

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: Town of Darrington

File: DR-1 20-116792 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed adjustment to the Darrington Urban Growth Area (UGA) boundaries to remove 262 acres from the west portion of the UGA and add 284 acres to the north (Addition Area 1) and south (Addition Area 2) portions of the UGA

Removal Area: Remove 262 acres from the UGA and redesignate from Urban Low Density Residential-3 (ULDR-3), Urban Industrial (UI) and Public/Institutional (P/IU) to Rural Residential-Rural Diversification (RR-RD), Commercial Forest-Forest Transition Area (CF-FTA), and Rural Industrial (RI)

Addition Area 1: Add 265 acres to the UGA and redesignate from Low Density Rural Residential (LDRR), RR-RD, RI, CF-FTA, and Rural Urban Transition Area (RUTA) to ULDR-3, P/IU and UI

Addition Area 2: Add 19 acres and redesignate from Rural Residential-10-Resource Transition (RR-10-RT), RR-RD, RR-5, and RUTA to ULDR-3

Rezone: Proposed: Removal Area: Rezone from Heavy Industrial (HI) and R-12,500 to Rural Diversification (RD), Forestry (F) and Rural Industrial (RI).

Addition Area 1: Rezone from F, RD and RI to R-12,500 and HI

Addition Area 2: Rezone from RD to R-12,500

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

- Location:** Removal Area: The proposed UGA Removal Area is located northwest of Darrington and the airport and north of State Route 530.
- Addition Area 1: Proposed UGA Addition Area 1 is located directly north of the Darrington town limits and along both sides of SR 530.
- Addition Area 2: Proposed UGA Addition Area 2 is located south of Darrington and along the west side of the Mountain Loop Highway.
- Existing Land Use:** Removal Area: A 193 acre working forest is owned and operated by the Department of Natural Resources (DNR). The Sauk-Suiattle Tribe and a private timber operation also own and manage forest land in the UGA removal area. The removal area contains three single-family rural residences, one warehouse, and a church.
- Addition Area 1: An east-west Seattle City Light powerline crosses the middle of the addition area. The partially improved Whitehorse County Park is located along the south side of the addition area. A junkyard and rural housing are located north of the powerline corridor. There is a small portion of the Hampton lumber mill operation that is partially located within the southeast corner of the proposal site on a separate parcel. The major portion of the mill operation is currently within the UGA and the Darrington town limits.
- Addition Area 2: The addition area is primarily undeveloped and contains one single-family rural residence.
- Adjacent Land Use:** Removal Area: Undeveloped forested lands and SR 530.
- Addition Area 1: The Hampton lumber mill operation is primarily located to the south of the proposal site within the town limits. The remainder of the area is surrounded by undeveloped forested land with a scattering of rural residential development.
- Addition Area 2: The adjacent area to the south and west of the addition area is undeveloped forest land. Rural residential housing is located to the north and east of the addition area.
- Adjacent FLU Map Designation:** Removal Area: North - CF-FTA; West – RR-RD; South – RR-RD and CF-FTA; East – UI
- Addition Area 1: North – CF-FTA, RR-10-RT, RR-RD; East – RR-RD; South – Town of Darrington; West – CF-FTA
- Addition Area 2: North – ULDR-3; West – RR-10-RT; South – CF-FTA; East – RR-RD

Adjacent Zoning

Removal Area: North – F; West – RD; South – RD, F; East - HI

Designation:

Addition Area 1: North - Forestry and Recreation (F&R) and F; West- F; South – Town of Darrington; East – RD

Addition Area 2: North - RD; West - RD; South - F; East - RD;

Site Characteristics and Critical Areas

Removal Area: The majority of the area is forested and relatively flat with no streams or wetlands.

Addition Area 1: The addition site is relatively flat and partially wooded and is bordered on the northwest by steep slopes. There is a non-fish bearing seasonal stream that bisects the site. The southeast portion of the site is within the 100-year floodplain of the Sauk River and within a shoreline of statewide significance.

Addition Area 2: The addition site contains some significant steep slopes within the south portion of the site adjacent to the Mountain Loop Highway. A fish-bearing stream bisects the site flowing west to east.

