

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON
ORDINANCE NO. 98-115



REVISING THE EXISTING URBAN GROWTH AREA
FOR THE CITY OF SULTAN; AMENDING AMENDED
ORDINANCE 94-125 AND AMENDED ORDINANCE 94-124
PURSUANT TO CHAPTER 32.07 SCC

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 Sultan (Amended Ordinance 94-124) 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, RCW 36.70A.130 and 36.70A.470 direct counties planning under the GMA to adopt procedures for interested persons to propose amendments and revisions to the comprehensive plan or development regulations; and

WHEREAS, the county council adopted chapter 32.07 SCC to comply with the requirements of RCW 36.70A.130 and .470; and

WHEREAS, seventy-five proposals to amend the comprehensive plan and development regulations, including proposals to the UGA boundary for Sultan, were submitted to the county for consideration for inclusion on the 1996 final docket; and

WHEREAS, the county council, after public hearings, considered recommendations from the Snohomish County Department of Planning and Development Services (PDS), and included certain proposals to amend the Sultan UGA boundary on the 1996 final docket of proposed amendments to the comprehensive plan and development regulations; and

WHEREAS, county council Motion 96-389 (revised 1/23/97) established the final docket of proposed amendments to the GMA comprehensive plan and development regulations for the 1996 annual docketing cycle. The final docket included a proposal to amend the Sultan UGA submitted by PDS; and

WHEREAS, pursuant to chapter 32.07 SCC, PDS completed final review and evaluation of the 1996 final docket, including proposals to amend UGA boundaries, and forwarded a recommendation to the Snohomish County Planning Commission; and

WHEREAS, the planning commission held hearings on the 1996 final docket on November 25, 1997, December 16, 1997, January 27, 1998, February 24, 1998, March 10, 1998, and April 21, 1998, and forwarded a recommendation to the county council; and

WHEREAS, the county council held public hearings on November 30, 1998, December 7, 1998 and December 16, 1998 to consider the entire record and hear public testimony on Ordinance 98-115, adopting map and text amendments to the GMA comprehensive plan, including the proposal to modify the UGA boundary for Sultan.

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 and the legislative records developed in adopting Amended Ordinance 94-125 and Amended Ordinance 94-124.
- B. The amendment to the Sultan UGA proposed by PDS is necessary to correct a technical error made when the plan was originally adopted in June 1995. The GMA requires consistency between the various components of the comprehensive plan and between development regulations and the plan. Correction of the technical error brings the plan into consistency with the intent of the county council upon adoption of the plan in June 1995.
- C. The PDS proposal to exclude a one-acre area along a creek east of Sultan from the UGA and General Policy Plan (GPP) Future Land Use Map (FLUM) urban designation is consistent with GPP Policy LU 1.C.1, which requires that unique topographical and physical features, including streams, be used to define UGAs if possible.
- D. The PDS proposal to exclude a one-acre area east of Sultan that is difficult to access from the UGA and GPP FLUM urban designation is consistent with GPP policies PE 1.A.2, LU 1.A.3, and LU 2.C.3 which call for establishing UGAs that have existing or planned public services and facilities adequate to support urban growth over the 20-year planning period.

ORDINANCE NO. 98-115 as adopted by Council on 12/16/98

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MODIFYING THE URBAN GROWTH AREA

FOR THE CITY OF SULTAN

Planning Commission Recommended Draft - April 21, 1998

PAGE 2 OF 5

- E. The proposed UGA amendment is consistent with the following final review and evaluation criteria of SCC 32.07.080:
 - 1. The proposed amendment maintains consistency with other elements of the GMA comprehensive plan;
 - 2. All applicable elements of the GMA comprehensive plan support the proposed amendment;
 - 3. The proposed amendment meets the goals, objectives, and policies of the GMA comprehensive plan as discussed in the specific findings; and
 - 4. The proposed UGA amendment is consistent with the countywide planning policies.
- F. The amendment to the GMA comprehensive plan satisfies the procedural and substantive provisions of and is consistent with the GMA.
- G. The amendment maintains the GMA comprehensive plan's consistency with the multi-county policies adopted by the Puget Sound Regional Council and with the countywide planning policies for Snohomish County.
- H. Cities have been notified, and consulted with, regarding proposed amendments that affect UGAs or GPP FLUM designations within UGAs.
- I. There has been early and continuous public participation in the review of the proposed amendments.
- J. The GMA requires the county consult with cities with respect to the location of an urban growth area. The City of Sultan has been notified of the proposal and was invited to provide input with respect to the determination of whether the areas should be added to the UGA. The county has met all state and local requirements for interjurisdictional coordination with regard to the modification of the UGA boundary.
- K. The Draft Supplemental Environmental Impact Statement (DSEIS) (October 7, 1997) to the Final Environmental Impact Statement (FEIS) for the Snohomish County Comprehensive Plan was prepared for the proposed amendment to satisfy the State Environmental Policy Act (SEPA) requirements. A Final Supplemental Environmental Impact Statement (FSEIS) was issued on July 10, 1998, for the proposed amendments. (The FSEIS describes the proposed comprehensive plan and development regulation amendments and analyzes their impacts.)
- L. The amendments are within the scope of analysis contained in the FSEIS and result in no new significant adverse environmental impacts. The DSEIS and FSEIS

perform the function of keeping the public apprised of the refinement of the original proposal by adding new information.

M. The SEPA requirements with respect to the proposed action have been satisfied by these documents.

N. The county council held public hearings on November 30, 1998, December 7, 1998 and December 16, 1998, to consider the planning commission's recommendations.

Section 2. The county council bases its findings of fact and conclusions on the entire record of testimony and exhibits, including all written and oral testimony before the planning commission and county council.

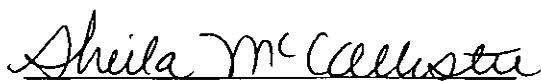
Section 3. The county council hereby amends Amended Ordinance 94-124 as adopted on June 28, 1995, to repeal Exhibits A and B which were therein incorporated and to replace and incorporate herein a new Exhibit A, a map which depicts the modified UGA boundary for the city of Sultan, and a new Exhibit B, which is county assessor's maps that accurately depict the modified UGA boundary for the city of Sultan. Exhibits A and B are attached hereto and incorporated herein by this reference.

Section 4. The GMA comprehensive plan FLUM adopted as Map 4 to Exhibit A in Section 4 of Amended Ordinance 94-125 on June 28, 1995, and last amended by Ordinance 98-114 on December 16, 1998, is amended to show the boundary of the Sultan UGA as depicted in Exhibit A, Sultan Urban Growth Area map, which is attached hereto and incorporated herein by this reference as if set forth in full.

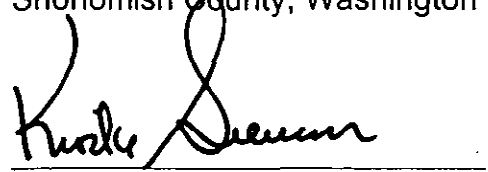
Section 5. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

PASSED this 16th day of December, 1998.

ATTEST:


