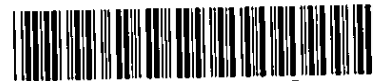


SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



CO00019229

AMENDED EMERGENCY ORDINANCE No. 99-035

AMENDING SNOHOMISH COUNTY CODE CHAPTER 18.51 RELATING TO
PLANNED RESIDENTIAL DEVELOPMENT STANDARDS

WHEREAS, the county is currently experiencing high volumes of development in urban areas in the form of planned residential developments (PRDs) approved pursuant to Chapter 18.51 Snohomish County Code (SCC), which allows an urban residential development to gain additional density over the underlying zoning classification; and

WHEREAS, the purposes of the county's PRD regulations include the following: 1) providing design flexibility in order to protect critical areas through the provision of open space; 2) providing for a variety of housing types and architectural styles; 3) promoting efficient use of land and housing affordability; 4) preserving the value, character and integrity of surrounding areas developed under traditional zoning regulations; 5) preserving existing natural site amenities such as trees, topography and geologic features; and 6) creating permanent, usable and commonly-owned open space for both active and passive recreation; and

WHEREAS, for the last several years and increasing during 1998, the County has received significant comment from members of the public concerning discrepancies between the stated purposes of the PRD code and the actual results achieved by PRD developments, particularly with respect to whether PRD development approvals have 1) provided any significant additional critical area protection above that required by the county's critical areas regulations; 2) preserved the value, character and integrity of surrounding developed areas; 3) preserved natural site amenities such as trees, topography and geologic features; and 4) resulted in good quality usable open space for active and passive recreation; and

WHEREAS, the County Executive, in cooperation with the County Council created a committee of stakeholders to review the current PRD code, and make recommendations on amendments to the PRD standards; and

WHEREAS, the stakeholder committee has met six times and is progressing in its review of the current PRD code and possible amendments to improve the code; and

WHEREAS, the stakeholder committee has identified certain PRD amendments pertaining to drainage detention ponds, usable open space, perimeter landscaping, street trees, and minimum lot size; and

WHEREAS, the stakeholder committee has recommended that certain amendments are necessary immediately, while a comprehensive review of the PRD code can be continued and completed by the committee; and

WHEREAS, the committee intends its comprehensive review to include reconsideration of the proposed amendments as well as additional amendments; and

WHEREAS, the County Council concurs with the committee recommendation and wishes to immediately enhance certain PRD standards and consider additional amendments when the committee and county staff have completed their work for a period of approximately three months from the effective date of this ordinance; and

WHEREAS, the County Council finds that an emergency exists within the county, and that adopting the proposed amendments to the PRD code is necessary for the immediate preservation of the public peace, health and safety and for the support of county government and its existing institutions.

THEREFORE, BE IT ORDAINED:

Section 1. The County Council adopts the following findings and conclusions:

1. Snohomish County is required to plan under the Growth Management Act (GMA) pursuant to RCW 36.70A.040.
2. The County Council adopted Title 18 SCC, the county zoning code, as a GMA regulation pursuant to Amended Ordinance 96-076 effective December 12, 1996. Chapter 18.51 SCC, the PRD code, is a part of the zoning code and is therefore a GMA development regulation.
3. The Council finds that, when regulated to effect the purposes of the PRD chapter, PRD developments can be an effective tool to further a variety of growth management goals and policies.
4. The county is currently experiencing high volumes of PRD development approved pursuant to Chapter 18.51 Snohomish County Code (SCC), which allows an urban development to gain additional density over the underlying urban zoning classification. In 1998 the county received 63 applications for PRD approval. In 1997 the county received 31 applications for PRD approval. By comparison, in 1996 and 1995 the county received 17 and 16 applications for PRD approval, respectively. See Exhibits 1 and 2 attached to this ordinance.
5. The purposes of the county's PRD regulations include the following: 1) providing design flexibility in order to protect critical areas through the use of open space; 2) providing for a variety of housing types and architectural styles; 3) promoting efficient use of land and housing affordability; 4) preserving the value, character and integrity of surrounding areas developed under traditional zoning regulations; 5) preserving existing natural site amenities such as trees, topography and geologic features; and 6) creating permanent, usable and commonly owned open space for both active and passive recreation.

6. The County Council concurs with members of the public who have expressed concern about discrepancies between the stated purposes of the PRD code and the actual results achieved by PRD developments, particularly with respect to whether PRD development approvals have 1) provided any significant additional critical area protection above that required by the county's critical areas regulations; 2) preserved the value, character and integrity of surrounding developed areas; 3) preserved natural site amenities such as trees, topography and geologic features; and 4) resulted in good quality usable open space for active and passive recreation. Exhibits 3 through 11 (committee minutes, letters, citizen comments, appeals of PRD approvals).

7. The County Council concludes that instituting an emergency to enhance PRD development standards is necessary for the following reasons:

- A. The proposed amendments will immediately improve PRD standards and allow the County the opportunity to comprehensively amend its regulations;
- B. The present PRD code offers density bonuses which will result in developments that may have greater impacts on critical areas, natural amenities, and surrounding neighborhoods than existing zoning. If the PRD code is not allowing for adequate mitigation of the impacts of this increased density and not resulting in requirements for additional amenities to compensate for the higher density, further approvals under the existing regulations threaten the county's vision for its urban growth areas expressed in the GMA comprehensive plan and development regulations;
- C. Allowing increases in density beyond already-established urban zoning densities without improved design standards linked to the stated purpose of the existing PRD code, will frustrate the county's efforts to plan under the GMA and foreclose planning options that might have otherwise been available; and
- D. This action is necessary for the immediate preservation of the public peace, health and safety and for the support of county government and its existing public institutions.

Based on the foregoing findings, the County Council declares that an emergency exists and this ordinance should take effect on May 5, 1999.

8. The County Council views this action as part of the county's second phase in GMA planning in which urban development standards are being reviewed and revised to further implement a variety of growth management goals and policies. This action is in support of the PDS 1999 work plan item for development of revised PRD standards in addition to other urban development issues and proposals the Executive will be recommending to Council.

9. The County Council finds that in taking this action the county in no way repudiates its commitment to achieving urban population allocations made by the state and adopted as part of the county's GMA comprehensive plan. This ordinance does not change the current status of GMA urban plan designations or implementing urban zones. The County Council is committed to continued use of PRDs as an urban development option.

10. It is the Council's intention to allow the stakeholder committee to develop a comprehensive set of amendments to the PRD chapter within an approximate three-month period. Amendments are anticipated in the following subject areas: open space, landscape buffers, tree retention and/or plantings, minimum lot size, critical area protection, other design standards, minimum project site size, unit yield/density bonus, and potential use of/or reference to the Sno-Tran Guide to Land Use and Public Transportation.

11. The County Council finds that approval of this action, further review of the PRD regulations, and pending adoption of comprehensive PRD standards is further supported by local Puget Sound governments' planning in anticipation of action by the federal government to list Chinook salmon as a threatened species under the Endangered Species Act. Revisions to the PRD code should ensure that new PRD development does not negatively impact salmon habitat.

12. The County Council finds that it is appropriate, fair to applicants, and efficient in terms of county permit processing, to apply the provisions of this ordinance to PRD applications using the county's current basic provisions for vesting for subdivision applications; that is, this ordinance will not apply to applications for which a complete application has been filed on or before the effective date of this ordinance. Those applications which have been submitted by the effective date of this ordinance but which are not complete by that date will be subject to the provisions of this ordinance.

13. The Council finds that enhancement of PRD standards and limitations on small lot PRD developments is necessary for the immediate preservation of the public peace, health and safety and for the support of government and its existing institutions. Based on the foregoing findings, the County Council declares that an emergency exists pursuant to the Snohomish County Charter, section 2.120, and that this ordinance should take effect on May 5, 1999.

14. Emergency actions are exempt from SEPA pursuant to WAC 197-11-880 and SCC 23.12.240, and are exempt from Chapter 32.05 SCC.

Section 2. Snohomish county code section 18.51.040 last amended by Ordinance 95-061, on August 16, 1995, is amended to read:

18.51.040 Submittal requirements.

(1) The applicant shall present plans, reports, and related information in sufficient detail to enable the department of planning and development services to

evaluate the proposed development in accordance with the provisions of this chapter and make recommendations to the hearing examiner.

(2) These plans shall be drawn to a standard engineering scale and shall include at least the following:

(a) Site plan, including the following elements:

(i) Internal circulation, and off-road parking areas,

(ii) Schematic drainage/utility concept illustrating detention facilities,

(iii) Location of all open space tracts and general Landscape landscape treatment plan for open space tracts and the overall project, identifying:

(A) Required perimeter landscaping,

(B) Critical areas and their buffers,

(C) Native growth protection areas,

(D) Total and usable open space,

(iv) ~~Open space and~~ Proposed community recreation facilities, and

(v) Distribution and type of housing units, showing generalized building footprints;

(b) Landscape plan prepared by a Washington state licensed landscape architect or certified horticulturist/arborist and indicating detailed treatment including the location of, and type of plant materials for:

(i) Required perimeter landscaping,

(ii) Critical areas and their buffers,

(iii) Native growth protection areas,

(v) Usable open space,

(vi) Active and passive recreation areas,

(vii) Roads and off-road parking areas; and

(viii) Any other landscape areas required by this chapter;

(c) Targeted or full drainage plan per SCC 24.20.040 or 24.20.045.

(3) The applicant shall submit one copy set of the proposed PRD site plan plan noted in (2)(a) above to the Snohomish health district, along with soil analysis data, where on-site septic systems are proposed.

(4) In addition to the above submittal requirements, the following submittals are necessary for a multi-family, townhouse, or zero lot line development under this chapter:

(a) Location of driveways, proposed on-street parking and/or grouped off-street parking,

(b) Typical building designs, and

(c) Location of privacy features such as walls and fences ~~((, and~~

~~(d) Landscape plan for areas outside of privacy fencing)).~~

Section 3. A new section 18.51.049 is added to Snohomish county code to read:

18.51.049 Open space standards.

(1) Within a planned residential development, a minimum of 15 percent of the gross site area shall be established as total open space.

(2) Total open space shall be used for:

(a) Usable open space;

(b) Critical areas and their required buffers;

(c) Site perimeter landscaping and other required landscaped areas outside of right-of-ways;

(d) Landscaped unfenced stormwater detention/retention ponds; and

(e) All other open space areas owned in common by all residents or owners in the PRD, but not including items listed in SCC 18.51.049(3).

(3) Total open space shall not include any of the following:

(a) Lots, dwellings and associated private yards, outdoor storage areas, and building setback areas;

(b) Public or private street right-of-way including sidewalks and planter strips;

(c) Parking lots, driveways and other areas of motorized vehicle access;

(d) Stormwater detention or retention ponds which are fenced, except for any associated landscaping outside of the pond fencing; and

(e) Submerged lands.

(4) Where practicable, total open space shall be located contiguous to designated open space on adjacent properties.

(5) Total open space shall be clearly identified according to the proposed use of the open space.

(6) Total open space shall be permanently established in clearly designated, commonly owned tracts, when part of a subdivision or, when part of a condominium, in clearly designated common areas.

(7) Total open space shall be protected in perpetuity by recorded covenants, approved by the county, which restrict their use to those uses specified in the approved PRD site plan and provide for the maintenance of the total open space in a manner which assures its continuing use for the intended purpose.

(8) Usable open space shall be provided as follows:

(a) Total open space shall contain usable open space to be developed for active and/or passive recreation purposes. Usable open space is buildable lands that do not consist of critical areas and their buffers and may consist of, but not be limited to, any of the following:

(i) Open play areas;

(ii) Pedestrian or bicycle paths;

(iii) Picnic areas with tables and benches;

(iv) Gazebos, benches and other resident gathering areas

(v) Community gardens;

(vi) Any active recreation use listed in subsection 9 below;

(vii) Nature interpretive areas;

(viii) Flower gardens when in conjunction with pedestrian paths,

and

(b) The minimum amount of usable open space shall be 800 square feet per dwelling unit.

(c) At least 50 percent of the usable open space shall be located in one contiguous tract or common area. Remaining usable open space shall be adequate in size for the intended passive and/or active recreation activity subject to the approval of the director. No usable open space shall have any dimension less than 20 feet (except for trail segments), unless the applicant can demonstrate and the director can concur,

that a lesser dimension will not inhibit the use of the open space for its designated purpose.

(d) Usable open space shall be accessed by all weather pedestrian pathways and/or sidewalks from all lots and dwellings within the PRD.

(e) Usable open space designed for children shall not be located adjacent to any street designated as a collector/arterial unless properly designed with fencing, located away from street edges and other provisions to ensure adequate child safety. In all cases, usable open space designed for children shall be open, accessible and visible from adjacent dwellings in order to enhance security.

(f) Usable open space shall have the appropriate location, slope, soils and drainage to be considered for recreational development.

(g) Usable open space shall not contain above ground utility transmission lines and associated easement or right of way.

(h) Usable open space shall be landscaped.

(i) Any buildings, structures and improvements to be permitted in the usable open space shall be those appropriate to the proposed uses.

(9) Active recreation uses shall be provided as follows:

(a) 30 percent of all usable open space within PRDs with 10 or more lots or dwelling units shall be developed for active recreation uses. The type(s) of active recreation uses provided shall, to the extent possible, correspond to anticipated needs of the potential residents of the PRD.

(b) Active recreation uses shall consist of one or more of the following:

(i) Sport court;

(ii) Tot lot with play equipment (soft surface);

(iii) Open play area or sports field (grass or other pervious surface);

(iv) Indoor recreation center for youth, adult and/or seniors containing exercise and game rooms, sport courts and other community activities;

(v) Swimming pool;

(vi) Similar uses; and

(vii) Any other active recreation use approved by the director.

(c) The active recreation requirement may be reduced by up to 50 percent, subject to approval by the director, for projects of 30 or fewer dwelling units, if pedestrian access is constructed to an adjacent off-site public recreation area that contains an active recreation use that meets the needs of residents within the PRD and is approved by the off-site recreation provider.

(d) The active recreation facility shall be located on a reasonably level site with slopes no greater than six percent unless the applicant can demonstrate that the recreation facility can function adequately on greater slopes.

(e) Tot lot areas shall be at least 800 square feet in size and shall meet Consumer Product Safety Standards for equipment, soft surfacing and spacing.

Section 4. Snohomish county code section 18.51.050 last amended by Ordinance 95-061, on August 16, 1995 is amended to read:

18.51.050 PRD standards - Dimensional requirements.

~~((The following special conditions shall be met in all PRD overlay zones:~~

~~(1) Open Space and Recreation.~~

~~_____ (a) A minimum of 15% of the gross site area shall be established as open space and community recreational facilities. Up to 65% of the minimum required open space may consist of unbuildable land;~~

~~_____ (b) For the purpose of this section, "unbuildable land" shall consist of:~~

~~_____ (i) All land below the ordinary high water mark of lakes and year-round ponds, and~~

~~_____ (ii) All critical areas and their buffers for which permanent protection is required pursuant to chapter 32-10 SCC;~~

~~_____ (c) The following requirements shall apply to all open space:~~

~~_____ (i) Open space shall be clearly designated as separate, commonly owned areas or tracts,~~

~~_____ (ii) Community recreational facilities within open space shall be accessible to all residential within the PRD;~~

~~_____ (iii) Where practicable, open space within a PRD shall be located contiguous to designated open space on adjacent properties, and~~

~~_____ (iv) Off street parking areas shall not be located within open space;))~~

~~(((2))1) Underlying Zone Requirements. Unless specifically modified by this chapter, all requirements of the underlying residential zone shall apply within the PRD;~~

~~(((3))2) Table 1 establishes the bulk requirements for all proposed PRDs as follows:~~

**TABLE 1
PRD DENSITY AND DIMENSION STANDARDS**

Development Type	Maximum Density Bonus	Minimum Lot Width	Minimum Lot Area	Minimum Building Setbacks ⁽¹⁾⁽²⁾	Maximum Lot Coverage
Single Family Dwellings and Duplexes	((inside UGA:)) 20% ((outside UGA: none))	40' interior 45' corner	((3500)) 4500 sq ft ((⁽⁴⁾))	10' front 5' rear 5' one side w/ 10' total side	55%
Single Family Dwellings Zero Lot Line	((inside UGA:)) 20% ((outside UGA: none))	none	((3000)) 4500 sq ft ((⁽⁴⁾))	10' front 0' rear 0' one side w/ 10' total side	55%
Townhouse Dwellings	((inside UGA:)) 20% ((outside UGA: none))	none	2000 sq ft average ((⁽⁴⁾))	10' front 5' rear 5' one side w/ 10' total side	55%
Multi-Family Dwellings	20%	60'	none	25' front 25' rear 5' one side w/ 10' total side ⁽³⁾	40%
Retirement Housing	120%	60'	20,000 sq ft	25' front 25' rear 15' side ⁽³⁾	40%
Retirement Apartments	54%	60'	20,000 sq ft	25' front 25' rear 15' side ⁽³⁾	40%

(1) See 18.51.050(4) for special setback requirements.

(2) The minimum front building setback shall be one-half the width of the planned right-of-way or easement as measured from the center line of the right-of-way plus the minimum required setback, PROVIDED, that the length of driveway for front yard entry garages or carports between the face of the building and the right-of-way or easement shall be at least 15 feet.

(3) Multiple family, retirement apartments and retirement housing building heights greater than 25 feet shall have a side setback of 20 feet from adjacent properties.

~~((4) 12,500 sq. ft. in R-20,000 and SA-1 zones outside of a UGA))~~

(((4))3) Special Requirements.

(a) Single family dwellings and duplexes.

(i) Variation in front setbacks and building envelopes is required for lots less than 5,000 square feet in order to provide visually diversified street frontage.

(ii) If the side or rear setback adjoins open space, these setback requirements may be reduced by an amount equal to the distance from the lot line to the centerline of the open space. A modified setback shall be endorsed upon the official site plan. No portion of a building or appurtenance shall be constructed as to project into any open space.

(b) Townhouse Dwellings.

(i) Variation in front setbacks and building envelopes is required in order to provide visually diversified street frontage when two or more townhouse dwelling units are being developed on adjacent lots. Minimum front setbacks may be reduced by not more than ~~((5))~~five feet in order to give individual identity and privacy to the units, as long as the average of all front setbacks is not less than 10 feet, and each lot has a combined total of 25 feet of front and rear setbacks,

(ii) If the side or rear setback adjoins open space, this setback requirement may be reduced an amount equal to the distance from the side lot line to the centerline of the open space. Such modified setback shall be endorsed upon the official site plan. No portion of any building or appurtenance shall be constructed as to project into any open space,

(iii) Each townhouse structure shall have horizontal or vertical variation either within each dwelling unit's front building face and/or between the front building faces of all adjoining units to provide visual diversity to the townhouse structure and individual identity to townhouse units. Upon building permit application, a plot plan of the entire structure in which each unit is located shall be provided by the builder to show compliance with this requirement. The department of planning and development services shall review and approve or deny the building design which may incorporate variations in roof lines, common wall "fin" extensions, setbacks and other structural variations. Disagreements between the applicant and the department of planning and development services may be appealed to the hearing examiner.

(c) Multiple Family Dwellings.

(i) If the side or rear setback adjoins open space, then each applicable minimum setback requirement may be reduced by an amount equal to the distance from the lot line to the centerline of the open space,

(ii) The resultant requirement shall then be endorsed upon the official site plan as a base setback requirement,

(iii) In the case of multistory structures, the base setback requirements shall be increased for each additional story or fraction thereof by an amount equal to two feet for each of the following minimum setbacks: front, side and rear,

(iv) No portion of any building or appurtenance shall be constructed as to project into any open space, and

(v) There is no maximum building height;

(d) Mobile homes, single or multisectioned, shall be allowed on individual single-family platted lots in a PRD, subject to the same requirements for detached,

single-family units. Mobile home parks are allowed only in accordance with chapters 18.32 and 18.55 SCC.

(e) Zero lot line single family development.

(i) The minimum setback on one side and/or rear yard in a zero lot line development may be reduced to no more than one inch if appropriate provisions are made for maintenance easements in the PRD official site plan, in the plat and in the declaration of covenants, conditions, and restrictions.

(ii) Variation in front setbacks and building envelopes is required in order to provide visually diversified street frontage.

(iii) For zero lot line developments, a five-foot minimum maintenance easement shall be shown on the official site plan or plat. Said easement shall be established in the covenants, conditions and restrictions of the adjoining lot to assure access to the lot line wall at reasonable periods during the day for normal maintenance. A two-foot maximum eave easement shall be established within the maintenance easement if roof overhangs are proposed, and

(iv) To assure privacy within zero lot line development, no openings of any kind (excluding ventilation ducts) shall be permitted on the zero lot line side of a structure, the wall of which shall be of fire-wall construction as required by Title 17 SCC. Air conditioners, heat pumps or other appurtenances (excluding roof overhangs) shall be prohibited on the exterior side of the zero lot line wall. If there is an offset of the wall from the zero lot line, such offset shall be at least six feet.

