SEP 15 1997

SEC. 28, TWP. 31N, R5E.W.M.

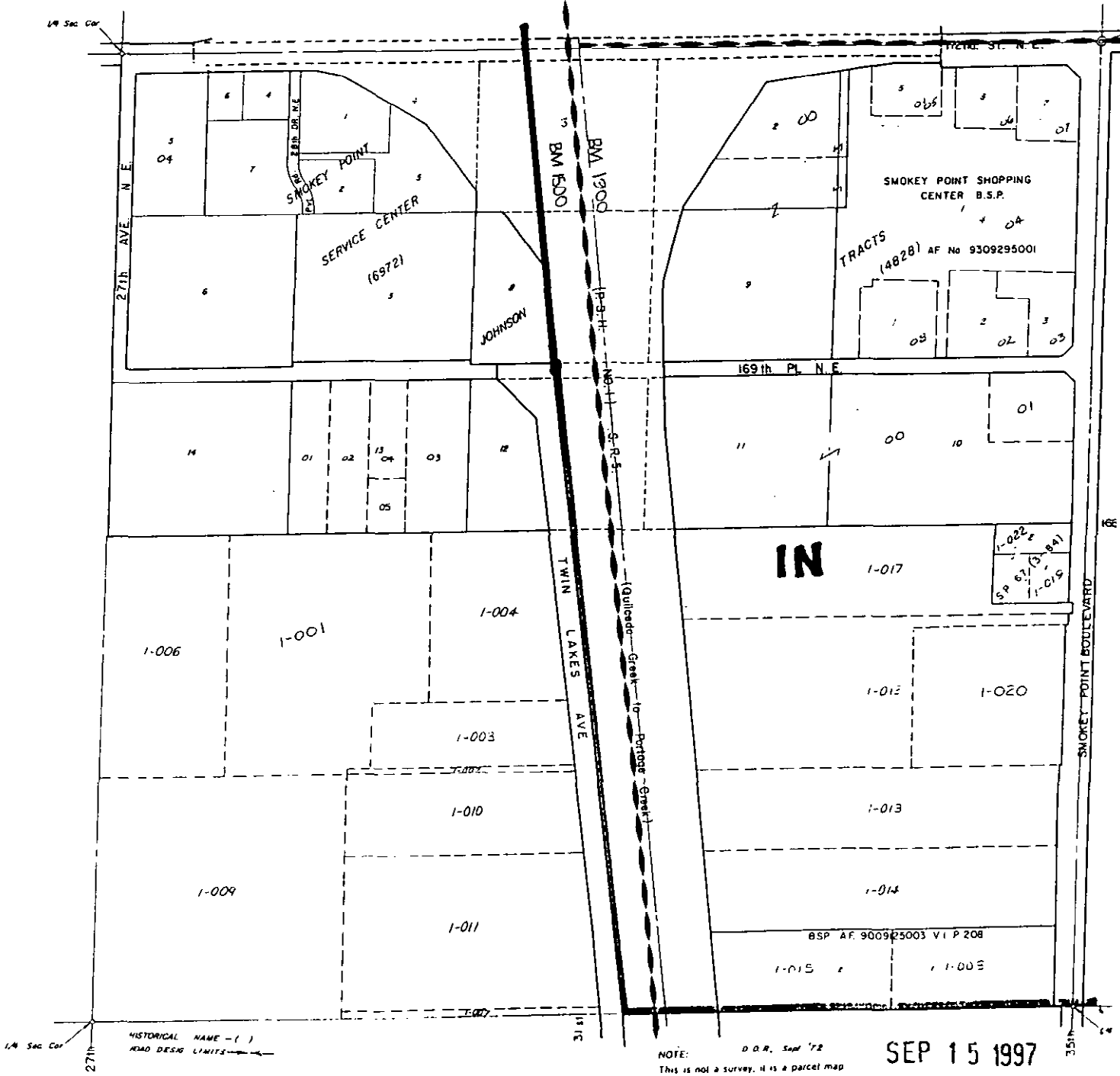
1" = 400' BM 1900



NOTE: This is not a final plat. It is for location of property only. SEP 16 1997

N. E. 1/4, SEC. 29, T. 31, R. 5 E.

1" = 200'