Infrastructure:

Removal Area: Primary access to the site is provided from the south by State Route 530, a principal arterial. The proposed removal site is not serviced by either water or sewer and residences currently use on-site septic and well. Fire service is provided by Snohomish County Fire District 24.

Addition Area 1: The primary access to the site is by SR 530, a principal arterial. Additional access is provided by Giles Road, Boyd Road and North Mountain Road, all rural local roads. Addition Area 1 would be served by individual on-site septic systems and individual wells. The site is served by Fire District No. 24. The site would become part of the Darrington Water System if added to the UGA and annexed to the town. The town does not have a sanitary sewer system.

Addition Area 2: The Mountain Loop Highway, a rural major collector, is the primary access to the site. Addition Area 2 contains one residence on an individual septic system and an individual well. The site is served by Fire District No. 24. The site would become part of the Darrington Water System if added to the UGA and annexed to the town. The town does not have a sanitary sewer system.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The DR1 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the DR1 proposal will include, but not necessarily be limited to, potential impacts

Snohomish County Planning and Development Services (PDS)

related to: critical areas (such as steep slopes, streams, shorelines of the state, and frequently flooded areas); open space; water resources and water quality; and public services (including water).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Docket Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The DR1 proposal to adjust the boundaries of the Darrington UGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The DR1 proposal is inconsistent with the following key GMA provisions:

RCW 36.70A.110(2); Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county’s UGA boundaries must be supported by a land capacity analysis. The DR1 proposed UGA boundary adjustment would decrease total employment in the Darrington UGA by 161. However, the DR1 proposal would increase total population in the Darrington UGA by 399. The DR1 proposal would, therefore, be inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated

UGAs, and unincorporated MUGAs have sufficient population and employment capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

RCW 36.70A.110(8): (a) Except as provided in (b) of this subsection, the expansion of an urban growth area is prohibited into the one hundred year floodplain of any river or river segment that: (i) Is located west of the crest of the Cascade mountains; and (ii) has a mean annual flow of one thousand or more cubic feet per second as determined by the department of ecology.

(b) Subsection (8)(a) of this section does not apply to:

(i) Urban growth areas that are fully contained within a floodplain and lack adjacent buildable areas outside the floodplain;

(ii) Urban growth areas where expansions are precluded outside floodplains because:

(A) Urban governmental services cannot be physically provided to serve areas outside the floodplain; or

(B) Expansions outside the floodplain would require a river or estuary crossing to access the expansion; or

(iii) Urban growth area expansions where:

(A) Public facilities already exist within the floodplain and the expansion of an existing public facility is only possible on the land to be included in the urban growth area and located within the floodplain; or

(B) Urban development already exists within a floodplain as of July 26, 2009, and is adjacent to, but outside of, the urban growth area, and the expansion of the urban growth area is necessary to include such urban development within the urban growth area; or

(C) The land is owned by a jurisdiction planning under this chapter or the rights to the development of the land have been permanently extinguished, and the following criteria are met:

(I) The permissible use of the land is limited to one of the following: Outdoor recreation; environmentally beneficial projects, including but not limited to habitat enhancement or environmental restoration; stormwater facilities; flood control facilities; or underground conveyances; and

(II) The development and use of such facilities or projects will not decrease flood storage, increase stormwater runoff, discharge pollutants to fresh or salt waters during normal operations or floods, or increase hazards to people and property.

(c) For the purposes of this subsection (8), "one hundred year floodplain" means the same as "special flood hazard area" as set forth in WAC 173-158-040 as it exists on July 26, 2009.

The portion of the DR1 proposal that expands the Darrington UGA into the 100-year floodplain of the Sauk River does not meet the criteria in RCW 36.70A.110(8) which generally prohibits, with some exceptions, the expansion of a UGA into the 100-year floodplains of rivers with a mean annual flow of 1000 or more cubic feet per second and located west of the crest of the Cascade mountains. The Sauk River has a mean annual flow greater than 1000 cubic feet per second.

