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SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 99-121

AMENDING ORDINANCE 93-004 TO AMEND COUNTYWIDE PLANNING POLICIES
UG-14, HO-9, AND ED-3 PURSUANT TO THE SNOHOMISH COUNTY
TOMORROW STEERING COMMITTEE RECOMMENDATION AND
THE GROWTH MANAGEMENT ACT

WHEREAS, the Growth Management Act (GMA) at RCW 36.70A.215(1) requires that Snohomish County adopt, in consultation with its cities, countywide planning policies to establish a review and evaluation program, commonly referred to as a "buildable lands program;" and

WHEREAS, the GMA at RCW 36.70A.215(2) and (3) requires that the buildable lands program provides for the review and evaluation of suitable residential, commercial and industrial lands every five years, in order to ensure sufficient buildable land supply throughout the twenty-year GMA planning period; and

WHEREAS, the requirements of RCW 36.70A.215 apply to Snohomish County and all cities within Snohomish County; and

WHEREAS, the GMA at RCW 36.70A.210(2) requires adoption of a countywide planning policy, which consists of written policy statements used for establishing a countywide framework from which county and city comprehensive plans are developed and adopted under the GMA; and

WHEREAS, Snohomish County has adopted countywide planning policies in Ordinance 93-004 on February 4, 1993, and later amended those policies in Ordinance 94-002 on February 2, 1994, Ordinance 95-005 on February 15, 1995, Ordinance 95-110 on December 20, 1995, Ordinance 98-054 on July 15, 1998, and Amended Ordinance 99-120 on January 19, 2000; and

WHEREAS, the countywide planning policies provide the framework for interjurisdictional coordination of county and city planning efforts under the GMA; and

WHEREAS, the Planning Advisory Committee (PAC) of Snohomish County Tomorrow developed several proposed amendments to the countywide planning policies that would provide the framework for interjurisdictional coordination of county and city buildable lands program development and implementation efforts; and

WHEREAS, the PAC's proposed amendments also provide criteria for consideration of adjustments to urban land supply for residential, commercial and industrial purposes, to be used during periods between five-year buildable land review and evaluation efforts; and

WHEREAS, the Snohomish County Tomorrow Steering Committee reviewed the PAC's recommendation on May 26, 1999 and again on June 30, 1999, and accepted a portion of the PAC's recommendation on July 28, 1999 and a revised version of the remaining portion of the proposed amendments on September 29, 1999, and recommended adoption of the amendments as revised to the Snohomish County Council; and

WHEREAS, the Snohomish County Council held a public hearing on January 19, 2000 to consider the amendments to countywide planning policies UG-14, HO-9 and ED-3; and

WHEREAS, the Snohomish County Council continued the public hearing held January 19, 2000 to February 16, 2000 to consider additional amendments to the countywide planning policies; and

WHEREAS, following the public hearing held on February 16, 2000 the Snohomish County Council approved amendments to Policies UG-14, HO-9 and ED-3.

NOW, THEREFORE BE IT ORDAINED:

Section 1. Section 1 of Ordinance 93-004, adopted February 4, 1993, and last amended by Amended Ordinance 99-120 on January 19, 2000, is amended to include the following amendments to Policies UG-14, HO-9 and ED-3 in the document entitled "Countywide Planning Policies for Snohomish County," dated February 4, 1993, which was adopted, attached to, and incorporated by reference in Section 1 of Ordinance 93-004 and later amended by Ordinance 94-002 on February 2, 1994, Ordinance 95-005 on February 15, 1995, Ordinance 95-110 on December 20, 1995, Ordinance 98-054 on July 15, 1998, and Amended Ordinance 99-120 on January 19, 2000:

UG-14 ~~Establish a process to evaluate the effectiveness of the UGAs at least once every five years.~~ Establish a review and evaluation program, which includes an annual data collection component, pursuant to RCW 36.70A.215 ("Buildable Lands Program"). The evaluation component required by the Buildable Lands Program will be completed no later than September 1, 2002. Subsequent evaluations shall occur at least once every five years. This evaluation may be combined with the review and evaluation of county and city comprehensive land use plans and development regulations required by RCW 36.70A.130(1), and the review of urban growth areas required by RCW 36.70A.130(3).

- a. Procedures Report: Using the Snohomish County Tomorrow process, develop a buildable lands analysis procedures report for the evaluation required by the Buildable Lands Program, that is accepted by the Snohomish County Tomorrow Steering Committee, and is used by all Snohomish County jurisdictions when conducting their buildable lands review and evaluation. The procedures report shall address the following issues:

1. Multi-year work program and schedule;
2. Jurisdictional responsibilities for data collection, analysis and reporting;
3. Five-year buildable lands review and evaluation methodology, including a methodology for establishing an accurate countywide baseline inventory of commercial and industrial lands;
4. Annual data collection requirements;
5. Coordinated interjurisdictional data collection strategy; and
6. Content of the five-year buildable lands review and evaluation report.

b. Identification of Reasonable Measures:

A list of reasonable measures that may be used to increase residential, commercial and industrial capacity in UGAs, without adjusting UGA boundaries, shall be developed using the Snohomish County Tomorrow process. The Snohomish County Tomorrow Steering Committee will recommend to the County Council a list of such reasonable measures. The County Council will consider the recommendation of the Steering Committee and will add a new Appendix to the countywide planning policies that contains a list of reasonable measures. Once adopted, the County Council will use the list of reasonable measures to evaluate all UGA boundary expansion proposals consistent with UG-14(d).

c. Procedures for Resolving Inconsistencies in Collection and Analysis of Data:

In the event of a dispute among jurisdictions relating to inconsistencies in collection and analysis of data, the affected jurisdictions shall meet and discuss methods of resolving the dispute. In the event a successful resolution cannot be achieved, the Snohomish County Tomorrow Steering Committee shall be asked to meet and discuss resolution of the matter. In such instances, the Steering Committee co-chairs will make every effort to ensure that all Steering Committee jurisdictions are present and in attendance, and that the affected jurisdictions are provided with proper notice of such discussion. Nothing in this policy shall be construed to alter the land use power of any Snohomish County jurisdiction under established law.

- d. Expansion of the Boundary of an Individual UGA: Expansion of the boundary of an individual UGA to include additional residential, commercial and industrial land shall not be permitted unless it complies with the Growth Management Act, and one of the following four conditions are met:
1. The expansion is a result of the five-year buildable lands review and evaluation required by RCW 36.70A.215.
 2. The expansion is a result of the review of UGAs at least every ten years to accommodate the succeeding twenty years of projected growth, as required by RCW 36.70A.130(3).
 3. All of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:
 - (a) Population growth within the UGA (city plus unincorporated UGA combined) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional population capacity estimated for the UGA at the start of the planning period, as documented in the annual Snohomish County Tomorrow Growth Monitoring Report;
 - (b) An updated residential land capacity analysis conducted by city and county staff for the UGA confirms the accuracy of the above finding using more recent residential capacity estimates and assumptions; and
 - (c) The county and the city or cities within the UGA consider reasonable measures adopted as an appendix to the Countywide Planning Policies pursuant to UG-14(b) that could be taken to increase residential capacity inside the UGA without expanding the boundaries of the UGA.
 4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional commercial and industrial land:
 - (a) The county and the city or cities within that UGA document that commercial or industrial land consumption within the UGA (city plus unincorporated UGA combined) since the start of the twenty-year planning period, equals or exceeds fifty percent of the developable commercial or industrial land supply within the UGA at the start of the planning period. In UGAs where this threshold has not yet been reached, the boundary of an individual UGA may be

expanded to include additional commercial or industrial land if the expansion is based on an assessment that concludes there is a deficiency of larger parcels within that UGA to accommodate the remaining commercial or industrial growth projected for that UGA. Other parcel characteristics determined to be relevant to the assessment of the adequacy of the remaining commercial or industrial land base, as documented in the Procedures Report required by UG-14(a), may also be considered as a basis for expansion of the boundary of an individual UGA to include additional commercial or industrial land; and

- (b) The county and the city or cities within the UGA consider reasonable measures adopted as an appendix to the Countywide Planning Policies pursuant to UG-14(b) that could be taken to increase commercial or industrial land capacity inside the UGA without expanding the boundaries of the UGA.

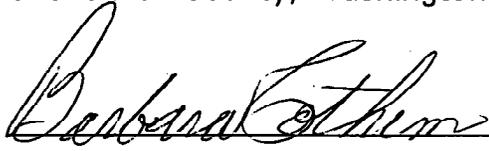
HO-9 Implement a coordinated monitoring program to evaluate progress towards achieving housing goals and objectives on a countywide and jurisdictional level. Such a monitoring program shall entail the preparation of a housing monitoring report every five years or more frequently if housing conditions warrant. The housing report will include an assessment of the adequacy of the jurisdictions' supply of developable residential building lots, the jurisdictions' supply of land for non-residential land uses, the location of urban growth boundaries, and an assessment of the jurisdictions' strategies for achieving their housing objectives. The preparation of the housing report may be combined with the review and evaluation program required by UG-14.

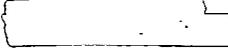
ED-3 Designate locations for commerce and industry in the land use element and in urban growth areas. Jurisdictions are encouraged to adopt measures in their local comprehensive plans which help to preserve their designated industrial and commercial land base for long-term regional economic benefit.

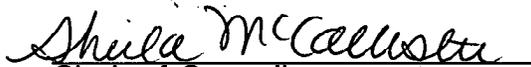
Section 2. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

PASSED this 16 day of February, 2000.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



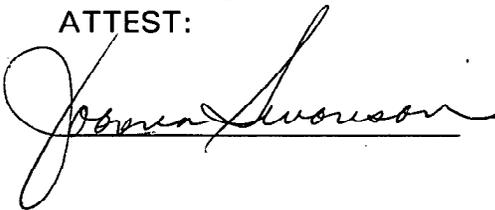
ATTEST: 

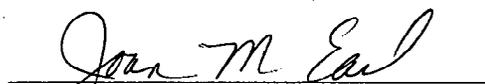

Clerk of Council, *asst.*

APPROVED
 VETOED
 EMERGENCY

DATE: 2-22-00

ATTEST:




County Executive

JOAN M. EARL
Deputy Executive

APPROVED AS TO FORM ONLY:

Barbara Dykes
Deputy Prosecuting Attorney