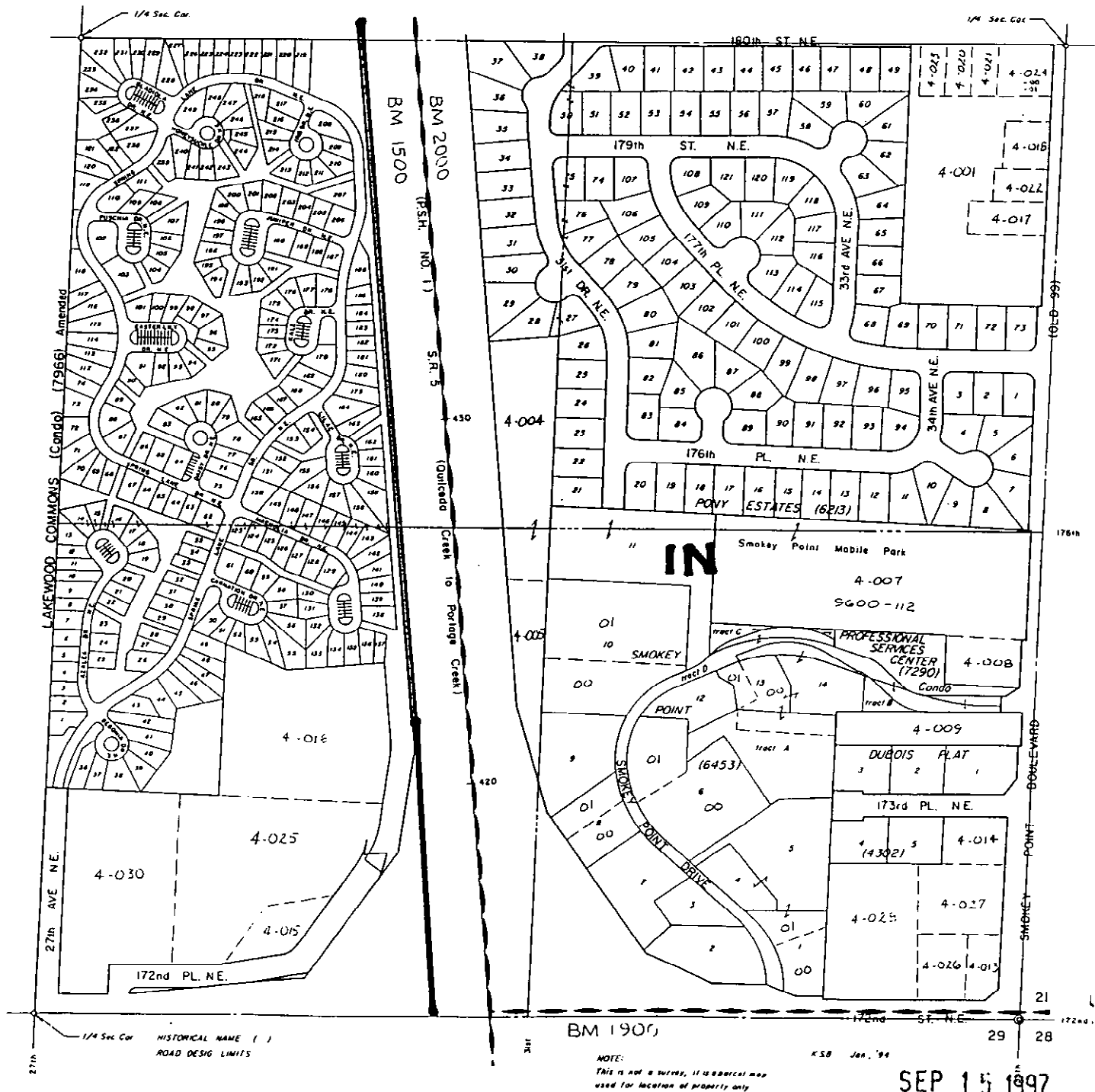


NOTE: D.D.R., Sept '78
This is not a survey, it is a parcel map
used for location of property only

SEP 15 1997

S.E. 1/4, SEC. 20, T. 31, R. 5 E.W.M.