Section 5. A new section 18.51.053 is added to Snohomish county code to read:

18.51.053 Landscaping standards

All PRD proposals shall provide the following site landscaping in addition to landscaping required in chapter 18.43 SCC.

(1) Landscaping for drainage detention facilities shall meet the following standards.

(a) Where fencing of a detention facility is required, a Type II buffer (densely planted sight-obscuring screen) at least six feet in height, or living fence at least three feet in height which will grow to at least eight feet in height within three years shall be installed along the outside edge of the fence. Where fenced facilities abut public rights-of-way, setbacks and height restrictions per SCC 18.42.090(3) shall apply. The director shall provide a listing of acceptable plant species to be used for the "living fence" option.

(b) Where fencing is not required and the detention pond is not completely screened as described in (a) above, surface detention facilities shall be landscaped in one or more of the methods provided in (i) through (iii) of this subsection. When landscaping is provided pursuant to this subsection, the detention ponds shall count toward the total open space requirements of SCC 18.51.049(1).

(i) If the detention facilities are located adjacent to or near a natural, year-round stream or wetland, these systems shall be landscaped to replicate natural or near-natural conditions. Landscaping shall be sufficiently wide to provide necessary hydrological separation between detention ponds and natural drainage, and to maintain a variety of plants over time.

(ii) If the detention pond is sized and designed to be dry on the average of at least six months a year, it may be planted in grass or paved to provide

useable open space. No more than 50 percent of the area of such a pond may be counted toward the usable open space requirements of SCC 18.51.049, if the pond is an open detention pond. Such ponds may be used to satisfy up to 30 percent of the total usable open space requirement. In such cases, finished contours and access must allow the intended use and function.

(iii) The detention pond may feature terraces or steps to provide a safe pond edge and accommodate changes in water levels. In this case, landscaping must complement the terraced edge condition.

(iv) Ponds may incorporate two or more of the methods from (i), (ii) and (iii) above. Trails or walkways may be incorporated into the landscaping. Project applicants may submit other methods for the department's consideration.

(c) All detention areas shall be landscaped in a manner which is both aesthetic and able to successfully endure the expected inundation. All proposed landscaping screens around detention ponds are subject to department approval.

(2) A landscape area shall be established as follows along any perimeter property boundary of a PRD where adjacent property is currently used for single family residential purposes, or is zoned or designated for single family residential use.

(a) The landscape area shall be no less than 10 feet in width.

(b) Plant materials shall consist of evergreen shrubs, together with other plant species suitable as understory and ground cover vegetation.

(c) Trees shall be interspersed throughout the landscape area at a rate of one per 25 lineal feet of lot line in groupings or rows. Trees shall have a minimum caliper of one and one-half inches and a minimum height of eight feet at time of planting. Trees shall have a minimum mature height of 20 feet, and be of sufficient size to reach maturity in 10 years. The director shall provide a list of acceptable tree species to be used in the landscape area.

(d) No buildings or impervious surfaces, with the exception of pedestrian walks connecting the site to adjacent property, shall be located between the interior edge of the landscape area and the perimeter lot line.

(e) Critical areas and their buffers or other native growth protection areas may be substituted for the landscape area along the PRD perimeter boundary when such area is no less than 10 feet in width. These areas shall be located along the PRD perimeter boundary, but may be located either on the project site, on adjacent property or on both the project site and adjacent property .

(f) All planting materials required by this subsection shall be installed prior to occupancy of any dwelling unit in the project.

(3) Streetscape (ROW and easement) landscaping shall be provided as follows.

(a) All public and private roads within a PRD shall provide planter strips adjacent to the curb.

(b) The applicant shall provide landscape treatment along both sides of all roads as follows: plant or retain sufficient trees so that within the planter strip there is for every 25 feet of road frontage at least an average of one deciduous tree of two inches DBH at the time of planting and with a canopy that starts at least eight feet above finished grade and has or will have when fully mature, a 12 inch DBH.

(c) The director may allow a lesser DBH than required in SCC 18.51.053(3)(b) for fully mature trees when it can be demonstrated that an alternative tree species can approximate the same size canopy as a 12 inch DBH tree.

(d) The director shall provide a listing of acceptable tree species to be used in the planter strips.

(4) Installation and maintenance of landscape improvements shall be subject to the following.

(a) All development within an approved PRD shall conform to the approved landscape plan, and associated conditions.

(b) To assure compliance with the provisions of this section, a bond or other guarantee of performance shall be required by the hearing examiner and approved by the director.

(c) The applicant shall provide a maintenance bond for required landscape improvements, in an amount and form satisfactory to the director, prior to occupancy of any unit in the PRD project.

(5) For purposes of this chapter, the following terms are defined:

(a) "DBH" means the tree diameter at breast height (four and one-half feet) above the average original ground;

(b) "Fence" means an artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas of land, not to include retaining walls; and

(c) "Screen" means a fence, wall, berm, or densely planted vegetation that provided a permanent site obscuring shield between structures, adjacent properties, or land uses.

Section 6. A new section 18.51.055 is added to Snohomish county code to read:

18.51.055 Drainage detention facility standards

(1) All on-site drainage detention structures shall be constructed as surface or underground vault facilities. Such construction shall conform to the provisions of Title 24 SCC, including the Snohomish county drainage manual and Snohomish county EDDS.

(2) Subject to provisions of Title 24 SCC, PRDs may be incorporated into the service area of established regional drainage facilities. No PRD building permits shall be issued until the regional facility is inspected and in operation.

(3) Underground detention vaults, including oversized pipe facilities, are allowed for satisfying on-site drainage requirements. The site area immediately above a detention vault may be applied toward satisfaction of required total and usable open space per SCC 18.51.049. Vault facilities may also be located under private roads, and with approval of the director of the department of public works, under public road rights-of-way also.

(4) Recognizing the special provisions and intent of PRD projects, the design of detention ponds will focus on both functional requirements and aesthetics. The design is to provide a "natural look" with landscaping features that integrate ponds with the surrounding area. Detention pond construction and use shall be subject to the following design parameters and measures in addition to Title 24 SCC regulations:

(a) Detention pond side slopes shall not exceed 33 percent unless slopes are existing, natural and covered with vegetation;

(b) Detention pond design shall include accessible forebay(s) for pond maintenance;

(c) Where detention facility fencing is not required, a detention pond may be graded and blended with the topography of the site;

(d) Ponds without fencing are required to have a safety bench or shelf surrounding the permanent pool of the wet pond;

(e) If the detention facilities are located adjacent to or near a natural, year-round stream, wetland, or buffer, these systems shall be left in natural or near-natural conditions; and

(f) Detention areas shall be landscaped in a manner consistent with SCC 18.51.053(1) and which is both aesthetic and able to successfully endure the expected inundation.

(5) Signage shall be placed around detention pond boundaries to identify facility purposes, and maintenance and operational responsibilities. Provisions pertaining to appropriate sign size, location, and sign text shall be established by the director pursuant to administrative rule.

(6) Maintenance of drainage facilities shall be pursuant to chapter 24.40 SCC-Maintenance of drainage facilities and chapter 24.50 SCC-Security and insurance.

Section 7. Applicability. The provisions of this ordinance will not apply to applications for which a complete application has been filed on or before the effective date of this ordinance. For the purposes of this section, "a complete application" includes those applications filed on or before the effective date of this ordinance which are later determined by the department to be complete as of the date of filing.

Section 8. Effective date. This ordinance shall become effective on May 5, 1999.

Section 9. 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 5th day of May, 1999.

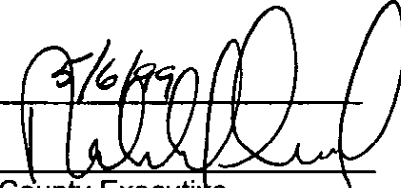
SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Chair


Clerk of the Council *asst.*

- APPROVED
- EMERGENCY
- VETOED

Date: 5/6/99

County Executive

ATTEST:

Sheila McCauley

Approved as to form only:

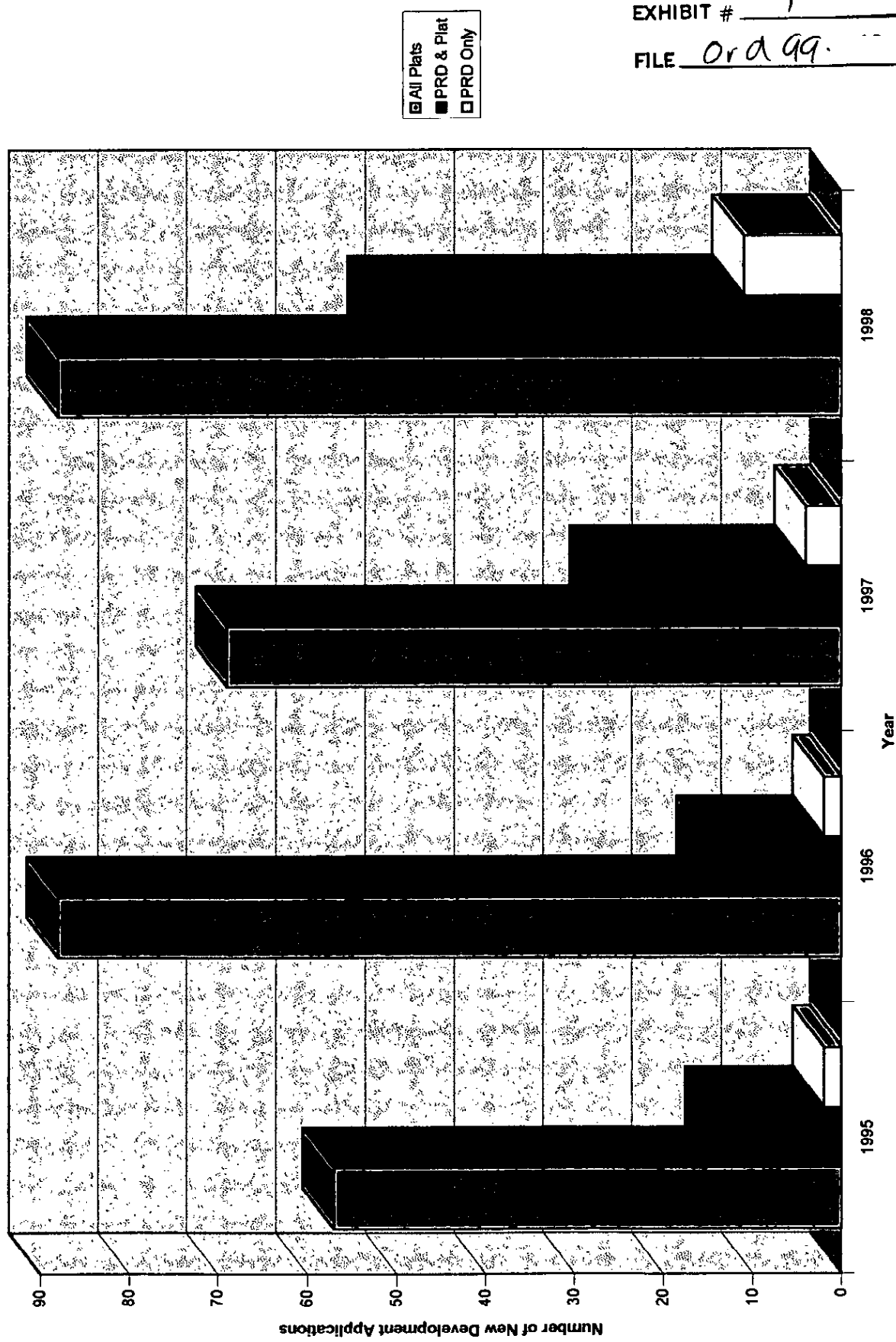
Deputy Prosecuting Attorney

D-11

Exhibit 1
January 22, 1999

PRD Rezone and Preliminary Plat Submittals
1995-1998

SNOHOMISH COUNTY COUNCIL
EXHIBIT # 1
FILE Ord 99.



SNOHOMISH COUNTY COUNCIL

EXHIBIT # 2

FILE Ord 99.

To: Stephen Holt, Director

From: Hi Bronson, Subdivision Team Leader 

Date: January 15, 1999

Subject: PRD Applications

1. As of 1/15/99 there are **51** PRD applications in the (submittal to hearing) review pipeline which are deemed complete.
 - a. Of the complete PRD applications **7** are not associated with either a plat or short plat. One (**1**) of these is a multi-family application (Meadow Park Senior Housing) and the remaining **6** are either single family or duplex or a combination of multi-family, single family and duplex applications.
 - b. Of the complete PRD applications **42** are associated with plats and **2** are associated with short plats.
2. The pipeline includes **6** additional new PRD applications for which the 28 day completeness determination evaluation has not yet been made. Five (**5**) of these are associated with plat applications. The remaining application (**1**) in this category is the Jordan Village (Israel Family) housing demonstration project.
3. The pipeline also includes **4** additional PRD applications which have been deemed to be incomplete, but may become complete at any time with a resubmittal. Two (**2**) of these are associated with plat applications and one (**1**) with a short plat application.

Note: The numbers above will change daily as new applications or resubmittals are received, existing new cases are evaluated for completeness and as cases go to hearings.

**SNOHOMISH COUNTY COUNCIL
PLANNING COMMITTEE MEETING MINUTES
TUESDAY, SEPTEMBER 22, 1998 9:00 A.M.
6th Floor County Administration Bldg., Everett, WA**

PRESENT:

Dave Somers, Chair
Barbara Cothorn, Councilmember
Rick Larsen, Councilmember
Gary Nelson, Councilmember
Steve Holt, Planning Director
Ray Allshouse, Planning
Carolyn Sanden, Planning
Jennifer Russell, Planning
Dennis Derickson, Planning
Michael Zelinski, Planning
George Newman, Planning

Joni Earl, Deputy County Executive
Sheila McCallister, Council Staff
Patrick Curran, Silver Lake Water Dist
Rolf Jacobsen, Planning
Patrick Downs, Dep Prosecuting Atty
Ralph Krutsinger
Grady Helseth
Susan Shelton
Jane Cooper
Tom Rogers, City of Mill Creek

ACTION ITEMS

1. Request for an emergency appropriation for Fund 193, (Planning and Development Services) (5 min)

BACKGROUND: This is a request for \$866,033 to increase specific budget line items for the 1998 budget due to unprecedented activity levels and hire 12 additional FTE's.

RECOMMENDED ACTION: To work session September 30 to set time and date for public hearing.

DISCUSSION: Steve Holt, Carolyn Sanden and Jeni Russell explained the intent of the proposed action. Mr. Holt advised the council that the projected revenue for all permit activity was estimated to be \$11,396,192 for 1998. The actual revenues received through August are \$11,445,066. Commercial permits: \$1,247,930-projected; \$2,580,048-actual through August. Residential: \$5,257,553-projected; \$4,446,157-actual through August. The revenue projections are developed with a formula using 5 year history information and current factors. All this activity is necessitating the need for more help. Proposed positions include 1-counter staff; 8-building section (predominately commercial); and 3 land use section (final construction and right of way).

Mr. Newman responded to questions of Councilmember Cothorn regarding the intake of applications and what affect these positions will have on that. Mr. Newman stated that maximum intake capacity is 5 applications per day and each planner is assigned up to 35

projects at any one time. Ms. Sanden stated that the workload exists and needs to be worked.

In response to a question from Councilmember Somers regarding what happens if a slowdown occurs, Mr. Holt and Ms. Russell responded with information relating to the 3 year fund liability work plan chart which shows the work in the pipeline. This work will need to be completed regardless of whether there is a slowdown or not. This 3 year timeline would provide ample time for the Department and Executive to decide how to respond to down turns in activity.

Councilmember Somers asked how much of this activity relates to long range planning. Mr. Holt stated that the numbers provided to the council are strictly related to permit fees - current planning. However he believes that there is a relationship between the two - you can't have the activity until the long-range planning has been done. Mr. Holt indicated that this has been and will continue to be a topic of discussion with the Executive's office to determine if any of the permit fees should be directed to long-range planning.

Joni Earl, Deputy Executive asked the council to remove the work "project" from the first paragraph of the proposed ordinance. She stated that these are not proposed to be project positions. These will be full time permanent FTEs. No opposition was heard from the council.

ACTION: To work session 9/30/98 to set time and date for public hearing.

2. Request to increase specific budget line items for the 1998 budget due to implementation of the new Title 24/17 ordinances. (5 min)

BACKGROUND: The following ordinances were adopted by Council on August 5, 1998: 98-057, 98-056, and 98-055. These ordinances were drafted with the intent that two and one-half (2 ½) additional FTE's would be needed to process the additional workload. We are modifying that understanding by an additional half time (1/2) FTE to request a total of three FTE". New fees would cover the cost of these positions. Revenue Source: Fund 193 permit fees (new).

RECOMMENDED ACTION: To work session September 30 to set time and date for public hearing.

DISCUSSION: Mr. Holt explained that the 3 new FTEs would be utilized in the implementation of the new Drainage and Grading codes.

Ms. Earl stated that these 3 new FTEs (as well as the FTEs proposed in items 1 and 3 of this agenda) will be permanent FTEs rolled into the base budget for 1999.

Ms. McCallister asked about the need for language in the text of the ordinance to indicate that the council is authorizing new FTEs above the personnel cost lid. She will work with staff if determining what language is necessary and conform the ordinance as appropriate prior to work session.

ACTION: To work session September 30 to set time and date for public hearing.

3. Request for an emergency appropriation in the amount of \$58,886 to support the County's response to the Endangered Species Act proposed listing of Puget Sound Chinook Salmon. (10 min)

BACKGROUND: The Executive has convened an ESA taskforce to develop and implement an ESA response. The Executive is requesting in this additional appropriation a \$58,886, emergency appropriation for the addition of 3 FTE's. Additional 1999 needs will be reviewed in the context of the Executive's 1999 budget review.

RECOMMENDED ACTION: To work session September 30 to set time and date for public hearing.

DISCUSSION: These new FTEs will be used to backfill positions for PDS staff that have been committed to the ESA effort. These positions are those that were requested in the ESA work plan that was reviewed by the council several weeks ago.

Ms. McCallister asked about the need for language in the text of the ordinance to indicate that the council is authorizing new FTEs above the personnel cost lid. Councilmember Nelson asked that language be added to reflect that these are backfill positions. Ms. McCallister will work with staff if determining what language is necessary and conform the ordinance as appropriate prior to work session.

ACTION: To work session 9/30/98 to set time and date for public hearing.

4. County Council Motion approving the 1998 Silver Lake Water District Wastewater Comprehensive Plan Update. (10 min)

BACKGROUND: The Silver Lake Water District has formally submitted its Wastewater Comprehensive Plan Update to the County Council for review pursuant to RCW 56.08.020. The Council must take action on the plan before October 21, as provided for in RCW 56.08.020, or the plan will be deemed approved.

RECOMMENDED ACTION: To work session September 30 to set time and date for public hearing.

DISCUSSION: Michael Zelinski summarized various components of the Plan. PDS is recommending that the Plan be approved based on its consistency with the Growth Management Act and the approval criteria of RCW 56.02.060. The County and State Health District's have approved the plan, as well as the Dept. of Public Works. Patrick Curran addressed various questions of the council.

Councilmembers discussed the option of holding a public hearing or approving at work session. Councilmembers agreed that in light of the testimony that was received at their public hearing last night (Growth Phasing Overlay & Other land use issues) regarding the utility service projected to be provided by the Silver Lake Water District, that they should hold a public hearing.

ACTION: To work session 9/30/98 to set time and date for public hearing. Suggested public hearing date is Wednesday, October 14 at the hour of 1:30 p.m.

5. An ordinance to amend Snohomish County Code Title 29, regarding boundary line adjustments. (15 min)

BACKGROUND: The purpose of this ordinance is to: update and improve title 29; codify policies that have been used to help administer the code; provide clear standards for what constitutes a minor boundary line adjustment, and; close loopholes which foster misuse of the boundary line adjustment process.

RECOMMENDED ACTION: To work session September 30 to set time and date for public hearing.

DISCUSSION: Rolf Jacobsen provided the council with a summary of the proposed ordinance amending the BLA regulations. Utilizing the overheads submitted with the ECAF packet, Mr. Jacobsen explained various scenarios for when a BLA would be an appropriate remedy to a boundary line issue. He also explained however that the BLA process is not the only remedy to be looked at. In certain cases, a plat or short plat alteration would be appropriate. Or, perhaps the process that allows for the combination of whole lots, or even the formal plat or shot plat process would be more appropriate.

Comments were received and responded to by staff, from citizens Jane Cooper, Ralph Krutsinger and Grady Helseth.

Councilmember Cothorn asked for a wording change to the new purpose section under proposed new chapter 29.22 relating to corrections to approved BLAs. The current reading makes it sound like the purpose of the chapter is to correct errors - when in fact the purpose of the chapter is to provide a process for making corrections to approved BLA. Ms.

McCallister will work with staff and DPA on developing amendatory language and conform the ordinance prior to introduction.

ACTION: To work session 9/30/98 to set time and date for public hearing.