Asst. Clerk of the County Council

Snohomish County, Washington


Chair, County Council

- Approved
- Emergency
- Vetoed

Date 12-17-98

Joan M. Earl
County Executive

JOAN M. EARL
Deputy Executive

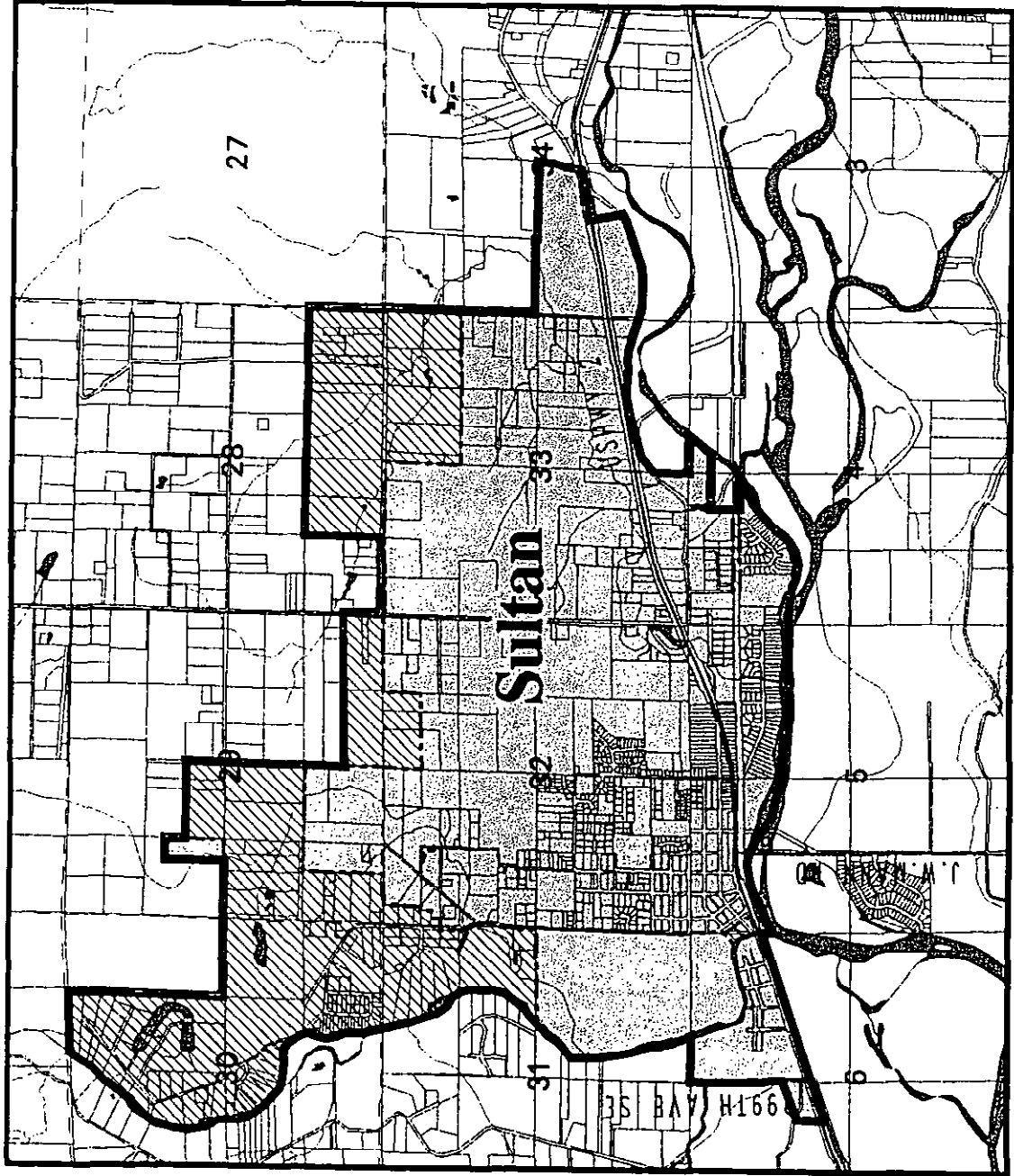
ATTEST:

Approved as to form only:

Coni Merritt Date 12-17-98

Deputy Prosecuting Attorney

ROSE




SULTAN Urban Growth Area

EXHIBIT A

M Proposed Urban Growth
Area Boundary--Planning
Commission Recommendation
4-21-98

/ Incorporated City
Area Boundary

 Incorporated City Area

 Sultan Urban Growth Area

0 1320 2640 3960 5280

Scale in Feet

Original map scale 1:24,000

Snohomish County disclaims any warranty of merchantability or warranty of fitness of this map for any particular purpose, either express or implied. No representation or warranty is made concerning the accuracy, currency, completeness or quality of data depicted on this map. Any user of this map assumes all responsibility for use thereof, and further agrees to hold Snohomish County harmless from and against any damage, loss, or liability arising from any use of this map.



Snohomish County

T 28 N

T 27 N

Exhibit B

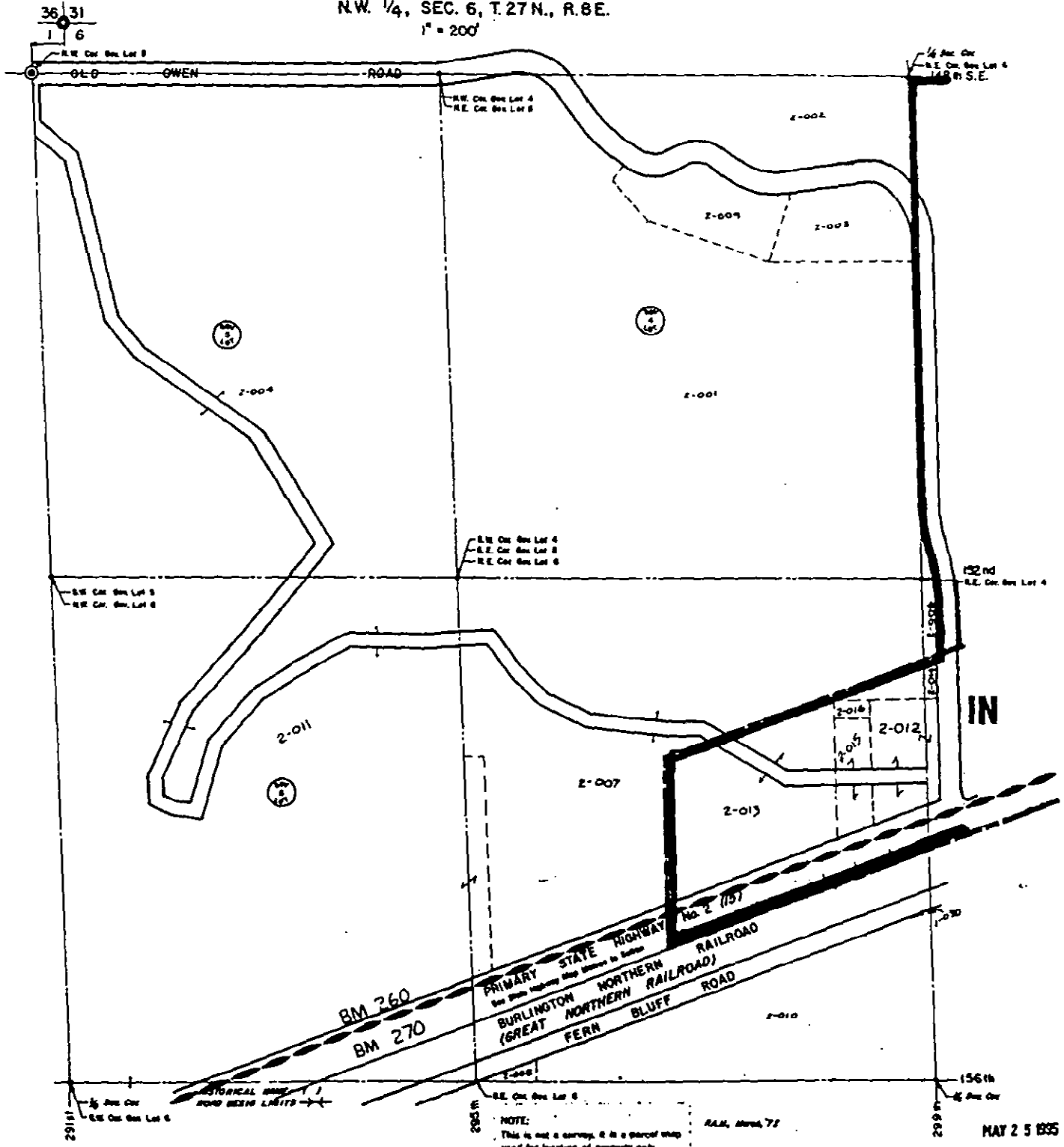
1996 Docket

GPP - Future Land Use Map Amendments

Regarding Urban Growth Area for City of Sultan

Assessor Maps

N.W. 1/4, SEC. 6, T.27N., R.8E.
 1" = 200'