The DR1 proposal does not meet any of the exceptions in RCW 36.70A.110(8) to allow an expansion of the Darrington UGA into the Sauk River floodplain including the following:

Snohomish County Planning and Development Services (PDS)

- The Darrington UGA is not fully contained within a floodplain; urban governmental services can be physically provided outside of the floodplain; and UGA expansions are not precluded outside of the floodplain subject to compliance with other provisions of the GMA;
- Public facilities or urban development do not currently exist within the floodplain to warrant expansion of the UGA in order to include those uses; and
- The land within the floodplain that is proposed for a UGA expansion is not owned by the Town of Darrington or the development rights on the subject land have not been permanently extinguished.

MPPs

The DR1 Darrington UGA adjustment proposal which would result in a net increase of population capacity is inconsistent with the following key *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

RGS-12: Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of capacity within the region's planning horizon should be directed to existing urban growth areas.

The DR1 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential development at urban densities outside of the existing Darrington UGA without first evaluating opportunities to optimize residential development potential within the existing UGA.

The DR1 proposal, which would result in a UGA expansion that would add population capacity, is inconsistent with RGS-12 as the Darrington UGA is not identified as a high capacity transit community in the *Regional Growth Strategy* because this UGA is not connected to existing or planned light rail, commuter rail or bus rapid transit facilities.

CPPs

The DR1 proposal, which would result in an expansion of the Darrington UGA for additional population capacity, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

Snohomish County Planning and Development Services (PDS)

- a. *The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. *The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. *The expansion otherwise complies with the Growth Management Act;*
- d. *Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and*
- e. *One of the following conditions is met:*
 1. *The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
 2. *The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
 3. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) *Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
 4. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) *Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*

- (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
- 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong side of a right-of-way that is expected to be annexed to a city.)*
 - 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
 - 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
 - 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
 - 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
 - 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
 - 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been*

Snohomish County Planning and Development Services (PDS)

redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.

The proposal is not consistent with the following factors in CPP DP-2:

Factor “a”: The DR1 proposal, which would result in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the Darrington UGA and the composite UGA have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets.

Factor “b”: The DR1 proposal, which would result in a UGA expansion, provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The DR1 proposal, which would result in a UGA expansion, does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate population growth for the 2015 to 2035 planning period.

Factor “e”: The DR1 proposal, which would result in a UGA expansion, is not supported by any of the applicable conditions under factor “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the Darrington UGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. 7.6% of the additional population capacity estimated for the Darrington UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

The DR1 proposal, which would result in an expansion of the Darrington UGA for additional population capacity, is inconsistent with CPP DP-3:

DP-3 Following consultation with the affected city or cities, the County may adjust urban growth areas – defined in this policy as concurrent actions to expand an Urban Growth Area (UGA) in one location while contracting the same

Snohomish County Planning and Development Services (PDS)

UGA in another location – without resulting in net increase of population or employment land capacity. Such action may be permitted when consistent with adopted policies and the following conditions:

- a. The area being removed from the UGA is not already characterized by urban development, and without active permits that would change it to being urban in character; and*
- b. The land use designation(s) assigned in the area removed from the UGA shall be among the existing rural or resource designations in the comprehensive plan for Snohomish County.*

The DR1 proposal was submitted as an adjustment of the Darrington UGA under DP-3, which requires that any adjustment would not result in a net increase of population or employment land capacity. The proposed Darrington UGA removal area in the westerly portion of the UGA would result in a population reduction of 120 and an employment reduction of 511. The proposed Darrington UGA addition areas, which are north and south of the UGA, would result in a population increase of 519 and an employment increase of 350. The proposed UGA adjustment would result in a net employment decrease of 161 and a net population increase of 399. The proposed Darrington UGA adjustment is considered a UGA expansion as there would be a net increase of population capacity, and is inconsistent with DP-3.