6. Proposed interlocal agreement with the City of Mill Creek to continue Joint Phase 2 Planning within the unincorporated UGA.

BACKGROUND: This amended interlocal is intended to revive the joint planning agreement originally signed in December of 1995 which has since expired. It is based on the original language but also provides for collaboration in contracting for professional services, which are needed to support this project.

RECOMMENDED ACTION: To work session for approval.

DISCUSSION: Michael Zelinski summarized the intent of the amended interlocal agreement (see background information above). The agreement will remain in effect until completion of Area B planning. The City Council will be looking at the contract in early October.

ACTION: To work session September 30 for approval.

DISCUSSION ITEMS:

1. Marysville/Strawberry Fields emergency amendment - update.

Dennis Derickson advised the council that a schedule has been put together for the review of this proposed comprehensive plan amendment. PDS will be briefing the Planning Commission this afternoon. Staff report is being reviewed by the Executive and PA. The next step is the 60 - day notice to the state followed by a Planning Commission hearing next month and then on to the council for public hearing. Marysville will be working out the timing for submitting proposed annexation.

Mr. Holt stated that the issues that had been identified were: 1) expanding the UGA for park; 2) how to synchronize plan amendment with annexation process; and 3) Marysville's intention to do some early grading work. Mr. Holt stated that #3 is no longer an issue because it is his understanding that Marysville will be waiting until spring to do the grading work. Mr. Derickson stated that the IAC contract with Marysville has specific timelines for site development action to occur.

2. **PRD Standards – both urban and rural (at the request of Councilmember Somers & Councilmember Cothorn.**

DISCUSSION: George Newman provided the council with information relating to the what a Planned Residential Development (PRD) is, who they work and what is required for approval. He also provided information relating to how many applications are currently pending. (See attached handout)

Council identified some potential issues for further discussion: urban design standards, compatibility, open space requirements, tree retention, maintenance of detention/retention facilities, and how the aesthetics in the unincorporated areas differ from city reg's.

ACTION: Due to time constraints, the council continued this discussion to a future planning committee.

Council recessed at 11:05 a.m.

Planned Residential Developments (PRD's)

Council Planning Committee, September 22, 1998

What is it?

- It is a rezone.
- It requires an official site plan.
- Based on unit yield; does not differentiate by housing type (can have multifamily in a PRD-9600 zone).
- See purpose section, 18.51.010 SCC

How does it work?

- Requires 15% of gross area in open space. 35% of the required 15% must be usable.
- It could be in conjunction with a preliminary plat.
- Recently trend without a preliminary plat (detached single family or duplex condominium development).
- 3500 sq.ft. minimum lot area
- 40 ft. minimum lot width
- PRD-7200 rezones have generally been approved by the Hearing Examiners in UGA's in the 4-6 d.u./acre density range.
- PRD rezones with a concurrent preliminary plat appear to presently be the residential development choice in the Urban Growth Areas.

What is pending?

- Approximately 189 active preliminary plats, preliminary short plats & "stand-alone" PRD Rezones considered active: distributed amongst 6 senior planners/project managers.
- Since January 1, 1998 through yesterday we have received:
 - 111 preliminary plat applications (44 of these included a concurrent PRD rezone; 40%);
 - 6 PRD's without a concurrent preliminary plat.
- Since June 1, 1998 through yesterday we have received:
 - 60 preliminary plat applications submitted (30 of these included a concurrent PRD rezone; 50%);
 - 5 PRD's without a concurrent preliminary plat.
- Since January 1, 1998 through yesterday we have received **only 3 RCS applications**;
- Clear and significant trend.

What are the issues?

- MR rezone appeal: compatibility with established single family residential.
- Crawford Road appeal issues: minimum net density issue and compatibility.

What are Council identified issues of concern? *urban design standards*

- *compatibility*
- *open space*
- *tree retention*
- *aesthetics in the unincorporated areas differ from cities*

SNOHOMISH COUNTY COUNCIL

SNOHOMISH COUNTY COUNCIL
RECEIVED *PH* TIME *10:30*

EXHIBIT # 4

FILE Ord 99.

OCT - 9 1998

Dave Somers Snohomish County Council Member
3000 Rockefeller Ave.
Everett, WA. 98201

CC'D TO:		CF	
JAG	DIST 1	<input checked="" type="checkbox"/>	KJM
DWG	DIST 2	<input checked="" type="checkbox"/>	STM
AMB	DIST 3	<input checked="" type="checkbox"/>	BSS
BKN	DIST 4	<input checked="" type="checkbox"/>	Other
TCD	DIST 5	<input checked="" type="checkbox"/>	All Staff

Dear Dave:

Our neighborhood (west of Mill Creek, south of Martha Lake) is experiencing an onslaught of development activity. Options are being offered on parcels of property, so applications can be submitted for PRD 7200 plats... which means we end up with hundreds of 3500 sq. ft. lots. Growth is inevitable, but where is the concurrency? Our area still has rural flavor. Our roads are narrow, with limited lighting, no sidewalks or storm drainage. How are we going to accommodate all of this growth? How is the county planning to bring us into a true URBAN category?

We wrote a long letter to Steve Holt on September 21, 1998 (a copy was sent to you) asking for a community meeting to hear about the overall growth plan for our area. The largest amount of "open space" being set aside by these proposed developments is ugly fenced water retention ponds. We really need to hear from Planning, Public Works and the Park Dept. as to what they have planned for our future. Unfortunately, we fear that there is no PLAN or development standards being used.

Developers are rushing to put something on paper just to get stamped into the application system. Why does the county allow rezone applications without really owning the property? And why are the applications "vested" at the time of submittal? What other city/county does it that way? Shouldn't it be changed to when the plat gets approval? This is horrible disservice to the citizens. What kind of community are you creating? How are all our different lot sizes going to blend? What about the traffic congestion and drainage problems? If you are expecting our area to be annexed, shouldn't we create something desirable?

We urge you to re-read our letter to Mr. Holt. We ask that you consider some type of emergency ordinance or moratorium to get a handle on this situation. We deserve an overlay plan, design standards, and a community meeting to discuss these issues.

Thank you for considering our request.

Most sincerely,

Patti & Mike

Patti and Mike Bourgault
1517 Maple Road
Alderwood Manor, WA 98037-4799
425-743-3492

Would you invite these people to the meeting.

October 10, 1998

SNOHOMISH COUNTY COUNCIL

RECEIVED _____ TIME _____

*received from Jeff
3:10pm*

OCT 13 1998

Gary Nelson
Snohomish County Council
County Administration Building
3000 Rockefeller
Everett, WA 98210

SNOHOMISH COUNTY COUNCIL

EXHIBIT #	<u>5</u>	CC'D TO		CF	
FILE	<u>Ord 99</u>	JAG	___ DIST 1	KJM	___
		DWG	___ DIST 2	SYM	___
		AMB	___ DIST 3	BSS	___
		SKN	___ DIST 4	OTHER	___
		TCO	___ DIST 5	ALL STAFF	___

Dear Mr. Nelson:

As residents of South Snohomish County, we are frustrated by the lack of coordination and the piece-meal approach to planning and development in this area. The integrity and historical character of our neighborhood, which was once known as Tutmark Hill, is under siege from developers who want to cram as many houses as possible onto postage-size lots. Little thought is given to the impact on the residents who already live in this area. It is in the County's best interest to retain safe and desirable neighborhoods.

We live in a rural area that developers are hoping to urbanize. The County and developers gain in revenue while the residents suffer. There was no previous notification nor were residents involved in the process. Residents should be involved from the beginning of the process to work out compromises on lot size, sidewalks, open space, etc. Little is being done to mitigate the impacts of water runoff and drainage, limited lighting, pedestrian safety or increased traffic.

This area does not have the resources to accommodate uncontrolled growth. Three separate projects totaling 132 houses on lot sizes ranging from 3,501 to 5,374 square feet are soon to be reviewed by the planning commission. Over 1,000 new average daily trips will be added to our road system. We are very concerned with the alignment of new roads intersecting existing arterials and limited sight distance. We are disturbed by this leapfrog approach to development.

We agree with the letter in The Herald dated September 17, 1998 by Joanne Hiersch that there is "an imbalance of developer interest in Snohomish County government". As citizens, we do not feel that our concerns have been addressed or our interests represented by our public officials. We are asking that a moratorium be placed on development in this area and a plan be put in place to address the concerns of community members. We would like to see a community meeting to address these issues. We need to be involved in the process before the fact, not after. Is the County considering the best interests of its residents or the special interests of developers?

We would appreciate a response to this letter.

Sincerely,

Janice L. and Richard C. Rowe
1022 - 178th St. S. W.
Lynnwood, WA 98037

READ



Snohomish County

SNOHOMISH COUNTY COUNCIL

Planning and Development Services

EXHIBIT # 6
FILE Ord 99- - -

SNOHOMISH COUNTY COUNCIL
RECEIVED OK TIME 2:25pm

Robert J. Drewel
County Executive

M/S #604
3000 Rockefeller Avenue
Everett, WA 98201-4046
(425) 388-3311
FAX (425) 388-3872

OCT 15 1998

October 13, 1998

Mr. and Mrs. Bourgault
1517 Maple Road
Alderwood Manor, WA 98037-4799

CC'D TO:		CF	
JAG	DIST 1	KJM	
DWG	DIST 2	STM	
AMB	DIST 3	BSE	
SKN	DIST 4	Other	
TCD	DIST 5	All Staff	

Dear Mike and Patti:

Thank you for the very thoughtful expression of concern about future urban development in your neighborhood. You ask tough questions about the provision of public facilities and services in the urbanizing North Creek area. What I like most about your letter is the recognition that real answers to the process of preserving quality neighborhoods has much to do with building partnerships between residents, the county, and city/district service providers. For this reason, I would be delighted to work with you to plan for a community meeting.

Most of your questions deal with the subject of planning for adequate public facilities and services to be available at the time that development occurs. There is much to discuss and assumptions to be explored in order to address these questions at the meeting. For instance, which public facilities and services are the responsibility of the county, and which are a local obligation of cities and districts? What level of planning (i.e., regional, local, neighborhood) is appropriate for a county as opposed to an annexing city, and what happens in the interim?

I think we can address some of your questions at a neighborhood meeting. In addition, we can more fully describe the UGA planning efforts that are underway, as well as those anticipated in future years.

Thank you for your continued contributions to the GMA discussions. Please call Janice Timbers, Administrative Assistant, at 425-388-3424 to work out a date convenient to your plans.

Sincerely,

Stephen L. Holt
Director

cc: Joni Earl
Larry Springer
Gary Nelson
Janice Timbers

Rev: 3/1/1995
RECEIVED
SEP 25 1998
PLANNING & DEVELOPMENT
SERVICES - DIRECTOR

S. S. C. P. A.
South Snohomish County Preservation Association
1517 Maple Road
Alderwood Manor, WA 98037

Mr. Steven Holt Director
Department of Planning and Development Services
Snohomish County Administration Building
Everett, WA.

Sept. 21, 1998

RE: "URBAN AREA GROWTH PLAN" North Creek Comp. Plan Area

Dear Mr. Holt;

Our organization is requesting that your department put an immediate moratorium on all plat/rezone processing until your department has completed the "urban area growth plan" for our area of interest. We have been informed that development occurs on an individual basis, with no plan, standards or purpose, and that we should just move out of the area. That doesn't speak very well of the "planning department." We are hoping you can calm our fears and give us an overall picture of what is to come. Our narrowed area of interest would be from 164th south to Filbert Road, and I-5 east to 3rd SE (Mill Creek).

We understand that our vicinity is within the Urban Growth boundary and the current vacant land will be developed. BUT this build out shouldn't entirely be PRD's or other plating requests that are averaging 3500 square foot lots. We have many wonderful existing plats on larger size lots and feel very strongly that your department must review immediately how our area can be blended with infill development and maintain its basic neighborhood character. How many undeveloped acres do you have cataloged for this area? How will the roads (and all infrastructure) be improved to coordinate with this large amount of growth?

Where in GMA does it state that all new lots will be the very minimum? What has happened to Concurrency? It seems to us that we really don't have any more zoning protection. Other jurisdictions are able to incorporate a variety of lot sizes, why not us?

There are several developers, obtaining development options by waving Huge sums of money at property owners, much more than they would offer normally, because of PRD's and postage size lots (3500 ft). The property owners we've talked to have NO idea how many lots the developers are requesting. Our neighborhood is about to be ruined because of Money and Greed. There is a worry that the county no longer engages in enough planning, but is primarily a department of "Developer Services."

Our elected officials are under the assumption that PRD's are a maximum of 4-6 lots per acre and that any bonus's given to developers are to ensure that each plat retains open space and play areas for children. Is it correct that the developer is getting about 7 or 8 lots per acre because they are given credits for drainage retention ponds, (considered "Open Space") and for the road system within the plat? We feel very strongly that these two practices MUST STOP. Drainage retention cannot be deemed Open space unless they are completely Open and Landscaped. Public roads (cul-de-sac's) within a plat are an integral part of the plat. Developers cannot plat with each individual house having it's own separate driveway to the main roadway (arterial). The county requires these roads be built to public standards to ensure the character of the county road system. Developers should not be given a lot bonus for having to install public roads. Shouldn't these roads be built to the 60ft. standard the same as short plats are required?

We are requesting that your department review our area and schedule an Open House type of meeting in our neighborhood within the next 30 days to include the following subjects or concerns. Furthermore, we would be happy to take you on a tour of the area as soon as possible.

1. Will there be a widening of Larch from 164th to Filbert, Maple Road, Maple Rd. Bridge? We want raised sidewalks and a bikelane? (Urban standards) When and what funding is available or needed to complete this?
2. What new local connectors will be needed to accommodate this growth? Where are they proposed and what funding is available?
3. What is planned for the critical intersection at Larch and 178th (Maple Rd).
4. What is planned for the intersection of Filbert and Larch and what funding is in place for the widening of 196th from 28th to SR527 and when?
5. What Open space has been identified for our area between 164th and Filbert?
6. What is the rule for Open space within a plat? How much land must be set aside for a 15 lot plat, 25 lots, 50 lots, 100 lots? Is there a formula?
7. What Park land is being purchased and planned between 164th and Filbert or what is planned to be purchased?
8. Will our area have new neighborhood parks for current residents to enjoy? Why are the recreation areas (play areas-open space) for the exclusive use of the plat residents?
9. We feel the county park department has a responsibility to purchase, develop and maintain parks as growth occurs. Our area was once considered a site for a major recreational facility for baseball and soccer fields, in conjunction with the City of Lynnwood. We are still supportive of this idea in the area between Larch and Butternut on the south side of 178th. We would like the park department to identify a park site similar to Wilcox park in Lynnwood, that would accommodate day use, picnic facilities, tennis courts, play area and open space and at least two smaller neighborhood parks with a walking sidewalk trail system that would tie them all together. Mill Creek and Harbour Point incorporated these into their planning as well as seeing the needs for libraries, fire and police protection.
10. What are we going to do to curtail open drainage ditches, many are such an eye sore. Urban Growth should mean storm drainage systems...not ugly, street side fenced holes in the ground.
11. Are you sure the sewer/water will have enough capacity for all the new development, storm drainage and enough provision for all the homes on septic to also be accommodated.? Are the current homeowners figured into the infrastructure equation?
12. Could you bring a map showing all additional school sites, fire and police needs? Do you have overlays of all infrastructure needs of our area?
13. Since PRD developments are classified as "Planned" can we expect our area to be similar to planned developments of Mill Creek and Harbour Pointe? And what covenants (protections) are in place to control parking, RV vehicles, trucks etc? As it is now, we have apartment parking that spills out onto no parking zones and walk/bike pathways along Larch Way.

14. When was the concept of PRD's first approved within your department verses Subdivision plating?
How are they different?
15. What authority does each Snohomish Co.Planning "Contact person" ie. have in regard to making changes or modifications on plat submittals to protect existing neighborhoods?
16. What guidelines, procedures, existing legal laws does the Hearing Examiner have to reduce, change, modify proposed plats to protect existing neighborhoods, if the build-out is too great or too fast in one area before any infrastructure is in place. Or what ordinances is your department developing?
17. Does your Department feel that varied lot sizes are important to neighborhood character or does staff feel that 3500 square foot lots are the only way to fulfill Growth Management?
18. How many lots have been platted or have filed for development in the Paine Field area compared to east of I-5 from 128th to 196th? Wasn't the Paine Field Comp plan area where the county had planned for the intense development?
19. Water Quality is of immense concern. What is your policy and long range plan to maintain water quality in south Snohomish County?

In conclusion, SSCPA is requesting a complete review of our area to ensure the build-out will include an Urban size Park, neighborhood parks, a trail system, school sites, road widening and raised sidewalks, street lights, storm drainage (to eliminate drainage ponds), sewer and water lines to accommodate ALL property owners plus improved police and fire safety needs. We would like to take you around our neighborhood to point out areas of concern and to work together to plan for a community meeting.

We look forward to your response. Thank you for taking the time to read our lengthy request.

Most sincerely;

Mike and Patti Bourgault

Mike and Patti Bourgault
South Snohomish County Preservation Association
1517 Maple Road
Alderwood Manor, WA 98037
(425) 743-3492

- cc. Snohomish County Council
County Executive's Office
Parks and Public Works Department
Sheriff, Fire and Alderwood Water District
Edmonds School District
Local Homeowner Associations
City of Lynnwood
City of Mill Creek

SNOHOMISH COUNTY COUNCIL

December 9, 1998

EXHIBIT # 7

TO: Hi Bronson, Snohomish County PDS

FILE Old 99

RE: Revisions to Ch 18.51 SCC, Planned Residential Development

The PRD chapter is lax and poorly-written. The developments resulting from its permitted use are not simply universally ugly, they constitute a horrific abuse of the land and the environment. This usage is on the increase. Following are suggestions for urgently-needed changes - ASAP - to the PRD chapter.

You will find that the major sections involved are:

- * .010 - Purpose
- * .020 Permissible zones
- * .047 - Dwelling unit calculations
- * .048 - Minimum density requirements
- * .050 - PRD Standards

REZONE - This land use designation is called both "rezone" and "overlay". It is neither fish nor fowl. It is so easily permitted (Hearing Examiner) and lax, that - through multiple PRD applications/developments - extremely large areas indeed undergo a de facto rezone without any sort of legislative (council) oversight or public review. It is inconsistent with the GPP, and runs counter to GMA requirements.

CUMULATIVE IMPACT - These must unflinchingly be taken into consideration. The above remarks also speak to this problem.

MINIMUM LOT SIZE - This should be changed back from 3500 sf to 5000 sf for PRD 9600. The MLS is used to compute the number of dwelling units. The resulting number of units and density is **too high** for the 9600 zone. This also goes to consistency in the GPP definition, regarding 'overlap'.

D.U. CALCULATIONS- Use net area, not gross area.

- * This is a **reality** factor: how many units on how much buildable land. That's what actual density is.
- * This is a **compatibility** issue with surrounding (adjacent) land uses and established neighbourhoods (.010(5)- Purpose). Must be adhered to.

MAXIMUM DENSITIES - should be limited. At present, the resulting densities are as high as 13 du/acre - or more than **double** the upper limit of the 4-6 du/acre zoning (incompatibility). The smaller 3500 sf minimum lot size combined with the 20% 'density bonus' results in these unacceptably high densities.

- * For PRD-9600, the MLS should be 5000 sf.
- * The density bonus should be eliminated.

AMOUNT (%) OF IMPERVIOUS SURFACE should be limited. The criteria should take into account the sensitivity of the site and its features, adjacent critical areas, slopes, etc.

PRD Comments - 2

% OF ALLOWABLE LOT COVERAGE should be lowered, particularly for sensitive sites, slopes, etc.

The Purpose section (.010) of this Chapter has (to put it mildly) has never ever been adhered to ('prostituted' comes to mind), particularly as regards protection of critical areas, preservaton of trees, topography, and geologic features, open space, and compatibility with surrounding areas. **Mandatory language** must be inserted to strengthen and enforce these principles.

RETENTION OF TREES AND VEGETATION - (.010(7))

LANDSCAPING CRITERIA - Establish time-line: **what and when**. This is important. Note: on such very small lots - essentially zero-lot-line - what vegetation is even possible? Define criteria.

LIMIT EXTENT OF GRADING (.010(7)) - No radical topographical changes through grading should be permitted, particularly on sensitive and sloping sites. The word 'encourage' should be dropped, 'shall preserve' used in its stead.

OPEN SPACE (.010(1) & .050) -

* % of "unbuildable land" allowed must be lower than 65% of total. So-called 'usable open space' must be actually usable, not simply lip service on a plat map.

* 'Open Space' must not include detention ponds! Specifically exempt detention ponds from this section!

WETLANDS/OPEN SPACE - To qualify as "unbuildable land" for o.s. %, the wetland must be within the buildable site, not adjacent to it. In other words: buying a site which consists mainly of wetland, and designating that wetland area as open space certainly flouts the (supposed) intent of the Purpose. This is a huge loophole.

These are my suggestions (to date) on this issue.