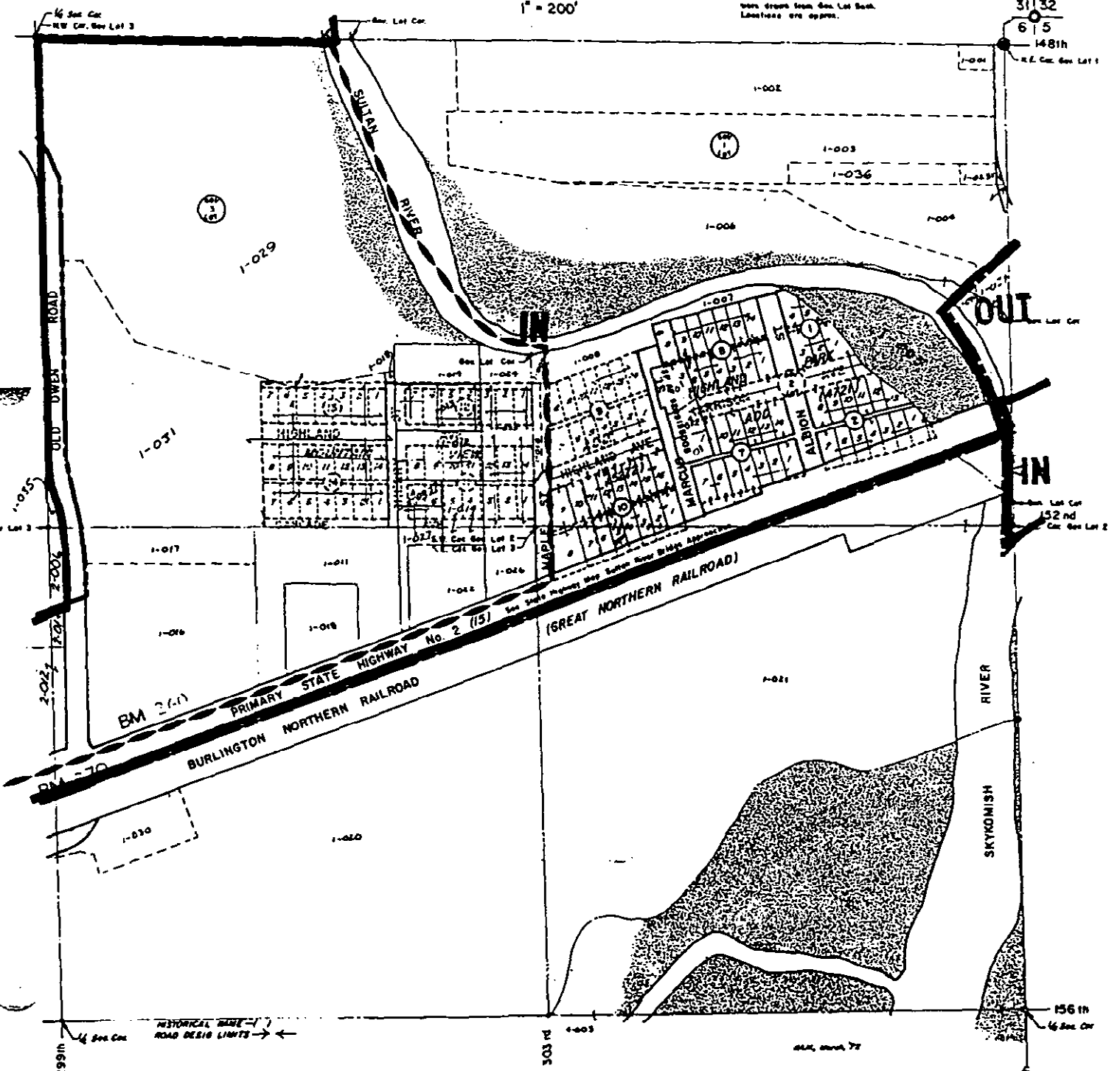


NOTE:
 This is not a survey, it is a parcel map
 used for location of property only.

MAY 25 1935

N.E. 1/4, SEC 6, T.27N., R.8E.
1" = 200'

Section Abund & Skykomish River was drawn from 1960 parcel. Co. Lot lines were drawn from Sec. Lot Book. Lotlines are approx.



31132
615
1481h
R.E. Co. Sec. Lot 1

Sec. Lot Co.
152nd
Co. Sec. Lot 2

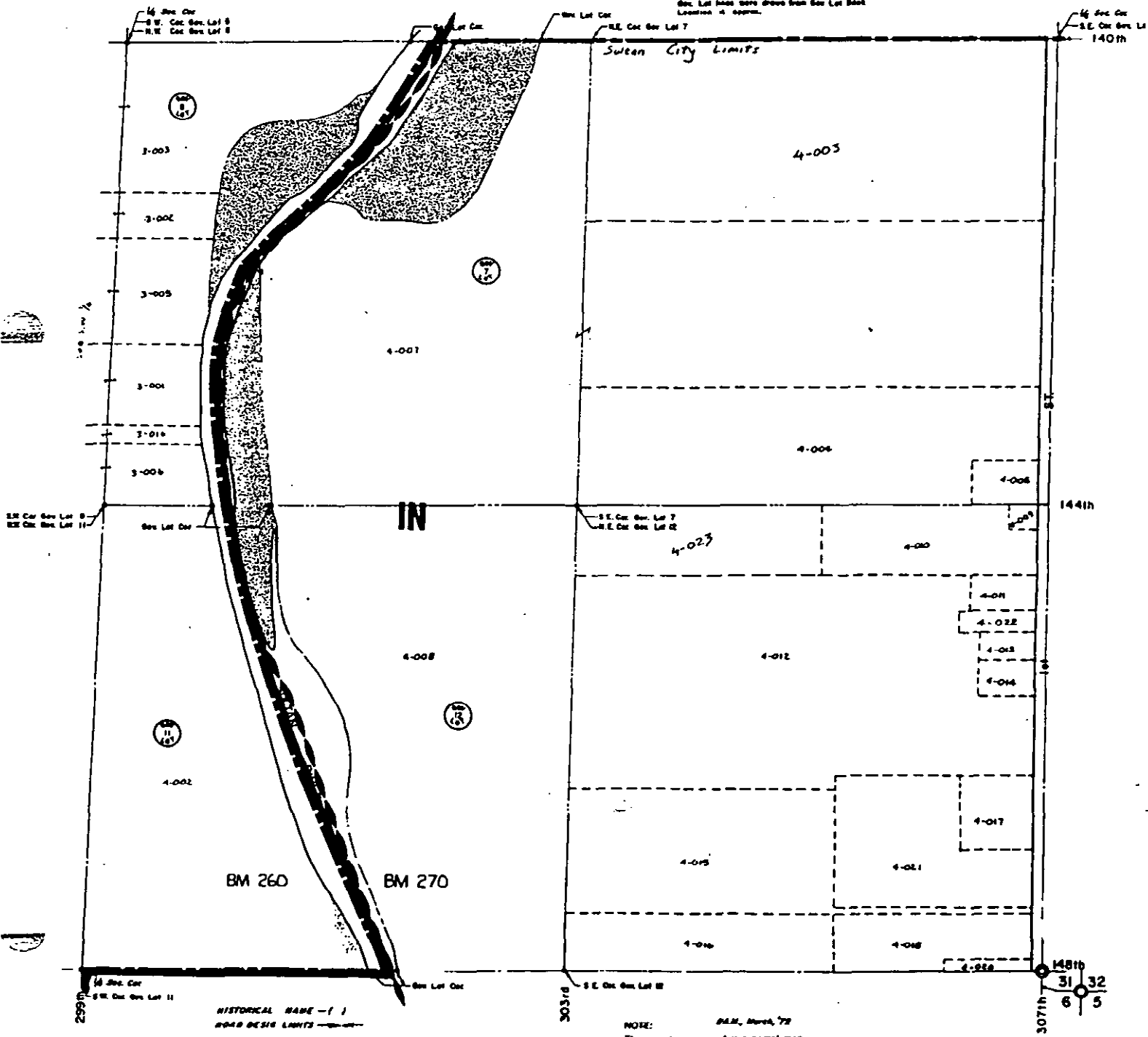
156th
16 Sec. Co.

