



## Snohomish County

### Planning and Development Services

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#### MEMORANDUM

TO:

Councilmember, Nate Nehring, District 1, Council Chair  
Councilmember, Megan Dunn, District 2, Council Vice-Chair  
Councilmember, Strom Peterson, District 3  
Councilmember, Jared Mead, District 4  
Councilmember, Sam Low, District 5

**Dave Somers**  
*County Executive*

VIA:

Michael McCrary, Director  
Planning and Development Services

FROM:

Eileen Canola, Senior Planner  
Planning and Development Services

SUBJECT: Ordinance Approving and Authorizing the County Executive to Enter into the Interlocal Agreement with the City of Snohomish for the North Lake Annexation

DATE: July 14, 2025

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#### PURPOSE

The ordinance would authorize the County Executive to enter into the interlocal agreement (Agreement) with the City of Snohomish (City) for the North Lake Annexation to address the orderly transition of responsibilities and services for the annexation area described in the Agreement. The Agreement is required under the method of annexation chosen by the City, "Annexation of Unincorporated Territory Pursuant to Interlocal Agreement" per [RCW 35A.14.296](#).

#### BACKGROUND

On July 1, 2025, the City Council passed Resolution No. 1489 to commence annexation proceedings and coordinate with the County on an interlocal agreement for the North Lake Annexation. As noted in Resolution No. 1489, the City Council passed Ordinance No. 2502 that adopted annexation policies to guide future annexation proposals and actions and established comprehensive plan land use designations and zoning pre-designations for the North Lake Annexation area.

The North Lake Annexation area is comprised of roughly 237 acres and the general location is east of and including 99th Ave SE, west of and including South Machias Rd and Tax Parcels 28050100101400, 28050100101300, 28050100101200, and 28050100101500.

Snohomish County and the City have an existing Master Annexation Interlocal Agreement (MAILA), effective March 26, 2003, concerning annexation, urban development, and the orderly transition of responsibilities and services for the City's Urban Growth Area (UGA). This MAILA serves as a general guide for all annexations except where more specific agreements supersede sections of the MAILA, as is the case with the attached Agreement.

### **ANNEXATION METHOD**

As mentioned, the City is using the annexation method, "Annexation of Unincorporated Territory Pursuant to Interlocal Agreement" according to RCW 35A.14.296, which includes the following finding:

"The legislature finds that city annexations of unincorporated areas within urban growth areas will be more efficient and effective if the county and city develop a jointly approved interlocal agreement so as not to create illogical boundaries or islands of unincorporated territory."

Table 1 in Attachment A to this staff report summarizes how the requirements of RCW 35A.14.296 are being met through the proposed Agreement for the North Lake Annexation and with the anticipated City and County public hearings on the proposed Agreement.

### **COUNTY FISCAL ANALYSIS**

There is no significant fiscal impact for the County if the City were to annex the North Lake area. County departments will have the opportunity to provide greater detail on any fiscal impacts to their department when the City submits a Notice of Intention to Annex to the Boundary Review Board. At this time, the County Finance Department responded that annexation of the North Lake area would have minimal impacts to the County, as the area is residential, the only impact to County revenue would be Real estate excise tax (REET). With approximately less than 100 homes, that would not represent a material impact.

Planning and Development Services provided that minimal impacts would be anticipated from annexation, with a rough estimate of approximately \$600 per year from mechanical permits and perhaps \$3,000 once every few years from a remodel.

### **CONSISTENCY WITH STATE, REGIONAL, AND LOCAL POLICIES**

The proposed Agreement is consistent with the Growth Management Act (GMA) planning goals in RCW 36.70A.020, in particular, planning goal 1 related to urban growth and planning goal 12 related to public facilities and services. Section 4.1 of the Agreement amends Section 3.1 of the MAILA to ensure that new residential subdivisions and development will achieve a minimum net density of six dwelling units per acre. Further, the City Council through Ordinance No. 2502 adopted comprehensive plan land use designations and zoning pre-designations for the North Lake Annexation area.

RCW 36.70A.020 (1) and (12):

“(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.”

“(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.”

The proposed Agreement is consistent with regional policies in Puget Sound Regional Council’s (PSRC) VISION 2050 including Multi-County Planning Policies (MPPs) Regional Growth Strategy (RGS)-16 and Development Patterns (DP)-28. The proposed Agreement demonstrates coordination among all Parties for service, development, and impacts of the Annexation Area.