Yours very truly,



Jane W. Cooper

Ph/fax; 425/743-7213

cc: STEVE HOLT

Summary Report of Recorded Public Comment

Open House on Growth and Development
in South Snohomish County, December 17, 1998

Prepared by Public Involvement/Communications Group,
Snohomish County Department of Public Works

Event Description

Informational Open House on Growth and Development hosted by South Snohomish County Preservation Association, December 17, 1998, 7:00-9:00pm, North Creek Presbyterian Church.

Snohomish County Representation

County Council - Barbara Cothorn, Councilperson; Cecilia Wilson, Council office
County Executive - Joni Earle, Deputy Executive
Parks and Recreation - Ron Martin, Charles Brennick
Planning and Development Services - Marc Krandal, George Newman, Gary Reiersgard, John Roney, Darrell Sorenson
Public Works - TES: Loren Sand, Jim Bloodgood, Bill Ryan; SWM: Joan Lee, Randy Cowart, Blaine Chesterfield, Karen Kerwin, Craig Young; PIE: Jeannie Yeckley, Tina Hokanson
Sheriff - Dennis Ballard, Mariana Matthews

Neighborhood Organizations Represented

South County Preservation Association
Hill Top Neighborhood

Public Representation

Sign-in sheet = 134 names; estimated total attendance = 200+

Summary of Public Sentiment

The following is a summary of general, public sentiment expressed in written comments, ideas, and opinions registered by attendees on flip charts and feedback forms provided at the event. Approximately 45 entries (frequently containing more than one specific comment) were recorded on flip charts placed around the room for use by attendees. Of approximately 200 feedback forms handed out to citizens, a total of 38 were returned to collection boxes in the meeting room.

The analysis below does not include any consideration of verbal comments made by citizens to County representatives at the meeting.

A. Respondents' sentiment about the event itself

The open house format of the meeting was not popular with respondents. Of those who responded to "Meeting Format" on evaluation forms, about 71% rated the format as "Poor." Numerous comments were made on flip charts and feedback forms criticizing the format of the meeting. There was strong disappointment that the format of the meeting was not more like a town hall meeting, public hearing, or "forum." Many citizens wished to have public officials

seated before them on a panel where they could be confronted by individual audience members, and where the entire audience could hear officials' responses to questions.

Some respondents felt that the full weight of the community's common voice could not be registered at the Open House. Several attendees also commented that the informal, conversational format of the meeting allowed County representatives to be evasive and avoid the accountability hot seat.

There were many comments requesting more frequent and direct opportunities for communication with County officials. Twenty-one people, over half of those who returned feedback forms, said they were interested in participating in a "citizen interest group." Of these, 68% felt the Open House meeting format was "Poor;" and 58% gave "How your questions were answered" a "Poor" rating.

B. Sentiment about the courtesy and efficiency of County staff at the event

Respondents were overwhelmingly positive about the treatment they received from County representatives at the Open House event and about the graphic displays provided for their benefit. Approximately 95% of those who evaluated "Staff courtesy and efficiency" rated this quality as "Good" or "Adequate." While there was significant sentiment that staff "beat around the bush" or were otherwise unsatisfactory at dealing with specific issues, there were virtually no derogatory comments written about staff competence or behavior. There were, in fact, several comments of appreciation and expressions of gratitude to the County for providing this opportunity for citizens to be heard.

C. Sentiment about growth and development issues.

The list below indicates the range and importance of concerns expressed in written comments gathered at the Open House event. The list is ranked by order of importance as measured by the total number of pertinent comments [shown in ()] recorded for each subject area.

- #1 (48) Density of development in the community and related infrastructure needs
- #2 (45) Land use/development policies and practices
- #3 (35) Road conditions/traffic congestion
- #4 (30) Development-related safety issues
- #5 (28) Government process/accountability
- #6 (27) Drainage and water issues
- #7 (19) Community voice/participation in process
- #8 (18) Open Space/Environment
- #9 (4) Property values

The thrust of public sentiment expressed by the written comments gathered at the meeting is that high-density development, principally in the form of PRD's, is damaging the quality of life traditionally enjoyed by residents in several South County neighborhoods. Many residents believe that public infrastructure systems and supporting services - sidewalks, schools, roads, traffic controls, stormwater management systems, parks and open space - are falling too far behind the pace of new development. Many blame regulatory authorities for not properly administering or enforcing controls on private developers. Some comments indicate suspicion of cooperation, if not collusion, between government agencies and private developers to short-cut

protective legislation for financial gain. Some citizens point to specific examples, such as allowing roadways and detention ponds to qualify as "open space" in high-density developments.

Residents in this area are apparently frustrated because they do not see an overall development plan or strategy in effect that respects their interests. Many assume that such a plan exists, but don't know, understand, or agree where authority for implementing the plan resides. Many assume that County government carries primary responsibility for managing growth and development activities in their area.

There is considerable sentiment among residents that they are not adequately informed of impending development actions, nor are they given sufficient voice in influencing development activities in their communities. A number of residents proposed a slowdown of development activities, including imposing a moratorium on high-density development in areas where infrastructure deficiencies are particularly severe.

Finally, there is very strong sentiment, if not downright demand, for improving communications between County government and citizens. Citizens in the South County neighborhoods represented at the Open House event were very assertive on this point. Many commented on their frustrations at obtaining "straight answers" from County agencies and officials.

It is very likely that the question posed on the County's feedback form "Would you be interested in participating in a citizen interest group?" was perceived as an offer to actually initiate this form of public engagement if enough interest were shown. Fifteen percent of the 134 residents who registered at the event said "Yes" to this opportunity. There is surely an expectation by these citizens that the County will continue to participate in the public dialogue on growth and development initiated at the Open House event.

SOUTH COUNTY
PUBLIC COMMENTS

December 17, 1998

Exhibit 9

PLF?
SNOHOMISH COUNTY COUNCIL

EXHIBIT # 9

FILE Ord 99-

- The County has demonstrated (164th) that they can't hire a road builder so you keep developing and then have to widen roads. It will take forever-driving around dirt piles. What about the quality of life for those of us who live here now?
- I believe that the houses by Maple Road should be private, and there should be speed bumps.
- Me, too.
- Why do developers get carte blanche to strip every tree from the landscape, put up huge (profitable) houses on tiny lots with no yards and have no responsibility for road improvement, water runoff problems, or environmental esthetics!?
- Who has the responsibility to PLAN the development in Snohomish County? Transportation, noise, environment, services, safety, drainage, etc.? This is not Growth Management, it is chaos! We want to work on solutions, but where are our elected officials??
- Please no PRD re-zonings.
- Don't count drainage retention ponds as "open space".
- Kids can't play in retention ponds.
- Kids and pets can drown in unsupervised retention ponds.
- Please stop the zoning changes!
- Don't take all the value from my property.
- No new building until drainage problem is solved.
- Not safe to go for a walk - traffic!
- Larger lots.
- Urban densities-urban services. Sewer, police, fire, roads, schools.
- Where are the "new children" going to play, go to school, etc.?

SOUTH COUNTY
PUBLIC COMMENTS

FLIP
CHARTS

December 17, 1998

- Why so many houses per acre? \$-prevent urban sprawl??
- Snohomish County needs to appropriate funds so that planning can take place period!!!
- When will Snohomish County comply with State law? (RCW 36.70A.160, 36.70A.172, 36.70A.175, 36.70A.040, 36.70A.070, 36.70A.110(2)).
- Who is responsible for all excess water runoff ruining my property and drain field?
- What about all the mosquitoes? Who will pay for medical/health costs due to disease?
- Don't add more to existing super congestion.
- Lots are TOOO! SMALL!!
- No more apartment buildings of 164th! Please.
- You are ruining area with over development; need more space for quality of life. Need more schools.
- They are so inefficient when they do road construction--this will be unbelievable for traffic.
- In 1 ½~2 years when you are finally done with planning in area A-1, what are you going to do for funding so that you can even start planning in this area (Area B).
- How is Walmart going to affect traffic on 164th? There wasn't a public hearing.
- Eliminate logging in residential areas w/o public comment and involvement.
- I agree we need more space. The County is making lot size too small. This is a poor excuse for a public meeting!
- This is not a meeting. It is show and tell. Give us a real meeting/forum.

SOUTH COUNTY
PUBLIC COMMENTS

FLIP
CHARTS

December 17, 1998

- Quit spending all the County resources on the urban fringe/rural fringe-- Get subarea plan updated NOW--and stop developments while you do it. Work with citizens--not just lip service.
- AMEN!!!
- No safe roads to walk along. Paved shoulders are not sidewalks!
- PRDs Retention ponds are not open space. They are storm water drainage systems. Unusable by the public. Don't give developers credit for something that's not there. Remove or delete from PRD guidelines.
- Also breeds mosquitoes! Danger to public health! These areas are NOT open--children cannot play there--retention ponds are unsightly, unsafe, & unhealthy!
- AMEN!

What will you do for:

- The decline in my property value as the neighborhood changes with packed houses?
- Water runoff - Martha Lake floods already. It'll only get worse with more pavement.
- Schools - Martha Lake Elementary is already full. So is Oak Heights.
- Traffic - There's no movement up the Bothell-Everett Highway or East-west across the freeway.
- I don't consider a water runoff pond full of mosquitoes to be "open space" where my kids can play.
- How can the county even consider allowing a rezone to a "PRD" when current zoning just changed to R9600 (4-6 lots per acre)!!!!
- Lets face reality--this is no longer a rural community. It is urban all the way and it will continue. I love rural life. I've owned acreage here since the 1940's. I want to move to a rural environment. Zone changes will increase my land values (my retirement). This area is already past rural stage and one must maximize urban growth to keep it from expanding into the rural areas.
- A developer must have written this ☹.

SOUTH COUNTY
PUBLIC COMMENTS

December 17, 1998

FLIP
CHARTS

Retention Ponds:

Standards, spec. some look like hazardous waste sites. Others are not fenced. Young children could and have drowned in them.

Responsibility belongs to the County planners.

- Should not be part of open space!! In 1 ½-2 years when the planning is done for area A-1 what are you going to do for funding so that you can even start planning for area B?
- Land use action signs should be written in large enough letters to read quickly when passing in a car.
- Stop reducing lot sizes.
- Why must you have a policy to force us to overdevelop our land by huge taxation and sewer assessments?
- Meeting too congested/can't read the maps. Too much housing too small roads give us a break before we get killed getting in and out of our property. Filbert Rd. and Filbert Dr.!!
- Need sidewalks on Larch-196 to 164th; 196th - Filbert from Mall to 527.
- Some maps out dated.
- Need more playfields in Alderwood Manor area.
- Meeting needs some organization.
- Are there any plans for security behind Martha Lake Elementary in Lynnwood?
- Retention ponds--dangerous. No one department responsible for safety and health.
- Lots are too small. Concerned about quality of life for existing home owners.
- County has a planning and development services department but no ombudsman (sorry John Rooney is not an ombudsman) for the citizen

SOUTH COUNTY
PUBLIC COMMENTS

December 17, 1998

FLIP
CHARTS.

residents to help them protect their quality of life, property, environment!
There needs to also be an advocate for unborn generations!

Exh. 2.1 + 10

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 10

FILE ord 99

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Overdevelopment with no regard ~~to~~ of impact to existing neighborhoods.
2. Allowing 3600 sq. ft. lots in areas where existing lots are 1/2 acre & larger.
3. Traffic, Roads, overcrowding of schools, crime, loss of wildlife, noise, drainage & pollution caused by excessive development.

Top 3 ways you feel the County should/could address your concerns

1. Change zoning back to at least 9600 sq ft lots or larger. Then we could have quality homes that could still generate enough taxes.
2. Following guidelines set forth by Growth Management Act. Not just random and thoughtless growth.
3. Moratorium on any further development until we can satisfy the majority.

Is there anything else you would like us to consider

Please, please, please listen to the concerns of the people in unincorporated Snohomish County & do not let the developers & builders make all of the decisions they do not live here, we do!

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Gregg & Tami Nolting
 17606-14th Avenue W
 Lynnwood, WA 98037

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting	X			
Meeting format		X		
Graphic displays		X		
Staff courtesy/efficiency		X		
How your questions were answered		X		
Other				

Regarding this meeting, what worked well for you?

Location & time

What can we do to improve meetings?

We would like a question & answer format. Thank you.

Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

CC'D TO
 JAG
 DWG
 AMB
 BSS
 STM
 KJM
 All Staff

Barbara Cobern
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

DEC 22 1998

This paper is recycled & recyclable. 12/98

RECEIVED
 SNOHOMISH COUNTY COUNCIL

Gregg & Tami Nolting
 17606-14th Ave W
 Lynnwood, WA 98037

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. That there is no over all coordinated plan to support High density ~~Urban~~ Urban zoning.
2. Surface water management Retention Ponds
3. Making this new urban development encourage people to want to live here.

Top 3 ways you feel the County should/could address your concerns

1. Meet to inform what plans are being considered.
2. Vote to put a moratorium on PRD permits until there is a plan for the infrastructure to support High density.
3. To consider applications for development in view of the surrounding area, not as a ~~single~~ single project.

Is there anything else you would like us to consider

Rewrite ordinance 26A to keep mitigation fee in the neighborhood
Encourage Creative Urban Design Standards!

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting			X	Didn't get until 2 days before
Meeting format	X			
Graphic displays	X			
Staff courtesy/efficiency	X			
How your questions were answered		X		
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Size of lots - too small
2. Narrow streets - Drainage
3. Traffic - Fire - Police

Top 3 ways you feel the County should/could address your concerns

1. Larger lots
2. Quality of homes
3. Another meeting

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Laurance
 1232 178th St SW
 Lynnwood Wash 98037

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting	X			
Meeting format			X	would like town Meeting Format
Graphic displays	X			
Staff courtesy/efficiency	X			very good
How your questions were answered	X			e
Other				

Regarding this meeting, what worked well for you?

I was happy with the answers received

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cobern
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. PLANNING - BIG PICTURE PLAN - NEIGHBORHOOD PARKS, SIDEWALKS, SCHOOLS, PLAYFIELDS ETC FOR EVERY NEIGHBORHOOD BEFORE HIGH DENSITY URBAN DEVELOPMENT PROPOSALS ARE APPROVED. NOW PRD'S ARE APPROVED ON A PIECEMEAL BASIS
2. IF PRD'S USE 'OPEN SPACES' FORCE THEM TO BE LARGE, CONTIGUOUS, USABLE SPACE, DON'T ALLOW UNBUILDABLE SCRAPS AT THE END OF STREETS OR DRAINAGE RETENTION PONDS TO BE COUNTED.
3. MAKE THE "URBAN" GMA AREAS LOOK URBAN - SIDEWALKS, UNDERGROUND DRAINAGE, ETC. (LIKE RESIDENTIAL LYNNWOOD LOOKS) BEFORE NEW DEVELOPMENT IS ALLOWED

Top 3 ways you feel the County should/could address your concerns

1. LOOK FROM A CITY PERSPECTIVE FOR GMA URBAN AREAS. WITH URBAN DENSITY, THEY SHOULD BE ANNEXED INTO A CITY, BUT THEY MUST BE CLOSE TO CITY STANDARDS - UNDERGROUND DRAINAGE, NEIGHBORHOOD PARKS, SIDEWALKS ETC. THESE IMPROVEMENTS MUST BE DONE TO EXISTING DEVELOPMENTS - PAID FOR, BY NEW DEVELOPMENTS???
2. FORMULATE A BIG PICTURE PLAN FOR EACH AREA. MAKE DEVELOPMENTS COMPATIBLE WITH EXISTING AREA - HIGHER DENSITY, BUT NO
 1. PRD 7200 (3500 SQ FT LOTS) ADJACENT TO 12,500 SQ FT LOTS.
3. ENFORCE THE INTENT OF THE LAW ENSURING CREDIT ONLY FOR LARGE USABLE OPEN SPACES, NOT DETENTION PONDS AND UNBUILDABLE CORNERS.

Is there anything else you would like us to consider

WE NEED A GROWTH PLAN URGENTLY BEFORE PRD'S ARE APPROVED. PLEASE PUT A MORATORIUM ON PRD'S UNTIL AREA PLANS ARE IN PLACE. THEN MAKE DEVELOPERS FUND THE PLAN IMPLEMENTATION

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

GARY NOBLE
 1422 172nd PL SW
 LYNNWOOD WA 98037

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting			✓	GOT IT YESTERDAY
Meeting format			✓	
Graphic displays	✓			
Staff courtesy/efficiency	✓			
How your questions were answered			✓	TOO CROWDED
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?

WE NEED A PUBLIC FORUM ON GROWTH IN OUR AREA!



Please place your comments in the comment box tonight or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. One of the major components of the Growth Management Act is increasing densities within urban growth boundaries. The goal being to steer new development into areas with a higher degree of infrastructure & traditional urban services. We do not live in an urban area - it is semi-rural. I'm concerned about increased traffic on 178th & Larch Way on our current transportation system. They are poorly lit, narrow windy roads. They are a direct route to Lynnwood High & a
- 2.
- 3.

Top 3 ways you feel the County should/could address your concerns

1. Short cut to Alderwood Mall & the Swamp Creek Interchange from our neighbors to the east, north, and south. Public Works did a traffic count, what was it? Are improvements planned for the roads? Is money available?
2. I'm also concerned about pedestrian & driver safety. Since we've lived here, there have been 3 traffic related fatalities on Larch Way & 1 on Butternut. New developments are dumping more cars into these roads. 2 exits from Willowick will come out by Martha Lake Elementary. How many students walk to the school? Are sidewalks planned?
- 3.

Is there anything else you would like us to consider

We would like to hear what our neighbors concerns are & what they have to say. We need a chance to speak. People are angry. We need an open forum "to hear & be heard."

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Janice Rowe
1022 - 178th S.W.
Lynnwood, WA 98037

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting			X	2 days before
Meeting format			X	we want an open forum
Graphic displays			X	need oral explanations
Staff courtesy/efficiency				no parking - facility
How your questions were answered			X	too small run around
Other				

Regarding this meeting, what worked well for you?

nothing - I'm angry that citizens are not being represented by County government.

What can we do to improve meetings?

an open forum so people can express comments -
another meeting - a larger facility - 2 to 3 weeks notice

Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Lack of infrastructure to support apparent unmitigated growth → inadequate roads, no sidewalks, no parks, etc.
2. Lack of apparent sound ecological impact program for the existing homes in the area.
3. Apparent preference for development at the expense of the community (e.g. "ugly" retention ponds at entrances of developments that are categorized as "open space" -- this is absurd)

Top 3 ways you feel the County should/could address your concerns

1. There should be a moratorium on current developments
2. New developments should be more consistent w/ existing residences (as compared to very small lot sizes)
3. Infrastructure needs to be in place prior to expanding development

Is there anything else you would like us to consider

Please consider enhancing (vs. exploiting) this area of unincorporated Snohomish County. It seems we are an exposed target for developers & no consideration is given to improvement of the community.

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE 

Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Nancy N. Sutherland
17009 17th Ave. W.
Lynnwood, Wash. 98037

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting	✓			
Meeting format			✓	
Graphic displays		✓		
Staff courtesy/efficiency	✓			
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?

There should be a forum for discussion.

Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
Snohomish County Council
3000 Rockefeller Ave.
Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. "Open spaces" - especially in proposed PRD's - where "open spaces" are driveways + retention ponds.
2. Water management with development.
3. Impact on educational system - plans for expansion + new facilities?

Top 3 ways you feel the County should/could address your concerns

- 1.
- 2.
- 3.

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Alice Salcido
 17620 7th Ave W
 Bothell WA 98012 - 9111

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting		✓		
Meeting format				
Graphic displays				
Staff courtesy/efficiency				
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. OVERCROWDING
2. _____
3. _____

Top 3 ways you feel the County should/could address your concerns

1. LISTEN TO THE EXISTING RESIDENTS
2. _____
3. _____

Is there anything else you would like us to consider

CAMERON ESTATES - Why did you allow SUCH SMALL LOTS - you promised that you would NOT do so - who got the payoff?

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE 

Would you be interested in participating in a citizen interest group? Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting		✓		
Meeting format		✓		
Graphic displays	✓			
Staff courtesy/efficiency	✓			
How your questions were answered				
Other			✓	USE PUBLIC FORUM NOT A SHOW & TELL

Regarding this meeting, what worked well for you?

What can we do to improve meetings?

USE LARGER SPACE
 HAVE COUNCIL PRESENT TO
 LISTEN TO THEIR
 CONSTITUENTS



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothorn
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. There are not adequate schools, parks or streets now!!
2. Lack of organized information + presentation.
3. Lack of publicity

Top 3 ways you feel the County should/could address your concerns

1. Better planning
2. Develop infrastructure before moving in more houses.
3. Communicate - not just an info fair - meet with us.

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Tom Newman
 17727 7th Ave W.
 Bothell 98012

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting			✓	
Meeting format			✓	thought this was a meeting
Graphic displays	✓			
Staff courtesy/efficiency	✓			
How your questions were answered		✓		Drainage person wasn't here. That's who we need to talk to.
Other				

Regarding this meeting, what worked well for you?