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

MAY 23 1985

S.E. 1/4, SEC. 31, T. 28N, R. 8E.
1" = 200'

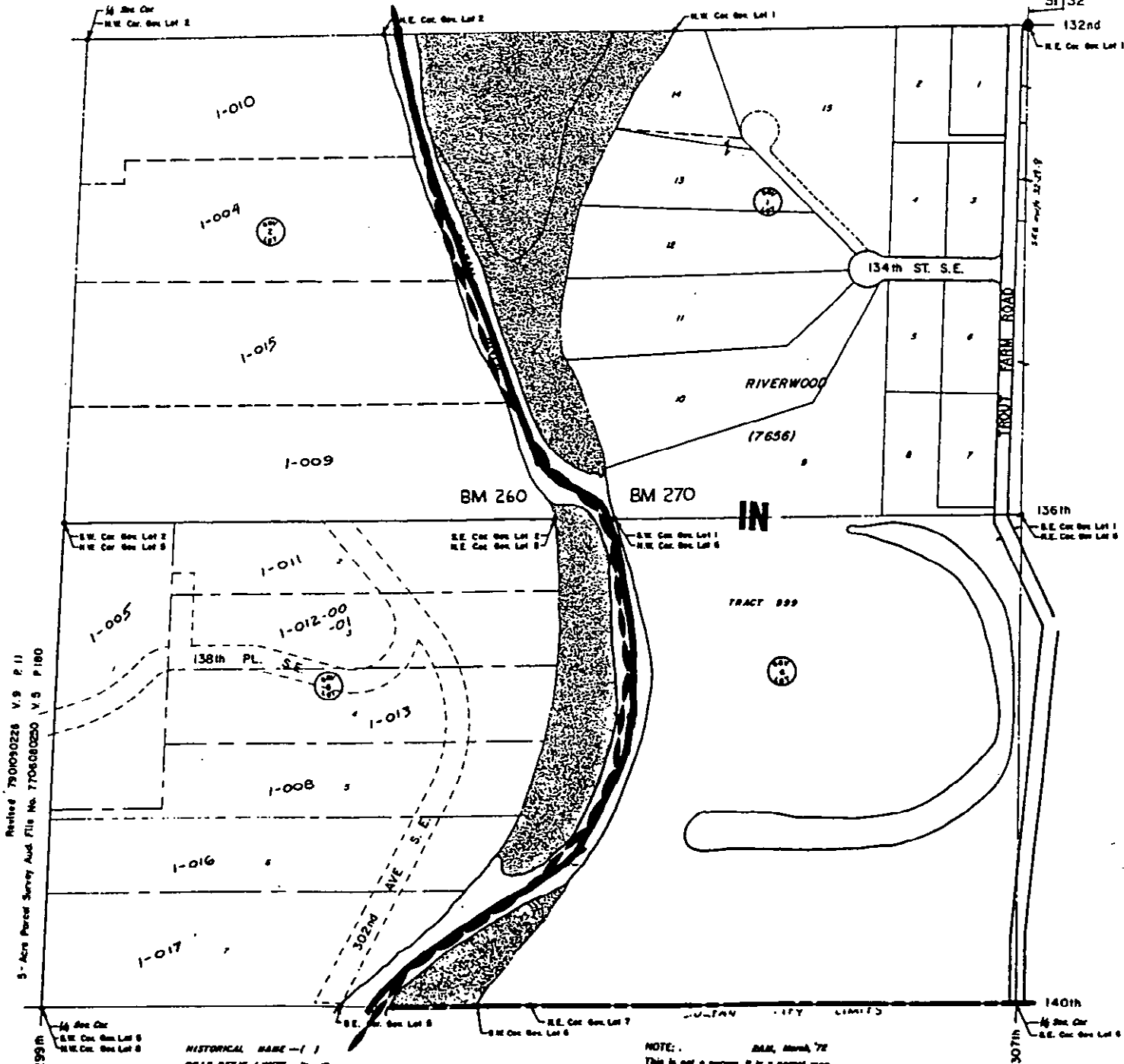
Dutton River bed drawn from 1900 aerial
Sec. Lot lines were drawn from Sec. Lot Book
Location is approx.



Section River was drawn from 1900 aerial
 Gov. Lot lines were drawn from Gov. Lot
 Book Location of approx.

N.E. 1/4, SEC. 31, T.28N, R.8E.
 1" = 200'

30 | 29
 31 | 32



Revised 7501090228 V.9 P.11
 5 - Acre Parcel Survey Acd. File No. 7706080250 V.5 P.180
 299th

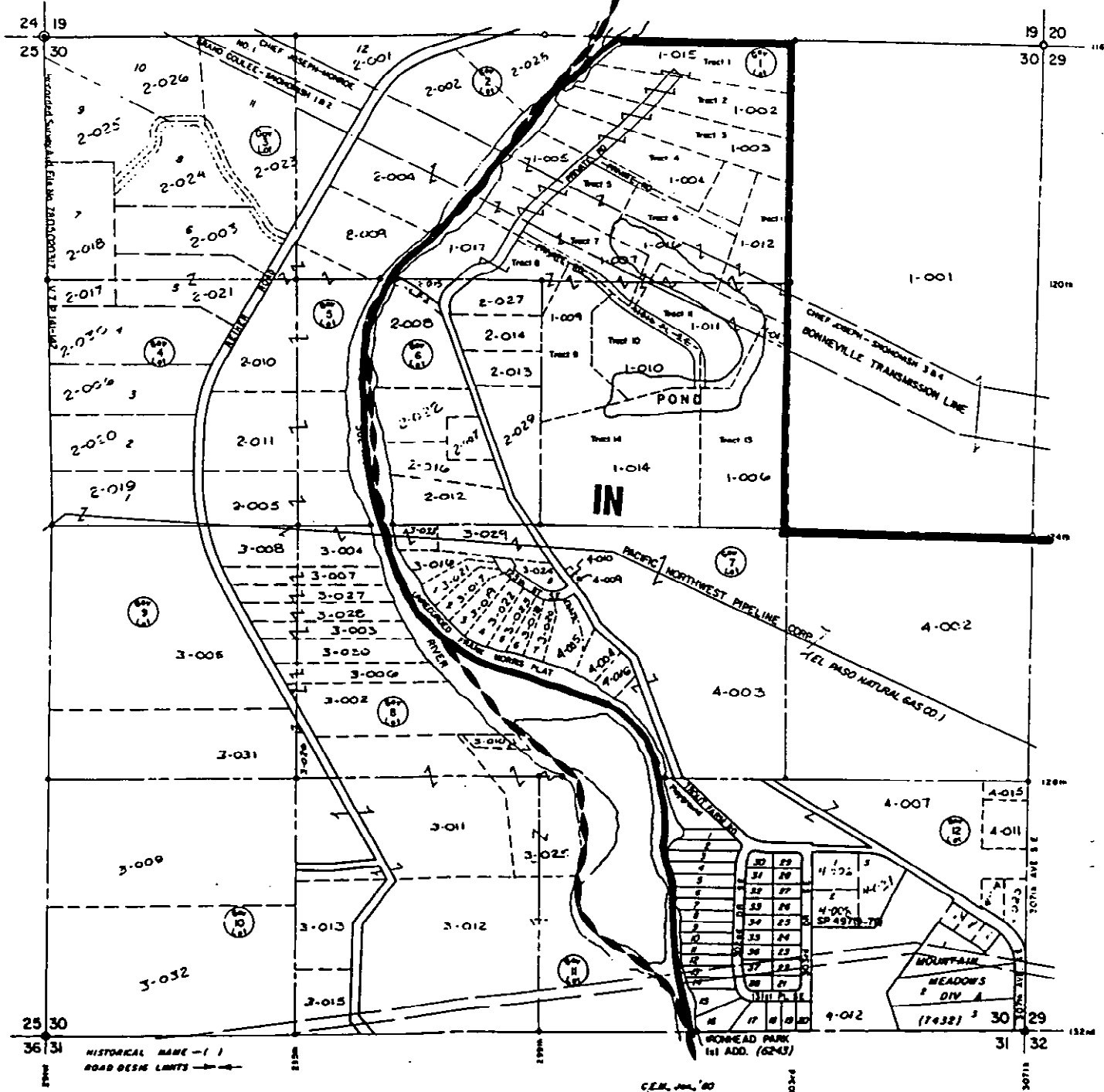
HISTORICAL NAME - ()
 ROAD BETH LIGHTS ->>>

NOTE: B.M. March 72
 This is not a survey. It is a parcel map
 used for location of property only

MAY 25 1995

SEC. 30, T. 28 N., R. 8 E. W.M.