- MPP-RGS-16 “Identify strategies, incentives, and approaches to facilitate the annexation or incorporation of unincorporated areas within urban growth areas into cities.”
- MPP-DP-28 “Support joint planning between cities, counties, and service providers to work cooperatively in planning for urban unincorporated areas to ensure an orderly transition to city governance, including efforts such as: (a) establishing urban development standards, (b) addressing service and infrastructure financing, and (c) transferring permitting authority.”

The Snohomish County Countywide Planning Policies (CPPs) provide guidance and direction regarding annexation and coordination among cities and between cities and the County. Policies that speak to this topic include Joint Planning (JP)-1, Development Patterns (DP)-19, and Transportation (TR)-1. The Agreement demonstrates a high-level of coordination between the County and City in addressing issues related to the delivery of services, development potential, and transportation impacts for the North Lake Annexation Area.

Countywide Planning Policies:

- CPP-JP-1 “Coordination of county and municipal planning particularly for urban services, governance, and annexation is fundamental in implementing the Regional Growth Strategy and GMA directives related to urban growth areas in RCW 36.70A.110. Interlocal agreements for this purpose are encouraged pursuant to the Interlocal Cooperation Act (chapter 39.34 RCW). These agreements should emphasize the importance of early and continuous public participation, focus on decision-making by elected or other appropriate officials, and review the consistency of comprehensive plans with each other and the Growth Management Act, where applicable. Appendix F provides an illustrative list of issues that could be considered appropriate for Interlocal Agreements...”
- CPP-DP-19 “City comprehensive plans should have policies on the annexation of areas within their unincorporated Urban Growth Area and/or Municipal Urban Growth Area.”

- CPP-TR-1 “Jurisdictions should establish agreements and procedures for jointly mitigating traffic impacts, including provisions for development and design review and sharing of developer impact mitigation.
  - a. Interlocal agreements among the cities and County should be used in Urban Growth Areas and areas proposed for annexation, to define procedures and standards for mitigating traffic impacts, sharing improvement and debt costs for transportation facilities, and addressing maintenance and funding for future transportation facilities and services. These interlocal agreements may also include transit agencies or the Washington State Department of Transportation where mitigation includes transportation demand management strategies or transit related improvements, such as park and ride facilities, bus rapid transit stations, or high-occupancy lanes.
  - b. Joint development and plan review teams should be formed for major projects having impacts that extend across jurisdictional boundaries.
  - c. Development impact mitigation should be shared where a project’s impacts extend across jurisdictional boundaries.
  - d. Local comprehensive plans and long-range transit agency plans should provide policies that encourage private sector investment in transportation services and facilities.
  - e. Local land use regulations should provide for integrated design of transportation facilities in designated urban growth centers to encourage transit-oriented land uses and nonmotorized modes of travel.”

The proposed Agreement is consistent with Interjurisdictional Coordination (IC) policies 1.B.1 and 1.B.6 of the County’s GMA comprehensive plan. The proposed Agreement helps to ensure that the City and County are coordinated in transferring jurisdiction and services for the potential North Lake Annexation area.

- Interjurisdictional Coordination (IC) Policy 1.B.1, “The county shall work with cities in planning for orderly transfer of service responsibilities in anticipation of potential or planned annexations or incorporations within UGAs.”
- IC 1.B.6, “The county should consider interlocal agreements with cities to coordinate county and municipal planning under GMA within UGAs. These planning processes should emphasize public participation and the role of elected officials in local decision-making. Such interlocal agreements may address the following interjurisdictional issues:
  - Subsection (a) Transition processes for planning and development projects and capital facilities projects;
  - Subsection (b) Provision of clear, adequate public participation processes;
  - Subsection (c) Provision for fiscal equity between the county and the cities and identification of funding sources, fees, and revenue sharing;
  - Subsection (d) Coordination between and delineation of tasks and schedules for staff, planning commissions and councils in the review, adoption and appeal process;

Subsection (e) Development of application procedures and determination of applicable regulations and standards to be used;

Subsection (f) Solid waste management and planning authority;

Subsection (g) Other issues such as SEPA review, appeals, transportation concurrency, surface water, and public safety; and

Subsection (h) Minimum residential density standards.

## **ANALYSIS**

At this time, the requirements of RCW 35A.14.296 are being met. The City has scheduled a public hearing date of August 19, 2025, with four weeks of public noticing in the Everett Herald. The County is in the process of scheduling County Council review of this proposal. It is anticipated that each party will hold a separate hearing on this matter. The proposed agreement is consistent with the GMA, the Multicounty Planning Policies (MPPs), the Countywide Planning Policies (CPPs), and the County's comprehensive plan.