Thank you for this questionnaire.

What can we do to improve meetings?

This wasn't a meeting - I don't even know what questions to ask, or who to go to to ask them. How about FAQs?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. The amount of growth which has been allowed has been out of proportion to the ability of water district, schools and roads to be able to keep up.
2. Those of us who have large lots and live here because we could live in a less developed area would still like some basic privacy and yet still be able to commute without major traffic problems.
3. I am appalled at the lack of concern our elected officials have in regards to the problems such as overgrowth causes; i.e. lack of regard for natural habitat for wildlife.

Top 3 ways you feel the County should/could address your concerns

1. I believe growth in our area should be stopped until roads, transportation, schools & public works can catch up.
2. I believe the county should allow the building of homes on larger lots rather than forcing developers to cram homes on bare minimum size lots.
3. Our government should take some consideration of what this rapid growth is doing to our environment and the habitat of the natural wild animals in the area.

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Lynn R. Thurgood
18609 Larch Way Lynnwood Wa. 98037
425 6728473

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting		X		
Meeting format			X	
Graphic displays		X		
Staff courtesy/efficiency		X		
How your questions were answered			X	
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?

I would have liked to meet our
elected officials who have jurisdiction
over the planning department



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. I do not want to be part of Lynnwood or Mill Creek. Neither city is interested in keeping a community of people together. Lynnwood is the worst of the worst!
2. No more huge apartment complexes, leaves no sense of community, impacts roads and schools which are already overcrowded.
3. No more crappy businesses - WALMART! Yuck! How about a theatre or a skating rink. We don't need to shop anymore. We already have too much retail in the area.

Top 3 ways you feel the County should/could address your concerns

1. Perhaps "Martha Lake" should incorporate and then the community would be able to control own environment rather than being the "tax cash crop" for Snohomish County w/ projects like Walmuck.
2. Slow down on apartment growth and stop changing zoning to allow these projects. Houses instead can be built and then roads and schools will be able to handle the load.
3. Better advertising of future huge projects before they are a done deal. Stop including retail and start having entertainment or activity related businesses.

Is there anything else you would like us to consider

Obviously, there are many concerned people. This is a great turn-out for a meeting during the holiday season. There needs to be a meeting for each neighborhood where neighbors can discuss the future and growth. This is a start but information was not presented in a big enough room.

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

Martha Lake

MORE 

Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Sue ENrum 742-3403
 15725 2nd pl W
 Alderwood Manor, WA 98037

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting		X		Big crowd
Meeting format			X	Too crowded; just information disjointed
Graphic displays		X		
Staff courtesy/efficiency		X		
How your questions were answered		X		
Other				

Regarding this meeting, what worked well for you?

This paper

What can we do to improve meetings?

Have small neighborhood meetings that will pertain to communities.



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Construction (land clearing) begins before final plot approval
2. Construction is done without regard to its impact on infrastructure - roads, drainage, schools, etc. houses built so fast the infrastructure becomes grossly inadequate
3. The construction is decreasing the value of our neighborhoods by \uparrow the density and \downarrow home quality the value \downarrow 's.

Top 3 ways you feel the County should/could address your concerns

1. LISTEN TO the voters at meetings!
2. Don't hide behind rules and regulations. It makes us frustrated and hostile. Listen to concerns and develop an action plan to address them
- *3. Do NOT allow land clearing & building unless: (1) final plot approval is completed; (2) infrastructure can handle the additional people / traffic / waste / electricity needs etc; (3) you more closely monitor the development to assure it complies w/ regulations & restrictions
- This could be assisted by citizens groups

Is there anything else you would like us to consider

I listened to 3 county spokespeople and did not hear answers. I only heard diversions and referring the problem to someone else's department. I also heard people who are NOT even familiar with our area! Arrgh!

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Tim Paine
16928 1st Ave SE
Bonell WA 98012 425 745 4462

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting			X	I only saw a sign at our school
Meeting format		Y		
Graphic displays	X			
Staff courtesy/efficiency			X	non answers were the norm, a lot of buck passing and blaming other departments
How your questions were answered			X	
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?

Un fortunately, this meeting reinforced the idea that the county is NOT citizen friendly, instead it works best

for those who can dodge + weave their way through the maze of department + regulations. This means "the builders". The average citizen is prevented from participating by the non-responsiveness of the staff +

the system. I would like to change it. call me and I'll

become part of a solution.

Thanks.

Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. ROAD QUESTION / AREA: 178th St SW to 172nd St SW on Larch Way. Future widening - where? Sidewalks - E or W side or both? Prop acquisition from current homeowners on Larch Way? Which ones? What is scheduled to occur in front of Wood Trails Development? Will open ditches on E side of Larch be filled in and sidewalks installed? Timing?
2. LAND USE QUESTION: Old Martha Lake Elem. School. What is zoning? Can school district sell to developer? Possible multi-family dwelling site? Will sewers run along Larch Way?
3. What about water run off from old school area towards Wood Trails (we already have a lot)? What surface water plans are being considered? Timing?

Top 3 ways you feel the County should/could address your concerns

1. MAIL RESPONSE TO: P. Denzel
909 - 175th St. SW.
Bothell, WA 98012
425/745-2568
- 2.
- 3.

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting				
Meeting format				
Graphic displays				
Staff courtesy/efficiency				
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
Snohomish County Council
3000 Rockefeller Ave.
Everett, WA 98201-4044

This paper is recycled & recyclable. 12/98

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Traffic - too much of it and there are no plans to improve it or insufficient plans.
2. Too many houses on too small lots, causes a hodgepodge effect - we're going to look like Federal Way - Yuck and values will be down.
3. WATER Run off - Flooding has gotten worse the last 3 years - what's it going to be like when the remaining dirt is built on.

Top 3 ways you feel the County should/could address your concerns

1. Keep Lot size at R4600 - Disallow the GPP that requires to put more people in our zone.
2. Require improved Drainage Before any Development occurs - throughout the surrounding neighborhoods.
3. Traffic - Well - you can't widen every road so and you can't put a stop sign at every corner. - So my solution is Don't allow so much density. Less people = less traffic.

Is there anything else you would like us to consider

* The schools - requires Edms School District to require a large mitigation fee.

* ADD a big Ball field in this zone between 164th / R05 / I-5 & 507

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

I'm in between

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Anne Hirning
 610 175th St SW
 Bothell, WA 98012

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting	✓			
Meeting format			✓	
Graphic displays	✓			
Staff courtesy/efficiency	✓			
How your questions were answered	✓			John Romy was very nice
Other				

Regarding this meeting, what worked well for you?

He told me what I needed to do.

What can we do to improve meetings?

Have a bigger place



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1999

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. SCHOOL OVER CROWDING
2. TRAFFIC
3. LOW COST HOUSING & THE REF-RATE THAT GOES WITH IT

Top 3 ways you feel the County should/could address your concerns

1. QUALITY OF LIFE FOR EXISTING RESIDENTS AS WELL AS THE POOR SMOKE AIR QUALITY IN
2. HUGE DOLLAR ASSESSMENT PER LOT WITH LOT SIZE IS BELOW A 7500 SQ FT. THIS WOULD BE PAID BY DEVELOPER
3. DEVELOPERS PAY FOR BICYCLES PATHS INSTEAD OF EACH DIRECTION OF DEVELOPMENT

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Tom Van Dusen
17522 7th W
Bonnell, WA 98012

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting		/		
Meeting format		/		
Graphic displays		/		
Staff courtesy/efficiency		/		
How your questions were answered		/		
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Colbern
Snohomish County Council
3000 Rockefeller Ave.
Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. TRAFFIC INCREASE
2. CRIME
3. LOSS OF BUFFER ZONES

Top 3 ways you feel the County should/could address your concerns

1. THINK ABOUT THE BIG PICTURE first!
TOO MUCH hodge-podge of development
2. THINK about limits!
When ~~is~~ is "enough" TOO MANY?
3. LEAVE something for those of us who started out here, not just the migrants.

Is there anything else you would like us to consider

BE ABLE TO adequately provide services --
i.e. police, -- before we welcome the hordes

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Paul S. Denny
 17607 7th Ave W.
 Bothell, WA 98012

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting		✓		we had good "word of mouth"
Meeting format		✓		
Graphic displays	✓			
Staff courtesy/efficiency	✓			
How your questions were answered	N/A			
Other				

Regarding this meeting, what worked well for you?

Being able to talk w/ representatives from different departments

What can we do to improve meetings?

Have more



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cobern
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. TRAFFIC / DRAINAGE
2. DEVELOPMENT THAT GOES ON YON - SEEMINGLY BEHIND RESIDENTS BACKS - without any concern for those who live here
3. Lack of Parks, Play area for children - / Schools

Top 3 ways you feel the County should/could address your concerns

1. Better Communication - before decisions are already made -
2. Set aside areas for neighborhood parks before WalMart takes over
3. Slow Development so impact can be made more evident - Put the horses before the cart!

Is there anything else you would like us to consider

EVERYTHING - How would you like to live here? & Watch that Development choke your neighborhood?

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Maybe
 Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting		✓		
Meeting format				
Graphic displays				
Staff courtesy/efficiency	✓			
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Colbern
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

1. traffic - water - safety
safety including - streets (accidents)
population - more crime
2. WALMART -
how will we control the traffic - safety on 164th
- 3.

Top 3 ways you feel the County should/could address your concerns

1. would like to be able to be more involved with planning
& would like to be able to see plans & have a voice
- 2.
- 3.

Is there anything else you would like us to consider

stopping any future aggressive building until we can meet
as a community & look ahead

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. To cressse Traffic - particularly through Wood Trail Neighborhood
2. Soil Erosions, drainage problems due to over building
3. Preservation of open space.

Top 3 ways you feel the County should/could address your concerns

1. Find alternative access outside residential neighborhood between North Road & Larch Way C
2. Review zoning changes to ensure that soil erosion, drainage problem don't result from over building / High density building
3. Attractiveness of community is preservation of open space - wet lands etc.

Is there anything else you would like us to consider

Growth & Development should not be random, but should be well planned to preserve neighborhood, communities and open space - Things that brought residents to Snohomish County are maintained

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

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Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting				
Meeting format				
Graphic displays				
Staff courtesy/efficiency				
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothorn
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

This paper is recycled & recyclable. 12/98

Street & Lead
 17521 7th Ave W
 Bellingham, WA 98212

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Single Family Houses are not being used as that in many cases. Our Asian neighbors may have 4 generations with multiple children and spouses and their kids living in the same house. Garages become rooms. Cars get parked on narrow streets.
2. Speed people drive through the residential areas.
3. Larch Way is narrow and dangerous with ditches along side if in water runoff.

Top 3 ways you feel the County should/could address your concerns

1. Fix Larch Way
2. Realize that single family homes are not what we think of them as any more.
3. Require developers to add something to the community.

Is there anything else you would like us to consider

Open all roads once the development and building is done. Roads in Covington Crest dead end waiting for future development. Do everything possible to minimize traffic.

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group? Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Ken Christie
18229 13th Ave W
Lynnwood Wa 98037 (425) 726-3967

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting	✓			We need a forum to hear what the concerns are
Meeting format			✓	
Graphic displays		✓		
Staff courtesy/efficiency		✓		
How your questions were answered				by who
Other				

Regarding this meeting, what worked well for you?

Filling this out

What can we do to improve meetings?

Have Forum. Move to
larger facility



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Colburn
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Impact on Traffic and pedestrian safety (no safe places to walk no road improvements but increase of people + cars)
2. Environment (lopping out what forestry is left in area) impact on air quality.
3. Relocation of Wildlife.

Top 3 ways you feel the County should/could address your concerns

1. Road and sidewalk improvements should be mandatory prior to approval and issuance of building permits
2. preserved areas s/b kept
3. see #2

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE 

Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Debi Cole
2705 191st St SE
Puyallup wa. 98012-7207 (w) 253-388-3366
K2305

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting				
Meeting format				
Graphic displays				
Staff courtesy/efficiency				
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cobern
Snohomish County Council
3000 Rockefeller Ave.
Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Who is expected to take care of road enhancements needed with development
2. Are developers really capable of managing run-off
3. What happens when developments shut down? We see an awful lot of cleared land without continued action?

Top 3 ways you feel the County should/could address your concerns

- 1.
- 2.
- 3.

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE 

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Huge Developments with
2. no Sidewalks on nearby street.
3. Will there be side walks allowing people who live close to Logan Park to walk on.
OR must we drive the 1/2 mile

Top 3 ways you feel the County should/could address your concerns

1. Please try to be more available to answer questions
2. It's very difficult to talk to anything but a machine when calling public works or planning and development
- 3.

Is there anything else you would like us to consider

A side walk on locust way as it nears Logan Park

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Jean Clinch (Phone # 712 3764)
 20011 Locust way
 Lynnwood WA 98036

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting	X			
Meeting format			X	too hard to get questions answer
Graphic displays	X			
Staff courtesy/efficiency	X			
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?

Have more meetings covering smaller areas



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Colhern
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Higher traffic levels, Requiring wider roads, which will take up part of my private property
2. Congestion on the roads and in the schools
3. Higher crime rates

Top 3 ways you feel the County should/could address your concerns

1. Stop zoning high density housing beyond existing road capacity and infrastructure
2. Maintain rural atmosphere by minimizing size of unplanted areas. More trees and fields; less parking lots.
- 3.

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting				
Meeting format				
Graphic displays				
Staff courtesy/efficiency				
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cobern
Snohomish County Council
3000 Rockefeller Ave.
Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Congestion on our streets.
2. Too high of influx of people into our area.
Crime.
Such small lot size means less greenbelt areas.
3. Overload on all public services.
Need park to accommodate area.
Cost of sewer from duplex to sewer?

Top 3 ways you feel the County should/could address your concerns

1. Advise areas of what is happening before the fact & not after.
2. Increase in taxes should be a consideration to homeowners in the area. - advance projections of costs to homeowners.
3. Stricter laws on development. Larger lot size requirements.

Is there anything else you would like us to consider

This area is beginning to feel like living in a track area in California.

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

not at this time

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you: *mailing list please*

Susan Phillips
17714 14th Pl W
Olyn WA 98037

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting				<i>found out through friend</i>
Meeting format				
Graphic displays	✓			
Staff courtesy/efficiency	✓			
How your questions were answered		✓		
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Colbern
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

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Susan Phillips
17714 14th Pl W
Olyn WA 98037

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Decrease in the value of the homes nearby.
2. The safety of the children at Martha Lake Elementary.
3. The traffic by Maple Rd.

Top 3 ways you feel the County should/could address your concerns

1. Fewer homes
2. Security, or some sort of wall.
3. Speed bumps and private roads.

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting				
Meeting format				
Graphic displays				
Staff courtesy/efficiency				
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
Snohomish County Council
3000 Rockefeller Ave.
Everett, WA 98201-4044

This paper is recycled & recyclable. 12/98

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. the added traffic on 178th & 10th - it's not safe now.
2. With ^{this} these many people moving in, it becomes densely populated. More crime, traffic accidents and more burden on police & fire dept
3. reaction time

Top 3 ways you feel the County should/could address your concerns

1. Go back to 9600' Lots
2. Public meetings so informed residents can offer solutions on the neighbor hood behalf
- 3.

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Cathi WILLIS
 1010 - 178th ST S.W.
 LYNNWOOD, WA 98037 (425) 743-1123

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting			✓	too short notice
Meeting format		✓		
Graphic displays	✓			
Staff courtesy/efficiency				
How your questions were answered				
Other				wanted open meeting

Regarding this meeting, what worked well for you?

speakers addressing problems

What can we do to improve meetings?

Have an open meeting
 to people on the panel to
 address questions - then
 we all can get the answer



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. 13th Ave speed at 25 mph & signs put up

2. A 3 way stop put at 169th & 13th
A 3 way stop put up at 172 & 13th

3. Sidewalk on 13th from 164th to 172 and around the corner to 10th -
a curb on the corner of 172 & 13th on the on the NE corner to protect walkers - cars drift that corner - I have almost been

Top 3 ways you feel the County should/could address your concerns

1. This will be worst with just Wal-Mart - but trees can't they pay for the hip grade on 13th -

2.

3.

Is there anything else you would like us to consider

I don't understand why the Edmonds School Dist - is not getting money for the new housing -

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE 

Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting				
Meeting format				
Graphic displays				
Staff courtesy/efficiency				
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
Snohomish County Council
3000 Rockefeller Ave.
Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. _____

2. _____

3. _____

Top 3 ways you feel the County should/could address your concerns

1. _____

2. _____

3. _____

Is there anything else you would like us to consider

(I've taken another yellow sheet home for my concerns) but I love the aerial photos that are on display at this open house. Have you considered selling them? Or is there a way to do this? If they weren't too expensive I'd be interested...

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group? Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

LINDA LOFTIN, 17410 CLOVER RD. BOTHELL 980
425-743-9043

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting			✓	I gave Patty B. a whole list:
Meeting format				Clover Rd/Gravenstein name
Graphic displays	✓			and addresses, which she
Staff courtesy/efficiency	✓			gave to the co. And we
How your questions were answered	✓			did <u>not</u> receive notice of this meeting - was the list
Other				lost?

Regarding this meeting, what worked well for you?

Locale was great, nice to see a good turnout - it shows we are very interested and would come to more meetings - as long as we knew about them!

What can we do to improve meetings?

Publicity,
(- telephone tree?)

Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

The people who staffed the displays were obviously pleased to see the interest; some of the couldn't answer all my questions, but did redirect me

Barbara Cothran
Snohomish County Council
3000 Rockefeller Ave.
Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. I am concerned with apartments going up in single family areas
2. I am concerned with roads being crowded & excessive speeds
- 3.

Top 3 ways you feel the County should/could address your concerns

1. Slow down building until we see what we have in physical growth
- 2.
- 3.

Is there anything else you would like us to consider

hood Schools - Neighbor-
hood Schools

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group? Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Natalie Fadden
 16627 - 13th Ave
 Lynnwood, WA 98037

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting				Needed speaker useless
Meeting format				
Graphic displays				
Staff courtesy/efficiency				
How your questions were answered				disinterest
Other				Felt it was too late

Regarding this meeting, what worked well for you?

location

Late

What can we do to improve meetings?

Tell the
 Truth



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothorn
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. WATER RUNOFF - IN THE LAST 10 YRS - DUE TO MAJOR GROWTH IN OUR NEIGHBORHOOD MY NEXT DOOR NEIGHBOR AND I HAVE BOTH LOST OUR DRAIN FIELDS.
2. TRAFFIC - OUR AREA CANNOT HANDLE ANY ADDITIONAL VEHICLES.
3. SANITATION - RETAINING PONDS ARE NOT OPEN AREAS! THESE BREED MOSQUITOES AND ARE UNSAFE AND UNSIGHTLY NUISANCES.

Top 3 ways you feel the County should/could address your concerns

1. CUT DOWN ON DEVELOPMENT IN ALREADY OVER-DEVELOPED AREAS.
2. REQUIRE CONTRACTORS & BUILDERS TO ADEQUATELY ADDRESS SURFACE WATER PROBLEMS.
3. Look at existing traffic problems - Do you honestly think we need more?

Is there anything else you would like us to consider

Consider the tax payers that already live here!

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

LINDA ABELLERA
 17524 14th WEST
 LYNNWOOD WA 98037

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting			X	Did not receive one!
Meeting format			X	Very unorganized
Graphic displays	X			
Staff courtesy/efficiency	X			
How your questions were answered			X	Ignored or otherwise shuffled off - VERY VERY POOR
Other				SHOWING FOR MY PAID COUNTY OFFICIALS!

Regarding this meeting, what worked well for you?

Nothing! No adequate answers given to ANY of my concerns. Water management personnel were vague and when pressed became angry. This is a joke for a public meeting.

What can we do to improve meetings?

Have a real meeting!
 This was aphony show and completely inadequate!

Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothorn
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Surface water Run off I have already lost my drainfield once, + my neighbors is going
2. Traffic 14 Ave W is barley 2 lane what is going to happen with all the extra Traffic
3. Environment + Sanitation Mosquitoes + other disease carrying bugs that will swarm on all water retention ponds

Top 3 ways you feel the County should/could address your concerns

1. Less development
2. Require Builders to address water run off + Traffic problems in area
3. _____

Is there anything else you would like us to consider

Consider The Taxpayers That already live in the area

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group? Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Denise M Griner
 17526 14 ave W
 Lynwood WA 98037

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting			X	Heard by word of mouth
Meeting format			X	NOT ORGANIZED AT ALL
Graphic displays	X			
Staff courtesy/efficiency	X			
How your questions were answered			X	Beat around the bus
Other				

Regarding this meeting, what worked well for you?

Nothing no ? answered

What can we do to improve meetings?