1" = 400'
 EM 311 EM 273

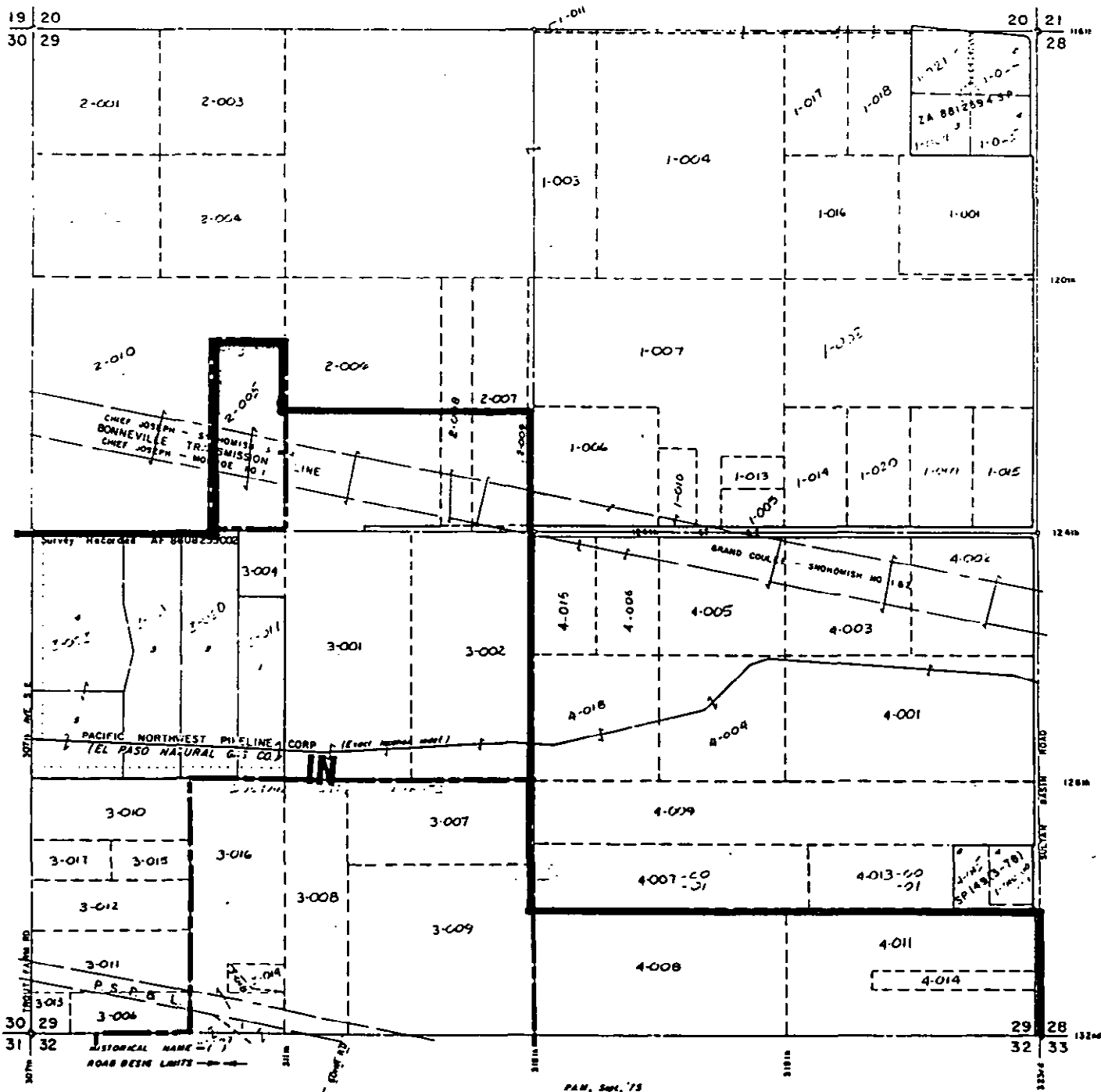


C.E.M., Jan. '80
 NOTE:
 This is not a survey, is a parcel map
 used for location of property only

SEC. 29, T.28 N., R.8E.W.M.

1" = 400'

FM 27A



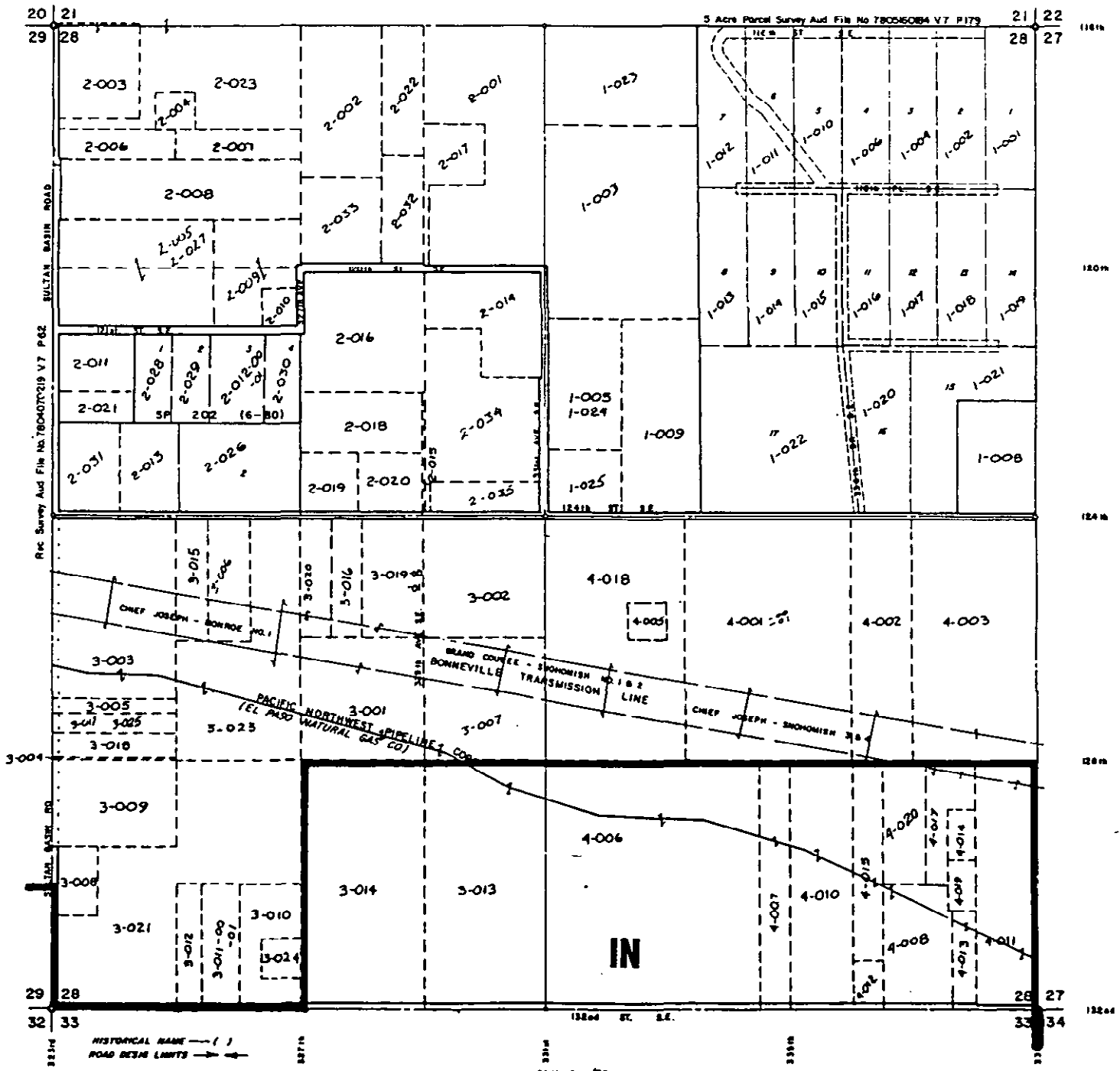
NOTE:
This is not a survey of the land but is used by the State of Texas.

MAY 25 1955

SEC. 28, T. 28 N., R. 8 E. W.M.