Although the DR1 proposal is not consistent with the UGA adjustment requirement in DP-3 of a no net increase of population, the DR1 proposal is consistent with DP-3 conditions “a” and “b”. Under condition “a”, the proposed removal area is not characterized by urban development as the area primarily consists of undeveloped land that is managed for productive timber harvesting and the removal area contains very limited development consisting of a single family residence and a church. There are no active permits for urban levels of development as the area is not served by urban infrastructure, including sanitary sewers. The Darrington UGA, including the town, does not have sanitary sewer service capability. Consistent with condition “b”, the FLU map designations proposed for the UGA removal area are among the existing rural and resource designations listed in the GPP.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024 and this new information may or may not impact PDS’s recommendation on this particular proposal.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The DR1 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

Snohomish County Planning and Development Services (PDS)

This criterion is not applicable. The DR1 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the DR1 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

No. Since the DR1 rezone request are for zones to implement concurrent future land use map amendments that do not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

No. The DR1 proposal has not demonstrated that public facilities and services to serve urban levels of development are available or programmed to serve the proposed Darrington UGA addition areas.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan is not required concurrent with the proposed DR1 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Town of Darrington DR1 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the DR1 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: City of Lake Stevens

File: LS1 20-116752 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the north boundary of the Lake Stevens Urban Growth Area (UGA) and redesignation from Rural Residential (RR) and Rural Urban Transition Area (RUTA) to Urban Industrial (UI).

Rezone: Proposed: Light Industrial (LI)
Existing: Rural 5-Acre (R-5)

Acreage: 296 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: North of State Route 92 and City of Lake Stevens, east of SR 9, south of 44th St, and west of Callow Road and Holly Lane

Existing Land Use: Rural residential, agricultural and poultry farms, warehouse and storage facility, and vacant properties

Adjacent Land Use: North/East – rural residential; West- City of Marysville; South – City of Lake Stevens

Adjacent FLU Map Designation: North/East – RR; West –City of Marysville; South-City of Lake Stevens

Adjacent Zoning Designation: North/East – R-5; West- City of Marysville; South – City of Lake Stevens (residential and industrial zoning)

Snohomish County Planning and Development Services (PDS)

- Site Characteristics:** The proposed LS1 UGA expansion site consists of an area with low density rural residential with wooded and pastured areas and sloping down to the southeast. There are some small areas with steep slopes. The wooded area is approximately 40% of the site.
- Critical Areas:** There is an inventoried wetland of approximately 40 acres located in the southwestern portion of the site. Stevens Creek runs north to south through the center of the site and drains into Lake Stevens. There is also a nonfish perennial stream which runs north to south in the eastern portion of the site
- Infrastructure:** State Route 92, provides access to the site from the south and SR 9 provides access from the west. Both are state highways and are classified as principal arterials. Local arterial access is provided by 99th Ave. NE, a rural minor collector. In addition to SR 92 and SR 9, regional access to the site is provided by SR 204 and the US 2 Trestle across the Snohomish River.
- Water is provided by the PUD. The proposal site is not within a sewer district. Residences within the proposal site are on individual septic systems. The nearest sewer service provider is the Lake Stevens Sewer District located within the Lake Stevens UGA. The site is within Fire District 7 service area.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The LS1 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the LS1 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as wetlands and streams); open space; noise and light/glare; air quality; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Docket Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

Snohomish County Planning and Development Services (PDS)

No. The LS1 proposal to expand the boundary of the Lake Stevens UGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The LS1 proposal is inconsistent with the following GMA provisions: :

RCW 36.70A.020(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 LS1 proposed UGA expansion has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed areas. The County arterial, 99th Ave SE, is a two-lane county roadway that was not built to accommodate urban traffic. While 99th Ave SE is currently forecasted at an acceptable level of service, the LS1 proposal will impact the roadway with significant levels of urban traffic that will likely require improvements to urban standards. There are currently no plans to improve 99th Ave NE. The LS1 proposal will impact State Routes SR 9, SR 92, and SR 204, and the US 2 trestle. The Washington State Department of Transportation (WSDOT) has plans for improvements to these state highways including:

- Improvements to the SR 9/204 intersection
- Improvements to SR 9 from US 2 to SR 92
- Improvements to the US 2 Trestle

Even with the planned improvements, the state routes impacted by the LS1 proposal are overcapacity. Snohomish County uses a methodology that compares future volumes (V) to the roadway capacity (C) for a planning-level forecast of the adequacy of state and county roadways for the year 2035. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The 2035 V/C ratios for these state routes:

- SR9 between SR 92 and Arlington - 1.34,
- SR 92 - 1.14,
- SR 204 – 1.07,
- The US 2 Trestle – 1.12

The LS1 proposal will put further impacts on these overcapacity roadways and adequate facilities will not be available to serve the proposal without additional state-funded improvements.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Snohomish County Planning and Development Services (PDS)

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The LS1 proposed Lake Stevens UGA expansion is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs have sufficient employment capacity within the composite UGA to accommodate the 2035 growth targets.