HAVE a real Meeting
 This was A Real Fake



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cobern
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. STORM WATER RUN OFF

2. RETENTION POND STATED AS OPEN SPACE, JOKE.

3. 3500 SQ FT LOTS

Top 3 ways you feel the County should/could address your concerns

1. ELIMINATE RETENTION POUNDS FROM OPEN SPACE.

2. SIDE WALKS FOR PEDESTRIANS, FOLLOW URBAN RULES.

3. HEATING IMPROVEMENTS.

Is there anything else you would like us to consider

DEVELOPERS ARE RUNNING COUNTY OFFICIALS.

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting				
Meeting format				
Graphic displays				
Staff courtesy/efficiency				
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

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Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Dirt/Noise - loss of tree protection
2. Drainage - already a problem now much worse because of destruction of habitat.
3. Traffic - Thousands of cars promoted on I 5 State roads

Top 3 ways you feel the County should/could address your concerns

1. Stop subdividing the heritage of South County into tiny lots with ticky tacky overpriced houses 5 feet apart.
2. Stop forcing homeowners to sell land to obtain services with huge assessments.
3. Build roads and infrastructure before you tap up \$ from developers

Is there anything else you would like us to consider

Save what little is left of Alderwood Manor, the only remaining garden spot of South County

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE 

Would you be interested in participating in a citizen interest group?

Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting	X			
Meeting format			X	
Graphic displays		X		
Staff courtesy/efficiency				
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

Networking

What can we do to improve meetings?

Let people sit and talk



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothorn
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

*Shows on how
 you can
 be a part!*

This paper is recycled & recyclable. 12/98

*Nicki Hamith
 903 Kentish Rd
 98236*

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Run off into Swamp Creek
2. Traffic - too many small lots in a concentrated area produce more traffic than the roads can handle
condominium
3. Loss of trees - after parcel next to us was clear cut for development we began experiencing substantial loss of trees on our property on that side due to wind damage, also trees help slow down surface water so more is absorbed, plus they hold the soil

Top 3 ways you feel the County should/could address your concerns

1. Instead of considering amount of run off caused by a development to adjacent land, consider cumulative effects on stream systems. A development adding a little run off to stream may not seem like much, but considering all the developments on a stream can cause great damage.
2. Limit amount of impervious surfaces.
3. Adopt a tree retention and landscaping ordinance

Is there anything else you would like us to consider

Moratorium on video store/strip malls. How many more do we need

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group? Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting		✓		we learned of it through a phone call from an interest group, didn't see any public notice we expected a meeting where we could express our views
Meeting format			✓	
Graphic displays	✓			
Staff courtesy/efficiency	✓			
How your questions were answered	✓			
Other				room too small, but wonderful so many came

Regarding this meeting, what worked well for you?

being able to talk directly to surface water management staff

What can we do to improve meetings?

larger area with room to sit down
 better parking facilities
 discussion time



Please place your comments in the comment box tonight, or, fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

Open House on Growth & Development

Snohomish County

December 17, 1998

Please take a few minutes to share your thoughts with us. We value your opinion and will respond to your questions and suggestions as best we can. Thank you very much.

What are your top 3 major concerns regarding growth in your neighborhood?

1. Water drainage - we are getting more water in our yard as building increases - our garage floods from drainage east of us.
2. Traffic - the roads are not adequate for more building

3. _____

Top 3 ways you feel the County should/could address your concerns

1. Make adequate preparation for proper drainage before more development along 178th & Maple Road.

2. _____

3. _____

Is there anything else you would like us to consider

Check box(es) below if you would like to be placed on the following mailing list(s):

Mill Creek Sub Area Plan

Bothell Sub Area Plan

MORE



Would you be interested in participating in a citizen interest group? Yes No

If you checked a box to be on a mailing list or participate in an interest group, fill in your name, address, zip, and phone # so we may contact you:

Richard Fuller

17630 15th Pl. W.

Lynnwood, WA 98037

Please evaluate the following:

	Good	Adequate	Poor	Comments
Notice of the meeting		✓		
Meeting format			✓	
Graphic displays	✓			
Staff courtesy/efficiency		✓		
How your questions were answered				
Other				

Regarding this meeting, what worked well for you?

What can we do to improve meetings?



Please place your comments in the comment box tonight, or fold it, add a postage stamp and mail it to us. Thank you!

Barbara Cothran
 Snohomish County Council
 3000 Rockefeller Ave.
 Everett, WA 98201-4044

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 11

FILE 01d 99-1

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

MOTION NO. 98-423
APPEAL FROM THE DEPUTY HEARING EXAMINER'S DECISION
FILE NO. 97-105454
PRELIMINARY SUBDIVISION OF LAKEVIEW ESTATES I and II

WHEREAS, Henderson Homes, Inc. applied to Snohomish County for approval of a master application consisting of: 1) rezone from Residential 9,600 to Planned Residential 9,600; and 2) preliminary subdivision (Lakeview Estates I and II) for property located in the unincorporated East Everett/Lake Stevens area between Hewitt Avenue (aka 20th Street SE) and Machias Cutoff Road SE, between 110th and 117th Drives SE; and

WHEREAS, the Snohomish County Deputy Hearing Examiner held public hearings on July 15, August 13, and 18, and September 15 and 30, 1998 and issued a decision on October 29, 1998 to approve the application with precondition and conditions; and

WHEREAS, Jodi McVittie and Therese Quinn appealed the October 29, 1998 decision of the Deputy Hearing Examiner to the County Council, according to the provisions of SCC 2.02.175; and

WHEREAS, the Council held a closed record appeal hearing on December 16, 1998 to consider the appeal; and

WHEREAS, after considering the appeal based upon the record, the Council approved a motion to affirm the October 29, 1998 decision of the Deputy Hearing Examiner.

NOW, THEREFORE, ON MOTION:


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

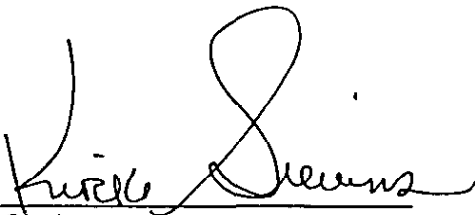
1. The Council adopts the findings and conclusions of the Deputy Hearing Examiner in the case of Henderson Homes, File No. 97 105454.

Section 2. The Snohomish County Council enters its decision in the case Henderson Homes, File No. 97 105454: The council hereby affirms the October 29, 1998 decision of the Deputy Hearing Examiner.

Dated this 16th day of December, 1998.

ATTEST:


Asst. Clerk of the Council


Chair

D. 26

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 217

FILE 97105454

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

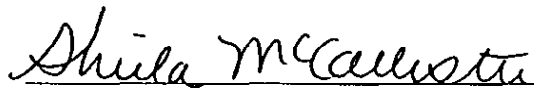
OFFICIAL NOTICE OF COUNCIL DECISION

In re the case of: Appeal from the Deputy Hearing Examiner decision in the case of Henderson Homes, Inc., File No. 97-105454, requesting approval of a master application consisting of: 1) rezone from Residential 9,600 to Planned Residential 9,600; and 2) preliminary subdivision approval (Lakeview Estates I and II). The subject property is located in the unincorporated East Everett/Lake Stevens area between Hewitt Avenue (aka 20th Street SE) and Machias Cutoff Road SE, between 110th and 117th Drives SE.

NOTICE IS HEREBY GIVEN that on December 16, 1998, a decision in this matter was entered by the Snohomish County Council: Upon a vote of three to two, the Snohomish County Council approved a motion to affirm the October 29, 1998 decision of the Deputy Hearing Examiner as set forth in Motion No. 98-423 attached hereto and incorporated herein.

FURTHER NOTICE IS GIVEN that any person having standing under Chapter 36.70C RCW and 2.02.190 SCC who wishes to appeal this decision must do so in accordance with the provisions of Chapter 36.70C RCW and 2.02.190 SCC on or before January 11, 1999.

Dated this 17th day of December, 1998.


Asst. Clerk of the Council

Mailed: December 18, 1998

SNOHOMISH COUNTY COUNCIL
RECEIVED 4:13 pm

NOV 12 1998

Therese Quinn
10912 -- 22nd Street SE
Everett, WA 98205
(425) 335-5163

CC'D TO _____ CF _____
JAG _____ DIST 1 _____ KJM _____
DWC _____ DIST 2 _____ STM _____
AMB _____ DIST 3 _____ BSS _____
SKN _____ DIST 4 _____ Other _____
TCO _____ DIST 5 _____ All Staff _____

quinnx5@greatnorthern.net

November 12, 1998

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 203

FILE 97105454

Snohomish County Council
3000 Rockefeller Avenue
Everett, WA 98205

APPEAL	
DATE	<u>Nov 12, 1998</u>
TIME	<u>2:40</u>
AMTS	<u>No fee - 2nd appeal</u>
CHECK #	<u>NO</u>

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PLANNING & DEVELOPMENT SERV. - ADMIN/OPERATIONS	

As an aggrieved party of record, I, Therese Quinn, am respectfully appealing Mr. Peter Donahue's decision on Lakeview Estates (97-105454) on the following grounds: the Examiner's findings, conclusions and conditions are not supported by the record.

On page 7 of the plat approval decision, #3 F., the Examiner indicates that the Wetlands are as they appear delineated on Exhibit 70A-B, plat maps. Although the Examiner mentions that we argued that Wetlands E-F are contiguous and part of a wetland system that extends south of Hewitt (20th Street SE) the map (Exhibit 70A-B) does not disprove our assertion that Wetlands E-F are connected on the south side of 20th Street SE. The map clearly shows the wetlands being connected by a culvert under 20th Street SE. The appellant's evidence (Exhibit 182 and 180) shows the culvert, as well as the culvert under the driveway on the south side of 20th Street and the direction of flow of the wetlands. The Examiner did not address this in Findings of Fact or Conclusions. Therefore this finding of fact is appealed because the Examiner's findings, conclusions and conditions are not supported by the record.

On pages 10 and 11, #9-G, the Examiner discusses onsite wetlands that are to be preserved in Native Growth Protection Areas. He mentions the exceptions from these as being Wetland Z, which will be filled and Wetland A/D where the road crosses it. He does not mention Wetlands E/F which will have a detention pond built into it, which was indicated in the Applicant's testimony and in Exhibit 162. This is clear impact the this wetland system. Therefore this finding of fact is appealed because the Examiner's findings, conclusions and conditions are not supported by the record.

On page 11, 9-J, the Examiner finds that litter will be picked up by a Homeowner's Association (HA). In testimony, the Appellant explained that allowing any group to organize a litter pickup on County right of ways is illegal. Therefore finding of fact is appealed because the Examiner's findings, conclusions and conditions are not supported by the record.

In Conclusions on page 22, #13, the Examiner finds that the open space is provided in conformity with PRD standards. The issue in question is whether a detention pond can be considered as buildable land in the equation that provides open space in a PRD. The Appellant argued in testimony that the intent of the law in providing a certain amount of buildable open space is to let the residents enjoy this land. Further, she argued that there is no way that a wet pond could be built upon, thus making it unbuildable. Simply because the County's Planning department has decided that they will count a wet pond as being buildable does not circumvent the intent of the law, nor the logic of building on a wet pond. Therefore this conclusion is appealed because the Examiner's findings, conclusions and conditions are not supported by the record.

There was much testimony from the Appellant, as well as evidence in Exhibit 118 to document probable significant adverse impact to the offsite springs to the west of the development. Nowhere was this mentioned in the Examiner's decision. Therefore this conclusion is appealed because the Examiner's findings, conclusions and conditions are not supported by the record.

In Exhibit 30, Mr. Michael Jauhola, the Engineer for Drainage District #8, expressed serious concerns about the drainage problems in this area and the inability of County Code to contain this drainage. On page 22, #14 & 15, the Examiner concludes that Title 24 will be satisfied, as well as CAR by the Applicant's proposed drainage plans, which are still under review. Exhibit 30, shows that compliance with Title 24 will not be enough to prevent severe drainage problems. Therefore this conclusion is appealed because the Examiner's findings, conclusions and conditions are not supported by the record.

I will be greatly aggrieved if the wetlands and drainage issues are not fully resolved, taking into account all of the subjects mentioned above. The failure of the wetlands and drainage problems from this development will deeply affect Lake Stevens. As a property owner in the Lake

Stevens area, my property value is somewhat determined on the health and pollution levels of the lake. My taxes could also be raised to combat pollution problems caused by wetland failure and drainage difficulties.

Thank you for the opportunity to voice my concerns about wetlands and drainage for Lakeview Estates.

Sincerely,

A handwritten signature in cursive script, appearing to read "Therese Quinn".

Therese Quinn

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

MOTION NO. 98-259
APPEAL FROM THE DEPUTY HEARING EXAMINER'S DECISION
FILE NO. 97 110873, PUGET HOMES
PRELIMINARY SUBDIVISION OF CRAWFORD PLACE

WHEREAS, Puget Homes applied to Snohomish County for approval of a master application consisting of: 1) rezone from Residential 9,600 to Planned Residential 9,600 with site plan; and 2) preliminary subdivision (Crawford Place) for property located on the north side of Crawford Road SW, just west of its intersection with 10th Place W.; and

WHEREAS, the Snohomish County Deputy Hearing Examiner held a public hearing on May 7, 1998, continued to May 28, 1998 and issued a decision on June 18, 1998 to approve the application with conditions; and

WHEREAS, Daniel Ferguson and D.H. Gallpen filed timely Petitions for Reconsideration with the Deputy Hearing Examiner; and

WHEREAS, the Deputy Hearing Examiner issued an Order on July 9, 1998 denying the petitions for reconsideration; and

WHEREAS, Daniel Ferguson appealed the June 18, 1998 decision of the Deputy Hearing Examiner to the County Council, according to the provisions of SCC 2.02.175; and

WHEREAS, the Council held a closed record appeal hearing on September 2, 1998 to consider the appeal; and

WHEREAS, after considering the appeal based upon the record, the Council approved a motion to affirm the June 18, 1998 decision of the Deputy Hearing Examiner.

NOW, THEREFORE, ON MOTION:

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

1. The Council adopts the findings and conclusions of the Deputy Hearing Examiner in the case of Puget Homes, File No. 97 110873.

Section 2. The Snohomish County Council enters its decision in the case Puget Homes, File No. 97 110873: The council hereby affirms the June 18, 1998 decision of the Deputy Hearing Examiner.

Dated this 2nd day of September, 1998.

ATTEST:

Sheila McCallister
Asst. Clerk of the Council

Kirk Lewis
Chair

D-7

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

SNOHOMISH COUNTY COUNCIL
EXHIBIT # 76
FILE 97-110873

OFFICIAL NOTICE OF COUNCIL DECISION

In re the case of: Appeal from the Deputy Hearing Examiner decision in the case of Puget Homes, File No. 97 110873, requesting approval of a master application consisting of: 1) rezone from Residential 9,600 to Planned Residential 9,600, with site plan; and 2) preliminary subdivision (Crawford Place). The subject property is located on the north side of Crawford Road SW, just west of its intersection with 10th Place W.

NOTICE IS HEREBY GIVEN that on September 2, 1998, a decision in this matter was entered by the Snohomish County Council: Upon a vote of four to zero with one abstention, the Snohomish County Council approved a motion to affirm the June 18, 1998 decision of the Deputy Hearing Examiner, as set forth in Council Motion No. 98-259, attached hereto.

FURTHER NOTICE IS GIVEN that any person having standing under Chapter 36.70C RCW and 2.02.190 SCC who wishes to appeal this decision must do so in accordance with the provisions of Chapter 36.70C RCW and 2.02.190 SCC on or before September 28, 1998.

Dated this 4th day of September, 1998.


Asst. Clerk of the Council

Mailed: September 4, 1998

Snohomish County Council
Department of Planning and Development Services
5th Floor, County Administration Bldg.
M/S #604, 3000 Rockefeller Ave
Everett, WA 98201

SNOHOMISH COUNTY COUNCIL
EXHIBIT # ~~66~~ 66
FILE 97110873

APPEAL	
DATE	7/21/98
TIME	3:20 AM
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RE: Appeal to The Snohomish County Council of the Hearing Examiners Decision File #97 110873

This is a formal request and appeal to the Snohomish County Council of the deputy hearing examiners decision on a requested rezone of property located on the north side of Crawford Rd SW, just west of the intersection with 10th Pl. W. Development known as Crawford Pl.

Basis for appeal:

- a: The examiner exceeded his jurisdiction;
- b: The examiner failed to follow the applicable procedure in reaching his decision;
- c: The examiner misinterpreted the applicable comprehensive plan.
- d: The Examiners findings, conclusions are not supported by the record.

I shall make several points and correct several statements made by the Examiner in his conclusions.

Item 2: Examiner states "asserted notice of defect was not found compelling or fatal to due process. The hearing was held over two days three weeks apart, and was relatively heavily attended both days".

I disagree. The examiner does not have a crystal ball and has know way of knowing who may have come forward and may have made arguments that would have made a difference. I also find his statement about the "meeting being heavily attended" both days false. The first meeting had only five or six representatives from Crawford Rd the second had over twenty. There were no mailings of notice for the second meeting, citizens showed up because of other citizens working hard and notifying them of the meeting.

The examiner is exceeding his authority by assuming "defect of notice" had no bearing on the decision to rezone. The hearing examiner and the Dept. of Planning and Development were negligent in allowing the hearing to proceed with out proper notification, proper posting of signs. Signs were not posted for more than two or three weeks.

Refer to SCC 32.50.060 Item (4) (a): Posting: The signs shall remain posted throughout the permit review process until appeal periods have expired, and may be updated and used for other posted notices required by county code for the proposed project.

Can Planning and Development or the Examiner pick and chose which codes he may enforce? The code is clear and it was not adhered to.

Item 5. The Hearing Examiner does not have the authority to make decisions on what is or is not enforceable in SCC codes. He does not have the authority to determine the "legislative intent" of any part of a code.

Item 6. The GMA is now a moot point since the State Supreme court ruled that the GMA Board has no authority to enforce the rules under the GMA nor can the State force counties to rezone under the GMA. See Supreme Court of Washington Docket number 64798-4, Skagit Surveyors and Engineers v. Friends of Skagit County.

This decision raises questions as to whether the county wide rezone to R-9600 was necessary or legal.

Item 7 under PRD Rezone: The Hearing Examine states the "changed circumstance" test is moot because of the changed comprehensive plan and the PRD 9600 rezone would constitute the changed circumstance any way.

The Hearing Examiner's interpretation of this is wrong. He need only refer to the previous Hearing Examiner's decision on file #ZA 8909407. Under Part III of this decision, item #3: "The traditional test promulgated by the courts of this state by which the validity of a rezone action is to be judged is the "changed circumstances" test: The proponents of the rezone have the burden of proof in demonstrating that conditions have substantially changed since the original zoning" Several cases are cited. Rezoning and area does not constitute "changed circumstances".

The Hearing Examiners decision in this case, (#ZA 8909407), was based on "conditions" in the neighborhood, i.e., size of lots, road, sewer and storm water conditions. These conditions have not changed lots in the area are 12500 or larger. Road conditions are worse. Storm water runoff is worse. There are many septic failures in the area because of over development

See item 9 under Conclusions: The Hearing Examiner states: "There is a policy (of the council) indicating that high density single family developments should be located "in areas where there is major access". Crawford Road clearly cannot be considered as a major access road by any stretch of the imagination. To that extent, it could definitely be said that the requested rezone, which would result in the highest density single family zoning contained within the Snohomish County zoning system, would be inconsistent with the access policy just noted. I'm sure this policy is still in effect. This policy applies to most other roads in the area including but not limited to: Damson, Larch, Locust and Logan. These are narrow two lane roads with little or no shoulder for pedestrians.

Public Welfare, Item 10 of the previous decision (#ZA 8909407): The Hearing Examiner states: "The requested R-7200 zoning would be incongruous in the area and would create an incompatible development situation with the surrounding area." This is still true, even more now.

Item 11: The requested rezone would create an intrusive situation in which a small spot of development could occur at virtually double the density of the area which totally surrounds it. Such a situation cannot be said to serve the public welfare.

In the present situation the rezone would be over four times as dense as the surrounding area.

Summary Conclusions (ZA8909407)

There are either no or insufficient changed circumstances to support changing the present zoning.

The proposed rezone would not serve the public welfare. The proposed rezone would only serve to exacerbate the problems the area now has that are outlined above.

It is obvious that the previous Hearing Examiners decision was based on what would best serve the public interest in the area. The proposed PRD on Crawford Road does not serve the "Public Interest". It is inconsistent and incompatible with the surrounding area. It would exacerbate sensitive drainage situations in the area and would exacerbate hazardous road conditions on Crawford Rd. The PD in 1990 was even against the rezone because it was inconsistent with the established density of the neighborhood, character of the residential development in the area. The PD concluded that the requested rezone would not serve the public use and interest.

Nothing has changed on Crawford Road since the 1990 decision except for the county wide rezone. Conditions on Crawford Road have not changed. All the same reasons from the 1990 decision to deny the rezone remain. Based on that decision alone the present request for a PRD rezone should be denied.

"The PRD rezone would not serve the Public interest"

Summary of appeal:

The notice defect was considerable and detrimental to the citizens having enough time to research the proposed rezone.