1" = 400'

BM 270

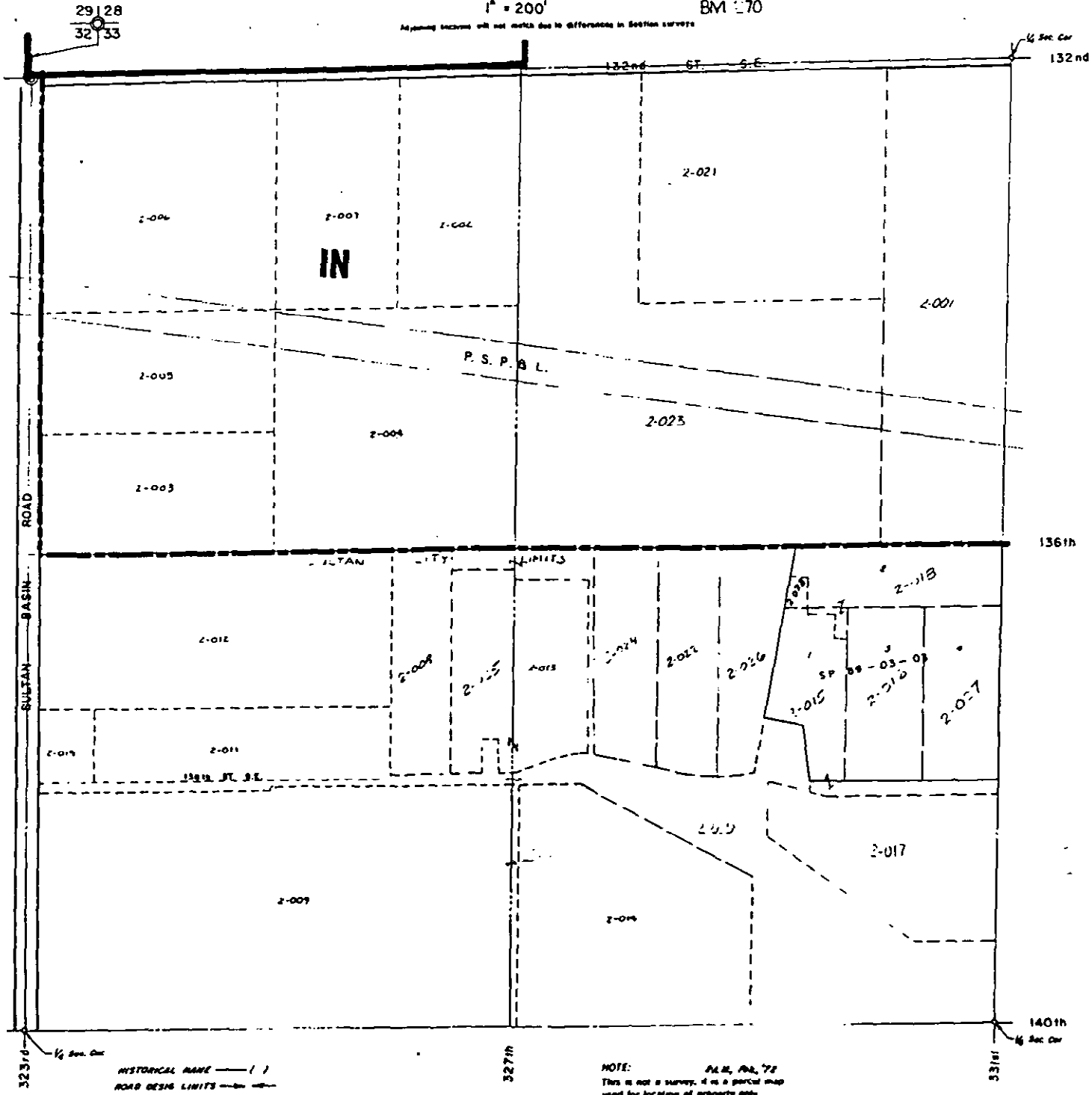


N.W. 1/4 SEC. 33, T.28N., R.8E.

1" = 200'

BM 170

Adjoining sections will not match due to differences in section surveys



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

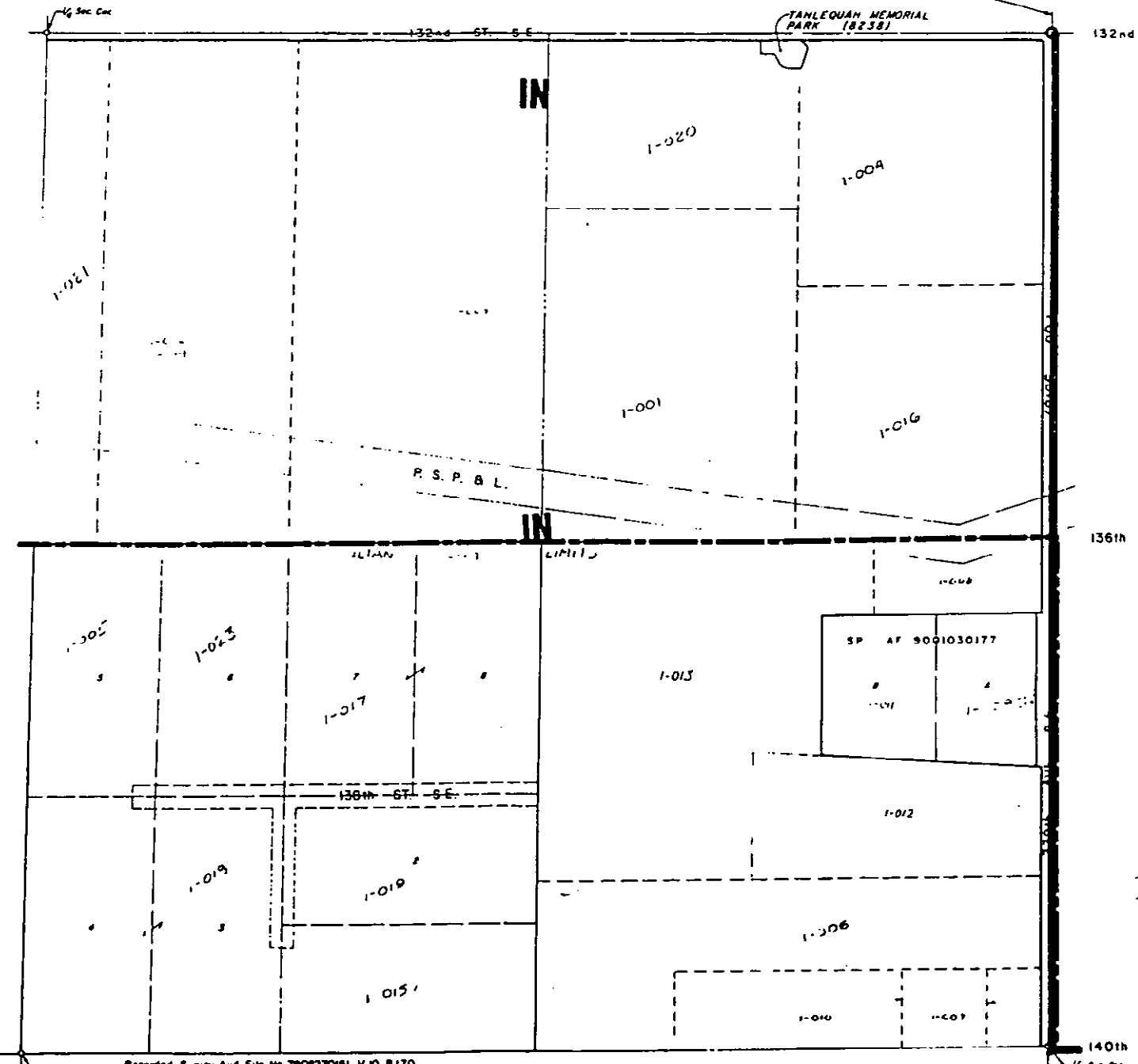
NOTE: This is not a survey, it is a parcel map used for location of property only

MAY 25 1935

N.E. 1/4, SEC. 33, T.28N., R.8E.
1" = 200'