1" = 200'



LAKEWOOD COMMONS (Condo) (7966) Amended

27th AVE NE

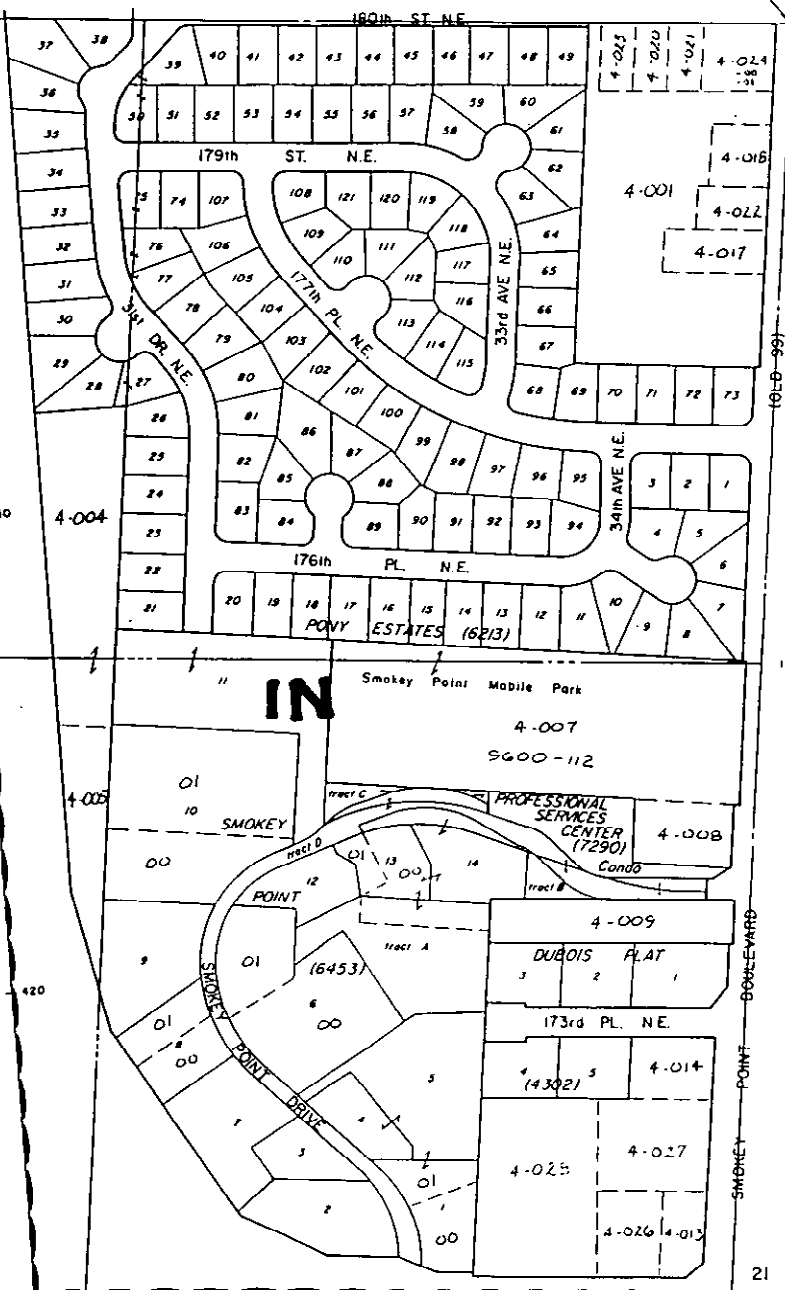
1/4 Sec. Cor HISTORICAL NAME () ROAD DESIGN LIMITS

BM 1500

BM 2000 (RSH. NO. 1)

S.R. 5

(Outboard Creek to Portage Creek)



BM 1907

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

KSB Jan. '94

SEP 15 1997

N.E. 1/4, SEC. 20, T. 31, R. 5 E.
 1" = 200'