Citizens calling Planning and Development were told this rezone was a "done deal" and there was nothing they could do. This was illegal and unfair and has not been addressed.

The Examiner ignored the a previous 1990 Hearing Examiner decision on the Crawford Rd Partners rezone application, file # ZA 8909407, and the general guidelines set forth in the Alderwood Comprehensive Plan, the Growth Management Act and the PRD act.

The proposed rezone does not meet any of the "changed conditions" test outlined in the 1990 decision on file #ZA 8909407. Conditions have not changed since this rezone was denied, therefore the present rezone should be denied.

The Examiner is making conclusions of law and interpretations of code. This is not his place.

The county departments of health, storm water problems and planning and development have been negligent and unsympathetic to the complaints of citizens in the Crawford Rd. area.

Complaints have been made to health department about septic runoff and standing sewage in the area and the health department has ignored or done nothing about the complaints.

Citizen complaints about flooding basements and problems with excess storm water runoff are ignored. The surface water management department has told citizens it is your problem, get a sump pump.

The hearing examiners decision gives new meaning to the phrase "you can't fight city hall". We are free sovereign, tax paying citizens and "our" public officials are ignoring us. You, the public officials, employed by the county are supposed to be working for us, the citizen. It appears Planning and Development, Surface Water Management and the Health Department work more for developers than the private citizenry.

We have problems that are caused by county policy on zoning and development. We have genuine grievances that are being ignored or pushed aside by the county bureaucrats. We want a redress for our grievances. Do we have to higher a lawyer before anyone will listen to us?

I think is clearly unfair the way this project has been pushed through and even more unfair that we have only a few days to file an appeal. The conditions outlined above were bad in 1990 when the first rezone was denied. Conditions are now much worse and the county departments and Council are or will be negligent in allowing rezones of higher density until these problems are solved.

Sincerely,



Daniel G. Ferguson
20511 Crawford Rd
Lynnwood, WA 9806
425-672-4538

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

MOTION NO. 97-409
APPEAL FROM THE HEARING EXAMINER'S DECISION IN FILE
95 106438 - Boyden, Robinett & Associates (Kellogg Village)

WHEREAS, Boyden, Robinett & Associates applied to Snohomish County for approval of a master application consisting of: 1) rezone of 74.80 acres from Suburban Agriculture - 1 Acre (SA-1) to Planned Residential Development - 8,400 (PRD-8,400) (52.94 acres) and PRD-Low Density Multiple Residential (PRD-LDMR) (21.86 acres); 2) preliminary subdivision of 52.94 acres into 238 single family residential lots (Kellogg Village); and 3) conditional use permit for a 108 unit manufactured housing park on 20.55 acres. The subject property is located on the north side of 100th Street NE, approximately one mile east of State Avenue in Marysville, within the Marysville planning area; and

WHEREAS, the Snohomish County Deputy Hearing Examiner held an open record public hearing on April 21, 1997, continued to April 22nd, 23rd, 24th, 25th, 28th, 30th, and July 30, 1997 and issued a decision on September 3, 1997 to approve all elements of the master application subject to preconditions and conditions; and

WHEREAS, Bruce Tipton, Vice-President of the Cascade Conservation League filed a timely Petition for Reconsideration with the Hearing Examiner; and

WHEREAS, the Hearing Examiner issued an Order on September 15, 1997 denying the petition for reconsideration; and

WHEREAS, Bruce Tipton, Vice-President of the Cascade Conservation League appealed the September 3, 1997 decision of the Hearing Examiner to the County Council, according to the provisions of SCC 2.02.175; and

WHEREAS, the Council held a closed record appeal hearing on November 17, 1997 to consider the appeal; and

WHEREAS, after considering the appeal based upon the record, the Council approved a motion to affirm the September 3, 1997 decision of the Hearing Examiner.

NOW, THEREFORE, ON MOTION:

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

1. The Council adopts the findings and conclusions of the Hearing Examiner in the case of Boyden, Robinett & Associates, File No. 95 106438.

Section 2. The Snohomish County Council enters its decision in the case of Boyden, Robinett & Associates, File No. 95 106438.

1. The council hereby affirms the September 3, 1997 decision of the Hearing Examiner.

Dated this 17th day of November, 1997.

ATTEST:

Sheila McCallister
Asst. Clerk of the Council

John Turner
Chair

D-1

EXHIBIT # 313
FILE 95 106438

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PLANNING & DEVELOPMENT
SERV. - ADMIN/OPERATIONS

APPEAL
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BEFORE THE SNOHOMISH COUNTY COUNCIL

IN RE: APPEAL OF ORDER DENYING
APPELLANT'S PETITION FOR
RECONSIDERATION ON THE MERITS
FOR FILE NO. 95-106438.

REF Decision of the Hearings Examiner
dated 9/15/97

APPELLANT'S APPEAL TO THE
SNOHOMISH COUNTY COUNCIL

INTRODUCTION

Appellant, Cascade Conservation League (CCL), hereby appeals the Preliminary Plat to the Snohomish County Council On the Merits under Chapter 2.02 SCC.

The general health and safety of the public are threatened by the Kellogg Village (KV) project.

The Applicant is currently degrading, and plans to accelerate the degradation of waters that are Federally recognized as not being capable of supporting the existing use of the riparian water rights of citizens to swim the said waters.

1 For health reasons Snohomish County Officials have recommended in a report to the Federal
2 government (signed by the County Executive) that citizens should not exercise their riparian water
3 right to swim the waters of Allen Creek.

4 The KV project proposes further degradation of Waters of the State and Waters of the United
5 States and such degradation is specifically and unequivocally prohibited at 40 CFR Sec. 131.12 and
6 WAC 173-201A-070. The Examiner exceeded his jurisdiction in approving such. The Examiner
7 missed the point when he wrote

8 51. CCL alleges that Kellogg Village will degrade water quality in Allen Creek.

9 52. The technical evidence in the record shows that the Allen Creek channel is
stable downstream of where the Dry Creek system joins it and that the increased flows
(duration) from Kellogg Village will not likely cause accelerated erosion. (Exhibit 282A).

10 (Page 15 of 9/3/97 decision)

11 Furthermore the Examiner erred in his decision of 9/15/97 when wrote

12
13 NOW, THEREFORE, the Examiner DENIES the Petition for Reconsideration and
REAFFIRMS without change the above-referenced Decisions.

14 (Page 1 of 9/15/97 decision)

15 The Examiner ignored Appellants arguments about fecal coliform concentrations put forth both
16 in their request for reconsideration and previously.

17 Responsible Officials and the Hearings Examiner have committed a *clear and reversible error*
18 in their *interpretation of the law* and that error will result in *direct harm to the health and safety of*
19 *all citizens - adults and children alike - who exercise their riparian water right to swim the waters*
20 *of Allen Creek.*

1 40 CFR Sec. 131.3(e) Existing uses are those uses actually attained in the water body on
2 or after November 28, 1975, whether or not they are included in the water quality
3 standards.

4 Swimming in the subject waters of Allen Creek without fear of *health risks* due to the
5 presence of *fecal coliforms* in excess of Federal standards is an *existing use*. That use is not being
6 met.

7
8 **The County Has Recognized That A Major Source Of The Fecal Coliforms**
9 **Within The Subject Waters Derives From The Large Number Of Household Pets**
10 **In The Area.**

11 The *Draft Quilceda/Allen Watershed Management Plan* submitted with the Appellants
12 Request for Reconsideration is a 5 year intensive study backed up by research documents that can be
13 found within this administrative record. The Examiner has not disallowed that plan as new evidence
14 not reasonably available at a previous time. The document is therefore part of the administrative
15 record even though it has not yet been assigned its own Exhibit number.

16 That plan clearly states that pet waste is a major source of existing and future fecal
17 contamination of the waters of Allen Creek.

18 The KV project of 347 homes will bring the population of Darrington to the KV site. Many
19 household pets can reasonably be expected to accompany new residents to the site. Fecal matter of
20 those pets will contribute to the further degradation of the waters of Allen Creek. This is especially
21 true of the KV site because the Plat shows many "open ditches" that are planned with no buffers.
22 This is also especially true of the KV site because there are currently 7,000 linear feet of open
23 waterways on this site - an extraordinarily high quantity of open water for a 74 acre site.

1 Since the waters are already on the 303(d) list for the *fecal coliform* water quality parameter
2 and since that degradation currently prevents the *existing use* of citizens *riparian water right to*
3 *swimming* then any further degradation of that water quality parameter is strictly illegal at 40 CFR
4 Sec. 131.12 and WAC 173-201A-070.

5
6 **The Supreme Court Of The United States Of America Has Recently Held That**
7 **The Narrative Language Of The Antidegradation Policy Is In Fact Enforceable.**

8 Justice O'Connor of The Supreme Court of the United States iterated in *PUD No.1 of*
9 *Jefferson County v. Washington State Department of Ecology*, 114 Sp. Ct (page 1900) that in some
10 circumstances, criteria alone are insufficient to protect a designated use and that the Clean Water Act
11 permits enforcement of broad, narrative criteria. Other language of Justice O'Connor in this decision
12 are directly applicable to our arguments that will be put forth before the Council.

13
14 **Applicants Current Extractions And Diversions Of Waters Of The State Prevent**
15 **The Impoundment Of Waters That Would Otherwise Dilute The Concentration**
16 **Of Fecal Coliforms Within The Waters Of Alien Creek And The Subject**
17 **Tributary.**

18 It is clear from aerial photos in the record that B/R breached a natural levee in 1988. The
19 levee previously impounded permanent and seasonal surface waters and allowed for the recharge of
20 the shallow aquifer on their site. The shallow aquifer had been crucial to the instream flows of the
21 shallow salmonid creek on the property for as long as we know of. All existing aerial photos show
22 water flowing to and from the site. The Fish sighting affidavits are in and of themselves evidence of a
23 source of flow sufficient to support fish populations.

1 That flow also allowed for the dilution of the concentration of *fecal coliforms* within the
2 waters of the Allen Creek system. The prevention of that dilution constitutes illegal pollution of the
3 waters of the Allen Creek system.

4 Applicants have submitted into the record proof that the tributary on their site is a *perennial*
5 *stream* of the State of Washington at Exhibit 282D. Base instream flows of *perennial streams* are
6 protected by law at RCW 90.54.020(3)(a). The Antidegradation Policy WAC 173-201A-070 has also
7 been ruled by the Supreme Court of The United States to protect base instream flows that are
8 necessary to support *existing uses*.

9 Appellants hereby petition the Council to declare documents (previously held inadmissible by
10 the Examiner) within the record admissible for the purposes of this argument concerning the
11 concentration of downstream *fecal coliforms*.

12 13 Conclusion.

14 The waters on and downstream from the KV site must be cleaned up and removed from the
15 303(d) list for the *fecal coliform* parameter before *Best Management Practices* can be allowed to
16 account for any further degradation of our waters due to any additional pollution by the *fecal waste* of
17 *many household* pets proposed to be brought into the *proximity of the extensive waters* of the KV
18 site by the KV proposal.

19 The use of *Best Management Practices* allowed for at

20 WAC 173-201A-070(4) Whenever waters are of a higher quality than the criteria
21 assigned for said waters, the existing water quality shall be protected and pollution of
22 said waters which will reduce the existing quality shall not be allowed, except in those
23 instances where:

1 (a) It is clear, after satisfactory public participation and intergovernmental coordination,
2 that overriding considerations of the public interest will be served;

3 (b) All wastes and other materials and substances discharged into said waters shall be
4 provided with all known, available, and reasonable methods of prevention, control, and
5 treatment by new and existing point sources before discharge. All activities which result
6 in the pollution of waters from nonpoint sources shall be provided with all known,
7 available, and reasonable best management practices; and

8 (c) When the lowering of water quality in high quality waters is authorized, the lower
9 water quality shall still be high enough quality to fully support all existing beneficial
10 uses. underlining added

11 is legal out of reach until a water quality sufficient to support existing uses is restored.

12 WAC 173-201A-070(4) does not even allow for *insignificant further degradation* of parameters that
13 are already insufficient to maintain *existing uses*.

14 Appellants will argue before the Snohomish County Council that the Platt must be denied ON
15 THE MERITS due to the danger and injury that it will cause to the health, safety and welfare of
16 citizens legally wishing to exercise their riparian water right to swim the waters downstream from the
17 KV project.

18 Appellants will argue before the Snohomish County Council that the Platt must be denied ON
19 THE MERITS because it will further deny the due process rights of citizens to exercise their riparian
20 water right to swim the waters downstream from the KV project without fear of increased health and
21 safety risks.

22 Respectfully Submitted on this ^{2nd B.S.} 15th day of ^{October} September, 1997.

23 By

24 Bruce Tipton
25 Bruce Tipton
Vice-President
Cascade Conservation League

6308 100th St. NE
Marysville WA 98270
1-360-653-3903

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APPELLANT'S APPEAL TO THE SNOHOMISH COUNTY
COUNCIL - 8

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

MOTION NO. 97-166
APPEAL FROM THE DEPUTY HEARING EXAMINER'S DECISION IN FILE
96 103071 - Starlite Construction
Preliminary Plat - Starlite Meadows

WHEREAS, Starlite Construction applied to Snohomish County for approval of a master application consisting of: 1) Rezone from Residential 9,600 to Planned Residential Development 7, 200; 2) preliminary subdivision approval (Starlite Meadows); and 3) subdivision modifications to allow a private road; and

WHEREAS, the Snohomish County Deputy Hearing Examiner held a public hearing on February 4, 1997 and issued a decision on February 25, 1997 to approve subject to conditions; and

WHEREAS, David Chrisman filed a timely Petition for Reconsideration with the Deputy Hearing Examiner; and

WHEREAS, the Deputy Hearing Examiner issued an Order on March 17, 1997 denying the petition for reconsideration; and

WHEREAS, David Chrisman appealed the February 25, 1997 decision of the Deputy Hearing Examiner to the County Council, according to the provisions of SCC 2.02.175; and

WHEREAS, the Council held a closed record appeal hearing on May 14, 1997 to consider the appeal; and

WHEREAS, after considering the appeal based upon the record, the Council approved a motion to affirm the February 25, 1997 decision of the Deputy Hearing Examiner.

NOW, THEREFORE, ON MOTION:

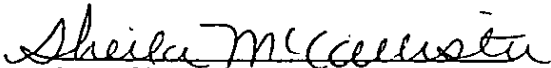
Section 1. The Snohomish County Council makes the following findings of fact and conclusions:

1. The Council adopts the findings and conclusions of the Deputy Hearing Examiner in the case of Starlite Construction, File No. 96-103071.

Section 2. The Snohomish County Council enters its decision in the case of Starlite Construction, File No. 96-103071: The council hereby affirms the February 25, 1997 decision of the Deputy Hearing Examiner.

Dated this 14th day of May, 1997.

ATTEST:


Asst. Clerk of the Council


Vice-Chair

D-20

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 50

FILE 96 103071

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

OFFICIAL NOTICE OF COUNCIL DECISION

In re the case of: Appeal from the Hearing Examiner decision in the case of Starlite Construction, File No. 96-103071, requesting approval of a master application consisting of: 1) rezone from Residential 9,600 to Planned Residential Development 7,200; 2) preliminary subdivision approval (Starlite Meadows); and 3) subdivision modification to allow a private road, for property located on the north side of the present terminus of 210th Place SW, east of Brier.

NOTICE IS HEREBY GIVEN that on May 14, 1997, a decision in this matter was entered by the Snohomish County Council: Upon a unanimous vote of the three councilmembers present, the Snohomish County Council approved a motion to affirm the February 25, 1997 decision of the Deputy Hearing Examiner in this matter.

FURTHER NOTICE IS GIVEN that any person having standing under Chapter 36.70C RCW and 2.02.190 SCC who wishes to appeal this decision must do so in accordance with the provisions of Chapter 36.70C RCW and 2.02.190 SCC on or before June 4, 1997.

Dated this 14th day of May, 1997.

Sheila McCallister
Clerk of the Council, *asst.*

Mailed: May 15, 1997

Appeal of Starlight Meadows Proposed Rezone

March 31, 1997

Snohomish County Council
 MS #604
 3000 Rockefeller Ave.
 Everett WA 98201

Re: PDS File No. 96-103071

APPEAL	
DATE	<u>3/31/97</u>
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LDC	<u>DJG</u>

Appellant:
 David Chrisman
 1010 210th Pl. S.W.
 Lynnwood WA 98036
 (206) 483-3313

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 36

FILE 96 103071

Included in this Appeal (7 pages total):

- A. Appeal to Snohomish County Council
- B. Comments submitted 2/6/97 by petitioner
- C. Supporter signatures of comments submitted 2/6/97
- D. Comments from Comprehensive Planning dated 9/5/96

1. An APPEAL is being requested of the proposed rezone because I believe that the Hearing Examiner committed an error in law or misinterpreted the applicable comprehensive plan, provisions of Snohomish County Code, or other county or state law or regulation AND discovered evidence alleged to be material to the Examiner's decision.

1a. The courts have determined that in order to approve a rezone request the action is to be judged against the "changed circumstances test" or that the rezone services to implement the adopted comprehensive plan. The Examiner determined in Conclusion #5 that "no significant 'changed circumstances' supporting the rezone are offered, nor are any apparent." The Examiner erred in his conclusion that the requested rezone "conforms in full to the comprehensive plan." This development does not comply with the comprehensive plan in full due to its proposed density.

The site is designated Urban Low Density Residential (4-6 units/acre). This plan is based upon a net density. The General Policy Plan states that "the high end of the allowable density range is shown for each designation." In this case, it is 6 units/acre. It is understood that PRD's are allowed to exceed this range slightly by *applying bonus densities provided by the zoning code*. Development at 9.14 units/acre EXCEEDS THE RANGE EXCESSIVELY and violates the spirit of plan by changing the designation to fall within a Medium Density Residential density (6-12 units/acre).

Allowing this development to be approved at minimum PRD-8,400 or redesign to eliminate 1-2 units/acre would bring it into greater conformance with the comprehensive plan and would be more compatible with the character of the surrounding neighborhood.

1b. One item included in the Purpose section of the PRD ordinance states that a PRD should "preserve the value, character, and integrity of surrounding areas which have been, or are being developed under traditional zoning regulations."



Further, 18.51.020 requires that "the density proposed for the PRD designation shall be consistent with the adopted Snohomish County Growth Management Act Comprehensive Plan."

While the some neighboring properties may have R-7,200 zoning, they have not been developed to a density that even begins to approach 9.14 units/acre. The council can clearly see from the site plan that the proposal DOES NOT PRESERVE THE VALUE, CHARACTER, AND INTEGRITY OF SURROUNDING AREAS DEVELOPED UNDER TRADITIONAL ZONING REGULATIONS.

1c. The Creek Village case is not a fair comparison (as stated in previous comments, attached): In that case, the property owner proposed 7.7 units /acre net density. This is substantially less than the 9.14 units proposed in this case.

2. The petitioner has come upon additional information which was not included in the Hearing Examiners file. This information is substantive to the decision making process, as it clearly shows that there has been a disagreement relating to the appropriateness of the proposed density. It is unclear to me why this information was not sent for the Hearing Examiner's review. (Comments attached)

The Long Range Planning division has determined that this development proposal is INCONSISTENT WITH THE FUTURE LAND USE MAP DESIGNATION AND THE SITE DESIGN IS NOT COMPATIBLE WITH ADJACENT DEVELOPMENT PATTERNS.

Further comments from the Long Range Planning staff, which would serve to clear up this problem, have not been provided. It should be clarified to the council, why these determinations were not addressed.

Sincerely,



David Chrisman

Distribution:

Snohomish Cty. Hearing Examiner
Snohomish Cty. Council Members:
John Garner, Karen Miller, R.C. Johnson, Kirke Sievers, Gary Nelson
Snohomish Cty. Executive Bob Drewel
Senator Rosemary McAuliffe, Dist. 1
Representative Al O'Brien, Dist. 1
Representative Mike Sherstad, Dist. 1
Lynnwood City Council Members
Brier City Council Members
Mounlake Terrace City Council Members
Elberta Heights Neighborhood Supporters
Parties of Record
Local Media
Applicant

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

MOTION NO. 97-063

APPEAL FROM THE HEARING EXAMINER'S DECISION
IN FILE ZA 9407131, HOWARD & JULIE CAMPBELL

WHEREAS, Howard & Julie Campbell applied to Snohomish County for approval of a master application consisting of: 1) rezone from Suburban Agriculture - 1 Acre (SA-1) and Rural Conservation (RC) to Planned Residential Development SA-1 (PRD -SA-1) and PRD site plan approval; and preliminary plat approval (Campbell Woods). The subject property is located on the east side of West Interurban Boulevard SE, approximately 700 feet northwest of its intersection with 180th Street SE (aka Vine Street), in the Clearview area.