EM 270

28 27
33 34



Recorded Survey And File No. 790827031 V.10 P.170

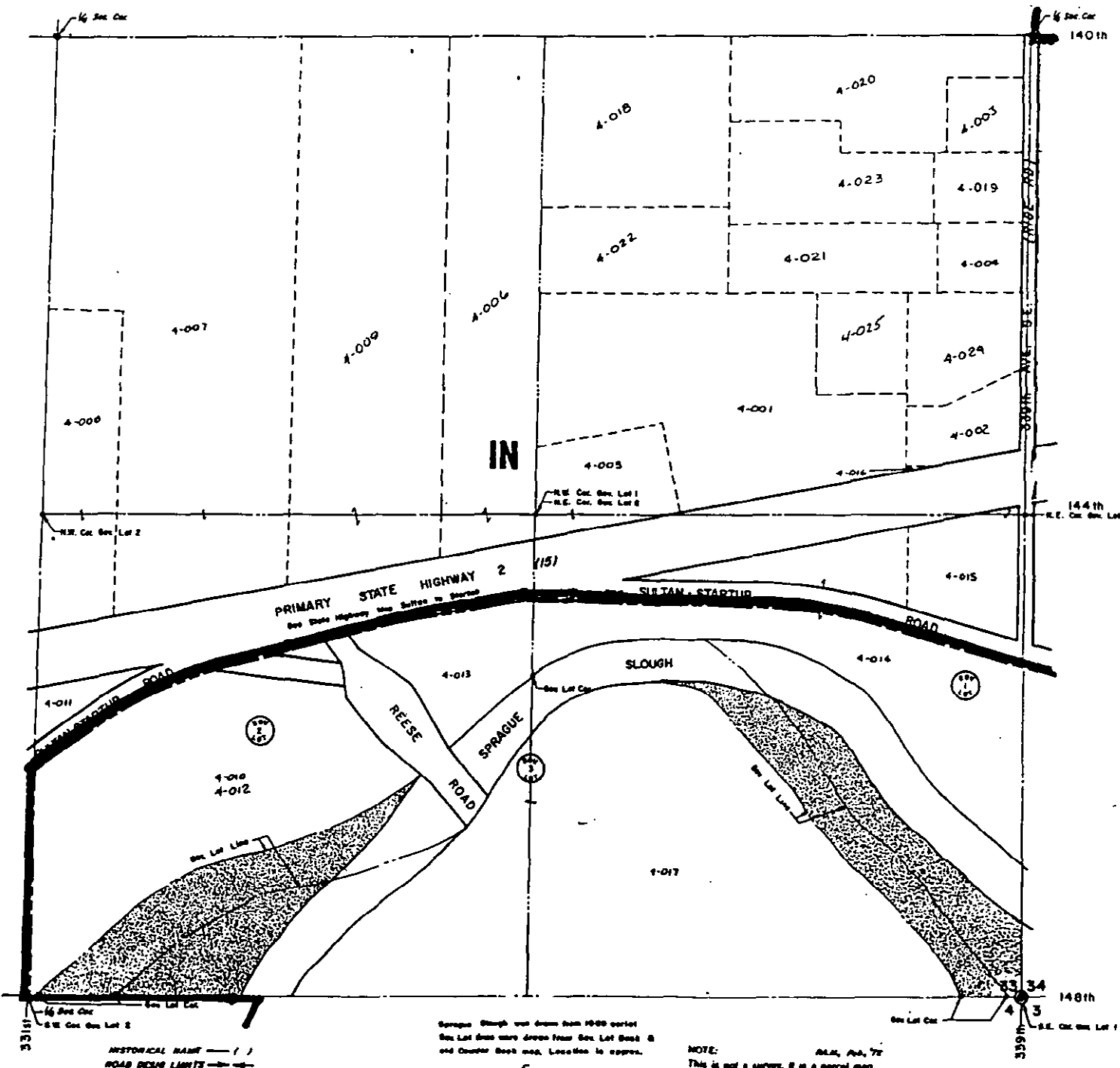
HISTORICAL NAME — ()
ROAD DESIG LIMITS — — —

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

MAY 25 1985

S.E. 1/4, SEC. 33, T28N, R.8E
1" = 200'

BM 270



HISTORICAL NAME (/)
ROAD DESIGN LIMITS ———

Sprague Slough was drawn from 1888 parcel
See Lot Book were drawn from See Lot Book B
and Counter Book map. Location is approx.

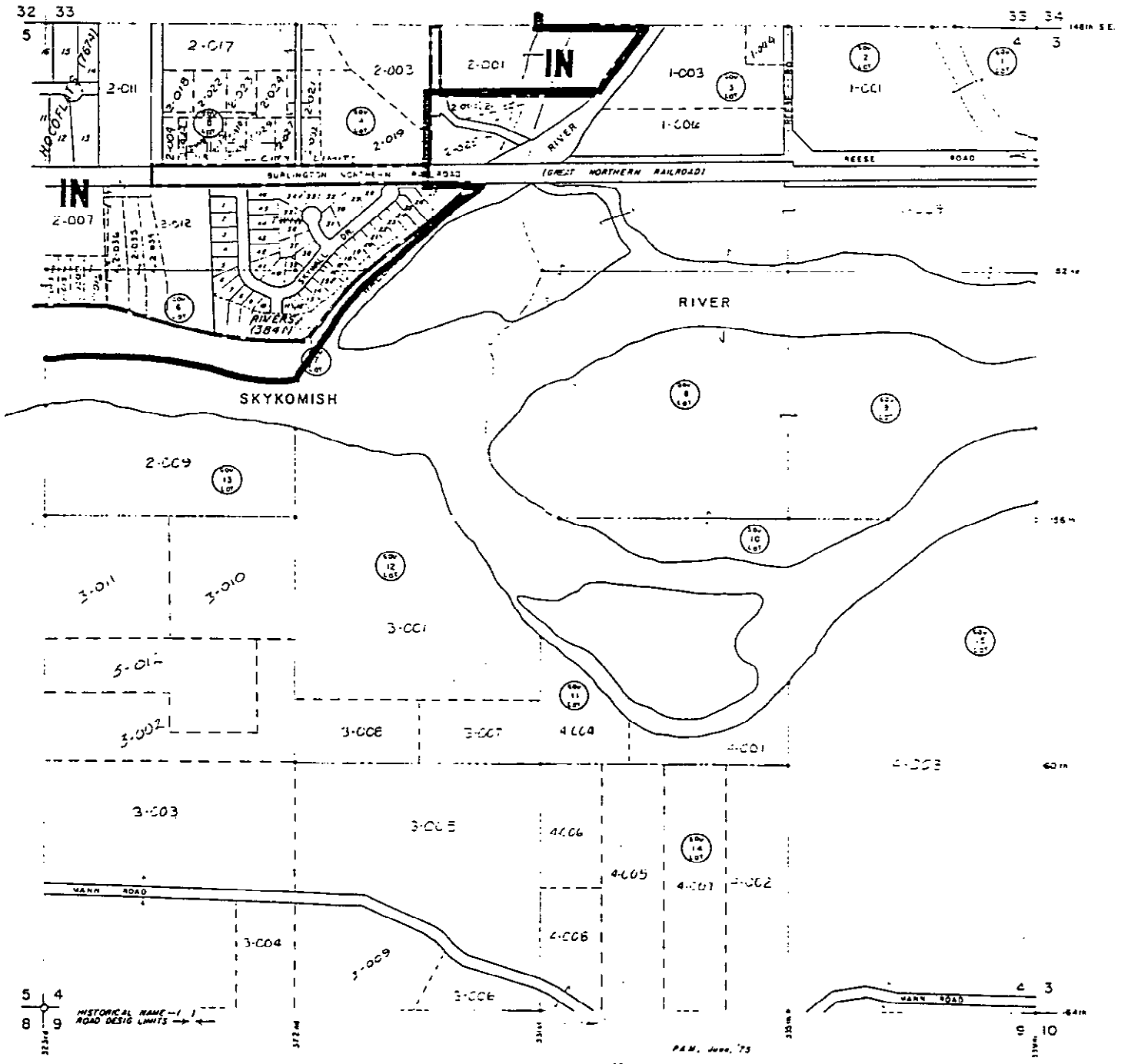
NOTE:
This is not a survey. It is a parcel map
used for location of property only.

MAY 25 1935

SEC. 4, T.27N., R.8E.W.M.