## **RECOMMENDATION**

PDS recommends approval of the ordinance authorizing the County Executive to execute the interlocal agreement between the County and the City of Snohomish for the North Lake Annexation.

cc: Ken Klein, Executive Director

Mike McCrary, Director, PDS

Kelly Snyder, Director, DPW

Doug McCormick, Deputy Director / County Engineer, DPW

Tom Teigen, Director, Department of Conservation and Natural Resources

## Attachment A

Table 1. Summary of row Requirements of RCW 35A.14.296 are being met

Requirements of RCW 35A.14.296 for	How Requirement Has / Will be Meet
<b>RCW 35A.14.296(2):</b> City initiates annexation through an interlocal agreement with affected County, service providers such as fire district and sewer district.	The City Council adopted Resolution No. 1489 to initiate annexation and coordinate with the County on an interlocal agreement for the annexation area. The City contacted Snohomish County Fire District #4 and received its decision to not be a party to the Agreement. The City and County have negotiated the attached Agreement in accordance with RCW 35A.14.296.
<b>RCW 35A.14.296 (2)(a) and (b):</b> The interlocal agreement must ensure that for a period of five years after the annexation any parcel zoned for residential development within the annexed area shall: (a) Maintain a zoning designation that provides for residential development; and (b) Not have its minimum gross residential density reduced below the density allowed for by the zoning designation for that parcel prior to annexation.	Section 3.3 of the proposed Agreement, "Compliance with RCW 35A.14.296 – Residential Zoning." is intended to satisfy RCW 35A.14.296(2)(a) and (b).  Section 4.1 of the Agreement amends Section 3.1 of the MAILA to ensure that new residential subdivisions and development will achieve a minimum net density of six dwelling units per acre. Further, the City Council through Ordinance No. 2502 adopted comprehensive plan land use designations and zoning pre-designations for the North Lake Annexation area.
<b>RCW 35A.14.296(3):</b> The County and city shall jointly agree on the boundaries of the annexation and its effective date. The interlocal agreement shall describe the boundaries of the territory to be annexed and set a date for a public hearing on such agreement for annexation.	In the proposed Agreement: Section 2.5.1 provides for the jointly agreed upon annexation boundaries; Section 3.7 covers the effective date of the annexation; and Section 3.5 of the attached Agreement provides for public hearing dates for the Agreement.

Requirements of RCW 35A.14.296 for	How Requirement Has / Will be Meet
<p><b>RCW 35A.14.296(3):</b> A public hearing shall be held by each legislative body, separately or jointly, before the agreement is executed. Each legislative body holding a public hearing shall:</p> <p>(a) Separately or jointly, publish a notice of availability of the agreement at least once a week for four weeks before the date of the hearing in one or more newspapers of general circulation within the code city and one or more newspapers of general circulation within the territory proposed for annexation; and</p> <p>(b) If the legislative body has the ability to do so, post the notice of availability of the agreement on its website for the same four weeks that the notice is published in the newspapers under (a) of this subsection. The notice shall describe where the public may review the agreement and the territory to be annexed.</p>	<p><i>As of this writing, the City has scheduled a Council meeting on this Agreement for August 19, 2025, with public notice to be published in the Everett Herald as follows:</i></p> <ul style="list-style-type: none"> <li>• <i>July 19, 2025</i></li> <li>• <i>July 26, 2025</i></li> <li>• <i>August 2, 2025</i></li> <li>• <i>August 9, 2025</i></li> </ul> <p><i>County staff are working to schedule County Council review of the proposal.</i></p>
<p><b>RCW 35A.14.296(4):</b></p> <p>On the date set for hearing, the public shall be afforded an opportunity to be heard.</p>	<p><i>For the public hearings on the Agreement the City and County will post a notice there will be opportunities for public comment.</i></p>
<p>Following the hearings, if the City determines to effect the annexation, they shall do so by ordinance. Upon the date fixed in the ordinance of annexation the area annexed shall become part of the city.</p>	<p><i>It is anticipated that following the public hearings on the Agreement, the City Council will approve an ordinance that summarizes the annexation including the assumption of indebtedness and include an effective date.</i></p>
<p>If the annexation ordinance provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice shall include a statement of such requirements.</p>	
<p>Upon passage of the annexation ordinance a certified copy shall be filed with the board of county commissioners of the county in which the annexed property is located.</p>	<p><i>It is anticipated that following passage of the annexation ordinance, the City will file the ordinance with the appropriate County departments or boards and other affected agencies.</i></p>