WHEREAS, the Snohomish County Hearing Examiner held a public hearing on the subject application on August 29, 1996 and continued to October 10, 1996 and issued a decision on November 27, 1996 to grant approval of the master application subject to conditions; and

WHEREAS, on December 9, 1996 a Petition for Reconsideration was filed with the Hearing Examiner pursuant to 2.02.167; and

WHEREAS, the Hearing Examiner issued an order denying the request for reconsideration on December 19, 1996; and

WHEREAS, an appeal from the decision of the Hearing Examiner was filed in accordance with the provisions of SCC 2.02.175; and

WHEREAS, the Council held a closed record appeal hearing on February 12, 1997 to consider the appeal; and

WHEREAS, after considering the appeal based upon the record, the Council approved a motion to affirm the November 27, 1996 decision of the Hearing Examiner.

NOW, THEREFORE, ON MOTION:

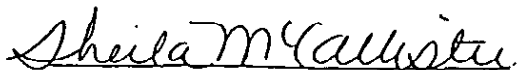
Section 1. The Snohomish County Council makes the following findings of fact and conclusions:

1. The Council adopts the findings and conclusions of the Hearing Examiner in the case of Howard & Julie Campbell, ZA 9407131.

Section 2. The Snohomish County Council enters their decision in the case of Howard & Julie Campbell, ZA 9407131. The council hereby affirms the November 27, 1996 decision of the Hearing Examiner.

Dated this 12th day of February, 1997.

ATTEST:


Asst. Clerk of the Council


Vice-Chair

APPEAL	
DATE	<u>1/12/97</u>
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SNOHOMISH COUNTY COUNCIL
 EXHIBIT # 145
 FILE 9407131

BEFORE THE
 SNOHOMISH COUNTY COUNCIL

IN RE: APPLICATION FOR A
 PLANNED RESIDENTIAL
 DEVELOPMENT SUBDIVISION
 PROPOSAL, CAMPBELL WOODS

APPEAL

FILE NO. ZA 9407131

I. PETITIONERS

Residents and Citizens for Rural Clearview (RC2) and Keith and Kathy Dalluge hereby file this appeal of the Hearing Examiner's November 27, 1996 decision to grant the requested rezone to Planned Residential Development Suburban Agriculture-1 acre (PRD SA-1) and approve the preliminary plat of Campbell Woods.

Keith and Kathy Dalluge reside at 17811 West Interurban Boulevard, Snohomish, Washington 98296, phone number (206) 788-4723. Keith and Kathy Dalluge are members of Residents and Citizens for Rural Clearview (RC2). The Dalluge address and phone number is the same address for Residents and Citizens for Rural Clearview.

II. RELIEF REQUESTED

Petitioners request that the County Council reverse the Examiner's approval of the Campbell Woods PRD and deny the Campbell Woods project.

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III. GROUNDS FOR APPEAL

The Snohomish County Hearing Examiner issued his initial decision to approve the Campbell Woods plat proposal on November 27, 1996. Appellants submitted a Petition for Reconsideration which was denied by the Hearing Examiner on December 19, 1996.¹

The Examiner committed errors of law and his conclusions are not supported by the record. See SCC 2.02.175(3). The Campbell Woods PRD should be denied on the basis that it is inconsistent with both state and county law in two respects. First, the proposal constitutes urban growth and urban growth is prohibited outside of a designated urban growth boundary. Second, the proponent's rights did not vest when the application was filed and the laws in effect on the date that the Hearing Examiner's decision was made prohibited the development.

A. Residents and Citizens for Rural Clearview Has Standing to Appeal the Hearing Examiner's Decision

The organization Residents and Citizens for Rural Clearview has standing to petition for reconsideration because several of its members testified at the hearing or submitted written comments and are therefore each "parties of record" pursuant to SCC 2.02.165(1). See Attachment A. See also SAVE v. Bothell, 89 Wn.2d 862, 867, 576 P.2d 401 (1978).

The Hearing Examiner did not accept RC2 as a petitioner only because members of RC2 were not identified. First, that petitioner informed the Examiner that members of

¹ The Examiner also denied petitioners' MDNS appeal on November 27, 1996 and petitioners' request for reconsideration of that denial on December 19, 1996, however, the Snohomish County Code does not provide for an appeal of the Examiner's SEPA decision to the Council.

1 RC2 were parties of record was itself sufficient to establish standing for the group. RC2
2 was formed entirely for purposes of streamlining the process of petitioning for
3 reconsideration so that petitioners would not have to name each and every individual
4 member of the group. Second, Keith and Kathy Dalluge are members of RC2 and were
5 identified as such. (The organization's address was listed as the same as the Dalluge's
6 address.) Finally, if the County finds it necessary to check the credibility of appellants'
7 assertion that members of RC2 are parties of record, then Attachment A -- which lists
8 members of RC2 who are parties of record -- should prove sufficient.
9

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11 B. The IUGA is Regulatory and Prohibits Urban Growth Outside of an Urban
12 Growth Area

13 1. The County may determine what is or is not urban growth when
14 considering approval of a specific proposal

15 The Growth Management Act (GMA) unequivocally prohibits urban growth outside
16 of an established IUGA. See RCW 36.70A.110(1) ("growth can occur [outside an urban
17 growth area] only if it is not urban in nature"). There is no dispute, and the Hearing
18 Examiner found, that Campbell Woods is outside of any interim urban growth boundaries
19 in existence on the date that the application was filed. Decision of the Deputy Hearing
20 Examiner on Master Application File ZA 9407131, Finding No. 10 (Nov. 27, 1996)
21 (hereinafter referred to as "Decision"). Accordingly, the decisive issue is whether this
22 proposal constitutes urban growth.
23

24 Rather than concluding that this proposal is or is not urban growth, the Hearing
25 Examiner concluded that interpreting what is or what is not "urban growth" is outside of
26 his authority. Id., Conclusion No. 11. To the contrary, it is within his authority and is
27 required by state and local law.
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The Hearing Examiner indicates that the definition of urban growth is too vague to be used in a regulatory setting. However, case law makes clear that the GMA definition of "urban growth" is sufficiently specific to be utilized in a regulatory setting. Decisionmakers are vested with considerable discretion to regulate specific projects by reference to broadly stated, subjective standards. See Victoria Partnership v. Seattle, 59 Wn.App. 592, 604, 800 P.2d 380 (1990). For example, to violate due process or equal protection rights, a local government's exercise of its police power to protect the public health, safety, and general welfare must be proven unreasonable or not rationally related to a legitimate purpose of government. Id. When denying a project, a county must simply identify and rely upon policies in effect prior to submission of the development application to satisfy those requirements. Id.

In the case of enforcing an IUGA, an IUGA boundary is easily identified and the Hearing Examiner has the duty to deny intensive development which clearly meets the "urban growth" definition in state law. The Examiner has authority to interpret other general decision criteria which are far more subjective than "urban growth." For example, for a conditional use permit, a Hearing Examiner must determine whether a proposal is "compatible" with the surroundings of the area. SCC 18.72.060. The Examiner may deny a permit if compatibility cannot be insured. Both determinations are clearly within the Examiner's authority as a quasi-judicial entity.

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2. The County Council is not required to enact a corollary definition of "urban growth" before the Hearing Examiner may deny development which is urban growth within the definition established by the GMA and the Growth Management Hearings Boards

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The IUGA set by the County Council is a regulation which, without further regulation, prohibits urban growth outside of the urban growth boundary. The County does not have to adopt regulations which define urban growth before it can prohibit a specific project which constitutes urban growth outside of the interim urban growth area boundaries. See Association of Rural Residents v. Kitsap County, King County Superior Court Cause No. 96-2-04377-0 SEA at 5-9 (Final Judgment, Oct. 1996).

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The GMA requires adoption of a local implementing ordinance to make effective the GMA prohibition on urban growth outside of a designated UGA. RCW 36.70A.110(1). Pursuant to the terms of the GMA, the IUGA designation is itself a regulation which is mandatory and prohibits urban growth outside of its boundaries regardless of the existence of additional regulations which "define" urban growth. Allowing an IUGA designation to lie dormant until an implementing regulation which defines "urban growth" is adopted would undermine the Legislature's purpose in requiring prompt adoption of an IUGA -- to preclude more urban sprawl during the remainder of the initial GMA planning process. To understand the Legislature's purpose in requiring adoption of interim UGAs, it is necessary to understand the legislative history of this provision.

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When originally enacted in 1990, the GMA contained no provision for an interim UGA. Rather, the Legislature simply ordered local jurisdictions to adopt comprehensive

1 plans, including an urban growth area, by July 1, 1993. See 1990 Laws of Washington,
2 1st ex. sess., ch. 17, § 4(3). No interim measures were required.
3

4 The comprehensive plan process took longer than expected and requests for a
5 legislative extension of the deadline arose. The Legislature recognized that it was
6 necessary to provide more time but was concerned that new urban sprawl projects could
7 be proposed while the GMA planning effort was being completed. Consequently, when
8 the Legislature in 1993 delayed the deadline for adoption of comprehensive plans to July
9 1, 1994, it required counties to adopt interim UGAs by October 1, 1993. See 1993 Laws
10 of Washington, ESHB 1761 (1st sp., Ch. 6, § 2, effective Jun. 1, 1993) codified at RCW
11 36.70A.110(4). The interim UGAs would preclude further sprawl while the
12 comprehensive planning process proceeded to a conclusion.
13

14 This reading of the Act is consistent with the contemporaneous construction of the
15 Act by the expert agency administering the Act -- the Department of Community
16 Development (now the Department of Community Trade and Economic Development).
17 Shortly after the 1993 amendment, the Department of Community Development, Growth
18 Management Division, distributed a memorandum to elected officials and planning
19 directors of jurisdictions planning under the Act. In that memorandum, the Department
20 explained the purpose of the IUGA:
21

22 [The new] interim UGA requirement was passed in part due
23 to concern about the continuation of urban sprawl during the
24 year or more extension local governments have received to
25 prepare their comprehensive plans . . . The intent of the new
26 law is that the line have meaning. . . . Once an interim
27 IUGA is established, urban growth must not occur outside its
28 boundaries.

1 Memorandum from Mike McCormick to Elected Officials and Planning Directors (Aug.
2 16, 1993).

3
4 The Growth Management Hearings Board, another agency with GMA expertise,
5 reads the Act the same way.

6 IUGAs have both a policy effect and a regulatory effect.
7 The policy effect provides direction to the preparation of
8 comprehensive plans while the principal regulatory effect is
9 the prohibition of urban development and annexation outside
10 the urban growth area.

11 Id. at 418 (emphasis supplied).

12 The IUGA is more than a line drawn on a map to indicate where a jurisdiction
13 thinks "urban growth" should occur. IUGAs are not advisory, but rather directive. ARR
14 v. Kitsap County, CPSGMHB No. 93-3-0010 at 415 (Jun. 3, 1994).² In describing the
15 effect of a UGA designation, the Legislature revealed that it knew the difference between
16 words that cajole and words that mandate. The Act states that each county must designate
17 an urban growth area "within which urban growth is encouraged -- the language
18 persuading the counties rather than directing them. Alternatively, the same provision
19 states that "growth can occur [outside of an UGA] only if it is not urban in nature." RCW
20 36.70A.110(1). The County must prohibit the inappropriate conversion of undeveloped
21 land into sprawling, low-density development outside of the designated IUGA. Id. at 416.

22 The IUGA itself is a development regulation which calls for a prohibition while the
23 County is preparing and implementing regulations. The Central Puget Sound Growth
24

25
26 ² The decisions of the Hearings Boards are published by Book Publishing Company
27 and are also available on compact disk by CD Law. All page references herein reference
28 Book Publishing Company's pagination. Also, counsel can provide the Examiner with
copies of any Hearings Board decision upon request.

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Management Hearings Board explains that "IUGA's are regulatory in nature because they control development or land use activities by *automatically* prohibiting ... urban development beyond the boundary. Id. at 415 (emphasis supplied).

The Board adds:

The regulatory effect of IUGAs *ceases upon adoption of...implementing regulations* with regard to prohibiting urban development beyond the boundary.

Id. (emphasis supplied).

In its description of the effect of IUGAs, the Board explains that the IUGA's prohibition on urban growth outside of its boundaries is unequivocal and:

The only manner to achieve such a prohibition is for the IUGAs to have some *immediate and controlling regulatory effect* relative to what happens beyond the designated area.

Id. at 418 (emphasis supplied). The Board later explains:

If there is a temporal gap between the comprehensive plan adoption and adoption of the *subsequent implementing regulations*, the *IUGAs continue in effect* so as to preclude a regulatory gap in the prohibition of urban growth beyond the boundary. . . .

If the Comprehensive Plan and the FUGA incorporates most of the urban growth area boundary line from its IUGA alignment, the County must be mindful of a potential need to amend or otherwise adjust the IUGA development regulation for the interim period *until the implementing development regulations arrive*.

Id. at 419 (emphasis supplied). The IUGAs are explicitly required to be utilized before and until the adoption of subsequent implementing regulations.

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urban developments. The development requires urban services (e.g., water to be provided by Cross-Valley Water District). The development precludes the use of the land for natural resource production purposes. Consequently, the County is compelled by state law to deny this proposal on the basis that it constitutes urban growth outside of an urban growth area.

C. The Campbell Woods Proposal Did Not Vest Under the Laws in Effect on the Date the Application was Filed

1. The Snohomish County GMA Comprehensive Plan applies to this proposal

Campbell Woods is a request for a rezone and rezones do not vest on the date that an application is filed. Decision, Finding No. 6 and Conclusion No. 7. Instead, the laws in effect on the date that the decision is made approving the rezone are applicable. Therefore, the laws in effect on November 27, 1996 should apply to this application.

However, the Hearing Examiner concluded that the County enacted a local vesting provision in its GMA Comprehensive Plan which made rezone applications filed before July 10, 1996, the effective date of the GMA Comprehensive Plan, vest from the effects of that Plan. Therefore, the Hearing Examiner concluded, that the application is not subject to the GMA Comprehensive Plan nor to any effect of the UGA adoptions. Decision, Conclusion Nos. 7 and 8. Citizens appeal this conclusion as it is inconsistent with the law.

The Hearing Examiner relies upon language in Amended Ordinance No. 94-125, § 10, which states "the GMA Comprehensive Plan adopted by [Amended Ordinance No. 94-125] is applicable to *development applications* determined by the County to be complete on or after the effective date of this ordinance." Decision, Finding No. 11 (emphasis

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1 supplied). That plan became effective on July 10, 1995, only five days after the
2 application for the Campbell Woods development was filed.

3
4 The language in Ordinance 94-125 cannot and does not apply to rezones, rather it
5 applies to development applications only. A rezone cannot vest because it is inherently
6 inconsistent with the laws in effect on the date that the application is filed. A rezone does
7 not become consistent with the laws until it is actually approved.

8
9 In addition, the Examiner relies upon Erickson & Associates v. McLerran, 123
10 Wn.2d 864, 873 (1994) for the proposition that a local government may enact a local
11 vesting provision, provided it is not contrary to the basic state vesting doctrine. The
12 reliance on Erickson for the proposition that the local government may enact a provision
13 which makes rezones vest is misplaced. While Erickson, in dictum, indicates there
14 theoretically may be cases in which a local jurisdiction may expand the vesting rule beyond
15 that required by the constitution, the Supreme Court made clear that that option does not
16 exist when the broader vesting would undermine the public policy objectives of the GMA.
17 See Erickson at 876 (given Legislature's enactment of GMA "unwilling to modify or
18 expand the vested rights doctrine unless it is required to protect the constitutional interests
19 at stake"). Constitutional property rights are not implicated when a property owner seeks
20 a discretionary legislative rezone days after the County has passed an ordinance precluding
21 such rezones in the future. The constitutional protections are afforded to prevent
22 government agencies from "changing the rules of the game" midstream. They are not
23 designed to provide property owners from changes in the rules before the application
24 process has commenced. There is no constitutional property right to be protected from
25 changes in the law enacted prior to the date a complete application is filed.
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1 2. The applicant has not met its burden of proof in demonstrating the
2 need for a rezone

3 Rezone applicants must show that conditions have substantially changed since the
4 original zoning and that the rezone bears a substantial relationship to the public health,
5 safety, morals, or welfare. Parkridge v. Seattle, 89 Wn.2d 454, 462, 573 P.2d 359
6 (1978). The applicant has failed to show changed circumstances. Decision, Conclusion
7 No. 6. Despite this failure, the Hearing Examiner granted the rezone. The basis for the
8 approval was that it was "consistent" with the 1977 NCAP. Decision, Conclusion No. 12.
9 The Examiner relied on Bjarnson v. Kitsap County, 78 Wn. App. 840, 846 (1995).
10

11 In Bjarnson, the court upheld the County's approval of the rezone because the
12 substantial changed circumstances were *documented* in the County's amendment to its
13 comprehensive plan. In that case, the plan anticipated future commercial development at
14 the area where the proposal would be built. Id. at 846. The court pointed out that no
15 commercial development and no shopping center could be built until the rezone was
16 granted because the area was zoned R-2.5. Id. Because the rezone implemented the
17 comprehensive plan and documented changed circumstances, they did not require changed
18 circumstances. Id. Also, there were sufficient changed circumstances to justify the rezone
19 in that case. Id.
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22 That case does not apply here. The proposed rezone does not implement the
23 County's future planning policies of the 1977 plan. (Indeed, the 1979 area plan is
24 inconsistent with the prior comprehensive plan.) The 1977 plan does not document future
25 changed circumstances. The court in Bjarnson approved a rezone because it saw that the
26 County was planning for growth in that area. Id. at 846. Here, the applicant fortuitously
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1 filed its application after the new Comprehensive Plan was adopted and just five days
2 before its effective date. The proposed rezone is inconsistent with the policies of the
3 County because it proposes urban densities in a non-urban area and is inconsistent with
4 how the County has chosen to develop that area. The Examiner must not grandfather in
5 uses that the GMA Comprehensive Plan has determined undermine the public welfare.
6

7 Essentially, the Examiner has ruled that because the applicant's request for a rezone
8 is consistent with the 20 year old area plan, the applicant has met its burden for a rezone.
9 However, the applicant showed no changed circumstances in support of its application and
10 the 1977 plan does not document changed circumstances in the area.
11

12 Furthermore, the proposal is also inconsistent with other elements of the 1977 area
13 plan. The "consistent with the comprehensive plan" exception to the "changed
14 circumstances" requirements does not apply when the proposal is consistent with some,
15 but inconsistent with other, elements of the area plan.
16

17 D. The Proposed Rezone Does Not Bear a Substantial Relation to Public
18 Health, Safety, Morals, or Welfare

19 Campbell Woods is not in the public interest. The project proposes an urban
20 density in a rural area, it is inconsistent with the current GMA Comprehensive Plan, and
21 it would be illegal pursuant to Ordinance No. 96-076 (1996) (PRDs are not allowed
22 outside of an urban growth area) if the Hearing Examiner had made his decision only ten
23 days later than he did. The applicant has shown no changed circumstances in the area to
24 warrant a rezone. Decision, Conclusion No. 6. Yet the Examiner concludes that because
25 the proposal is consistent with a 20 year old Comprehensive Plan, the proposal bears a
26 substantial relation to public welfare. Decision, Conclusion No. 15.
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1 Surely, if the standard for approving a rezone were simply that it be consistent with
2 the Comprehensive Plan, the courts would state that explicitly. Instead, the courts have
3 indicated that the proposal also must bear a substantial relation to public welfare. That is
4 a higher standard than being simply consistent with the Comprehensive Plan (especially
5 a Comprehensive Plan that was enacted almost 20 years ago and was replaced by a plan
6 with which the proposal was inconsistent before the decision to approve the project was
7 made).

8
9 Erickson explains that the legislative findings in both the State Environmental
10 Policy Act (SEPA) and the Growth Management Act demonstrate the Legislature's
11 understanding that greater regulation of property is necessary to accomplish the goals set
12 forth in both acts. Id. at 876. Erickson supports a conclusion that the Campbell Woods
13 rezone does not bear any relation to the public welfare:

14
15 The legislative findings in both SEPA and the Growth
16 Management Act demonstrate the Legislature's understanding
17 that greater regulation of property use is necessary to
18 accomplish goals set forth in both acts. Additionally, these
19 findings reflect a legislative awareness that land is scarce,
20 land use decisions are largely permanent, and, particularly
21 in urban areas, land use decisions affect not only the
22 individual property owner or developer, but entire
23 communities.

24 The Growth Management Act imposed substantial new
25 requirements on local governments. Under the Act, most
26 counties and municipalities must establish comprehensive
27 development plans, identify natural resources and critical
28 areas, as well as develop a variety of regulations consistent
with the Act and the local development plans. See RCW
36.70A.060 -.170. The Act further mandates that localities
act quickly, placing strict compliance deadlines for each
requirement. . . Given the substantial legislative activity in
land use law, we are unwilling to modify or expand the

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vested rights doctrine unless it is required to protect the constitutional interests at stake.

Erickson at 876.

To allow a rezone which is obviously inconsistent with the planning policies of the County is not in the interest of the public good.

IV. CONCLUSION

For the above reasons, petitioners request that the County Council reverse the Examiner's decision and deny the Campbell Woods PRD.

Dated this 2nd day of January, 1997.

Respectfully submitted,

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