1" = 400'

EM 07



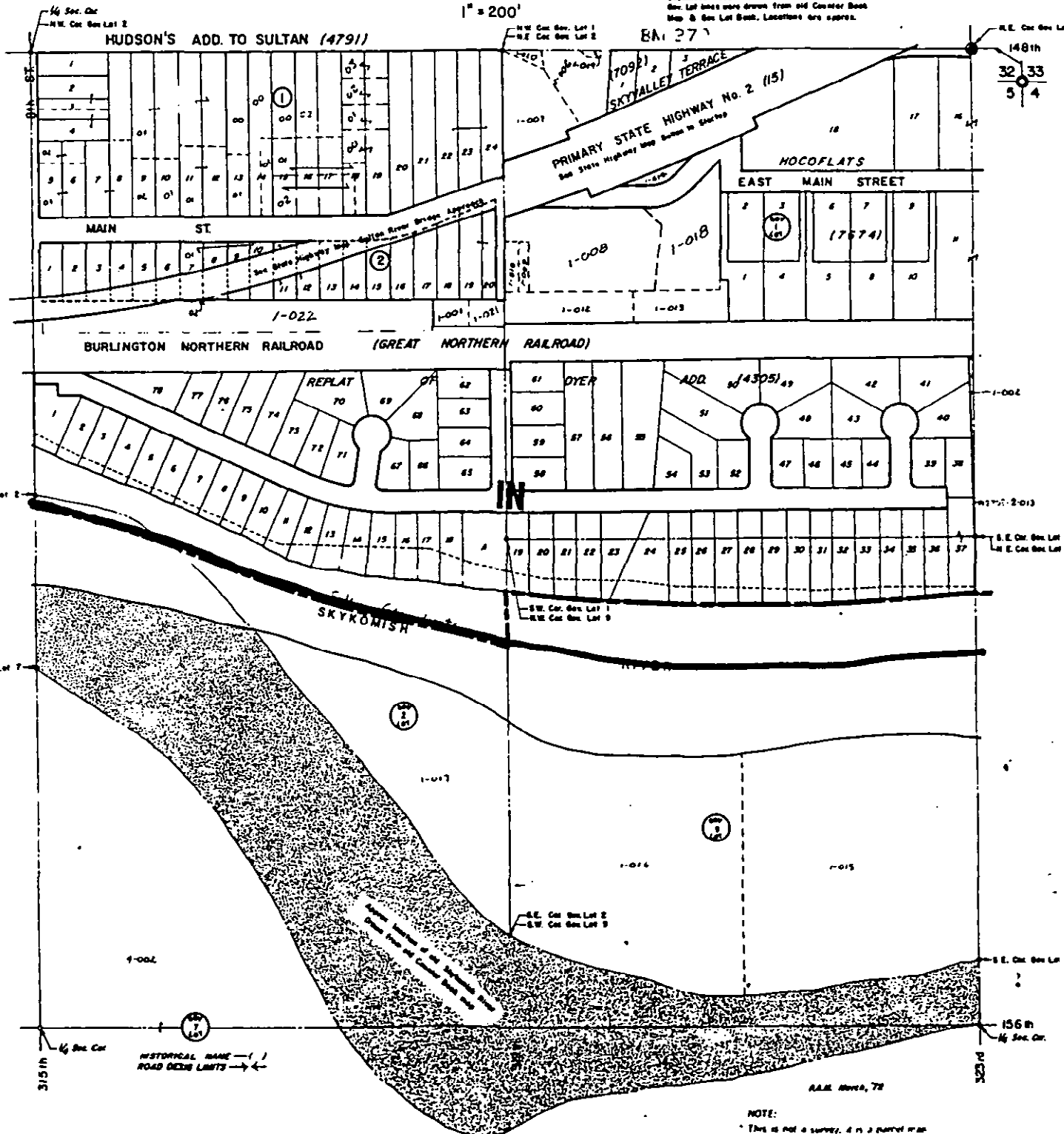
NOTE.
This is not a survey, it is a parcel map
used for taxation of property only.

P.M., June, '73

N.E. 1/4, SEC. 5, T.27N, R.8E.

1" = 200'

SKYKONISH River was drawn from 1908 aerial. Sec. Lot lines were drawn from old Cassier Book Map & Sec. Lot Book. Locations are approx.



MAY 2 5 1935

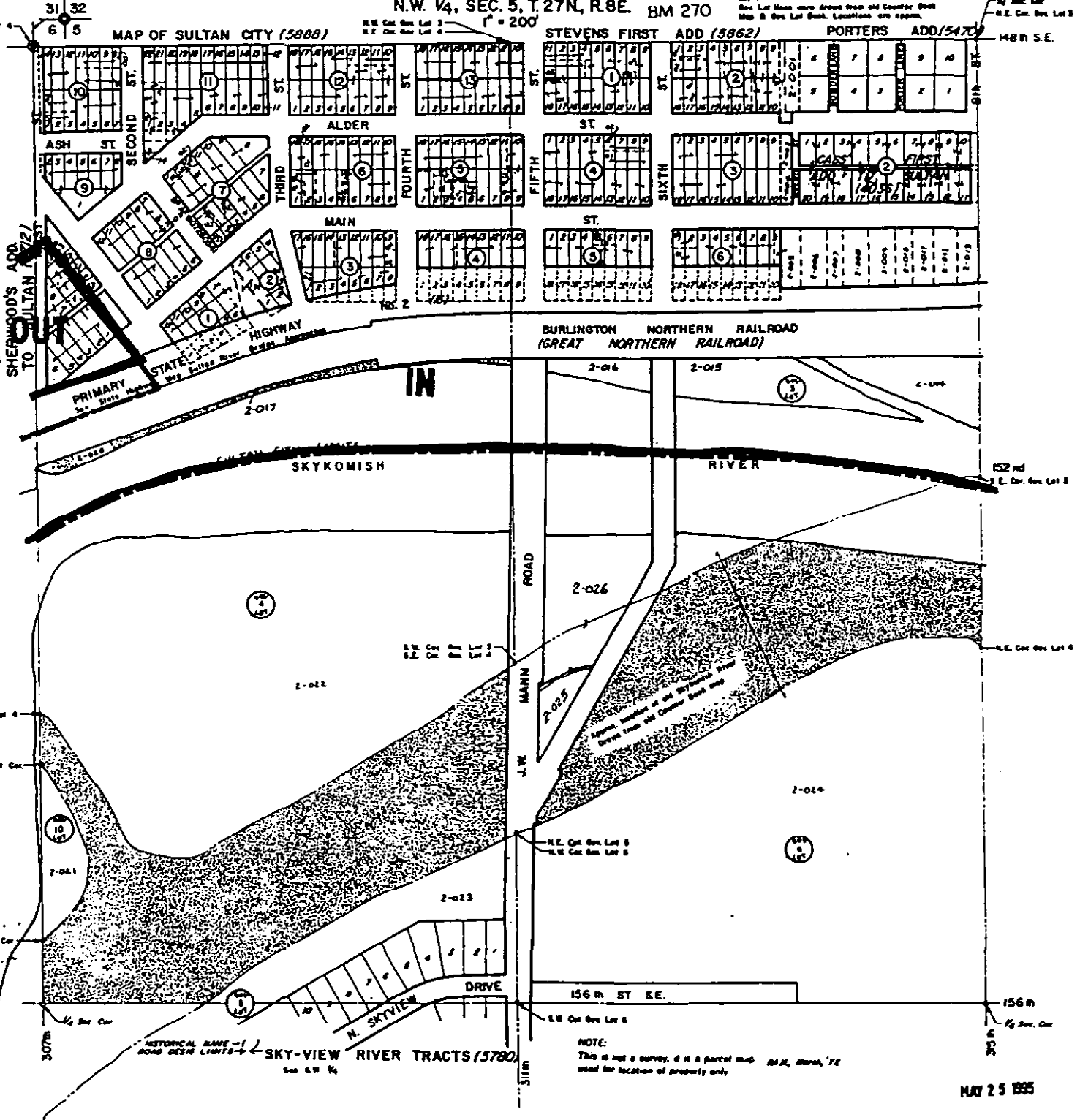
N.W. 1/4, SEC. 5, T. 27N, R. 8E. BM 270
1" = 200'

Skykomish River was shown from 1900 aerial.
Sec. Lot lines were drawn from old County Book
Map & Sec. Lot Book. Locations are approx.

MAP OF SULTAN CITY (5000)

STEVENS FIRST ADD (5862)

PORTERS ADD (5470)



NOTE:
This is not a survey, it is a parcel map. B.M., Marsh, '78
used for location of property only.

MAY 25 1935