MPPs

The LS1 Lake Stevens UGA expansion proposal is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

RGS-12: Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of capacity within the region's planning horizon should be directed to existing urban growth areas.

The LS1 proposal is inconsistent with RGS-4 and RGS-6 as it allows industrial development at urban densities outside of the existing Lake Stevens UGA without first evaluating opportunities to optimize industrial development potential within existing urban areas.

The LS1 proposal to expand the Lake Stevens UGA to add employment capacity is inconsistent with RGS-12 as the Lake Stevens UGA is not identified as a high-capacity transit community in the *Regional Growth Strategy* as it is not connected to existing or planned light rail, commuter rail or bus rapid transit facilities.

CPPs

The LS1 proposal, which results in an expansion of the Lake Stevens UGA, is inconsistent with CPP DP-2:

Snohomish County Planning and Development Services (PDS)

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. The expansion otherwise complies with the Growth Management Act;*
- d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and*
- e. One of the following conditions is met:*
 - 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
 - 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
 - 3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
 - 4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning*

period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and

- (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
- 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*
 - 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
 - 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
 - 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
 - 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
 - 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*

11. *The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Factor “a”: The LS1 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the Lake Stevens UGA and the composite UGA have sufficient capacity to accommodate the 2035 employment growth targets.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate employment growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under factor “e” for expansion of a UGA in order to increase employment capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 4: The expansion is not the result of employment growth in the Lake Stevens UGA that equals or exceeds fifty percent of the additional employment capacity estimated for the UGA since the start of the planning period. 29.5% of the additional employment capacity estimated for the Lake Stevens UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS’s recommendation on this particular proposal because it is inconsistent with applicable standards not related to employment capacity.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

Snohomish County Planning and Development Services (PDS)

This criterion is not applicable. The LS1 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The LS1 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the LS1 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

No. Since the LS1 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

No. The LS1 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed Lake Stevens UGA expansion area.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan is not required concurrent with the proposed LS1 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The City of Lake Stevens LS1 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the LS1 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: City of Lake Stevens

File: LS2 20-116754 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion to the east boundary of the Lake Stevens Urban Growth Area (UGA) and redesignation from Rural Residential (RR) and Rural Urban Transition Area (RUTA) to Urban Industrial (UI).

Rezone: Proposed: Heavy Industrial (HI)
Existing: Rural 5-Acre (R-5)

Acreage: 3.42 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: Southeast corner of 28th Street NE and North Machias Road

Existing Land Use: One single-family residence on one parcel

Adjacent Land Use: North—rural residential, including duplexes; East- gas utility pipeline; West- City of Lake Stevens (retail, auto repair, and residential); South – professional offices

Adjacent FLU Map Designation: North/East – RR; West – City of Lake Stevens; South-Urban Industrial

Adjacent Zoning Designation: North/East – R-5; West - City of Lake Stevens; South – Heavy Industrial

- Site Characteristics:** The proposed LS2 UGA expansion site consists of one parcel with a single-family residence. The site is relatively flat with a very gentle slope down to the east. The Centennial Trail is located one-quarter mile west of the site.
- Critical Areas:** There is a wetland in the eastern portion of the parcel and Little Pilchuck Creek runs north-south through the center and eastern portion of the parcel. Little Pilchuck Creek contains salmonids and is classified as a Shoreline of Statewide Significance.
- Infrastructure:** Primary access to the proposal site is provided by 28th St NE, a minor collector, and North Machias Road, a minor arterial. Key offsite county roads serving the proposal site include South Machias Road, Machias Cutoff Road, Williams Road, and 20th St SE which are all rural minor arterials. Key state routes connecting the proposal site to the regional transportation system include SR 9, SR 92, SR 204, and US 2. The proposal site is not within a sewer district. The residence on the site is served by a septic system. The nearest sewer service provider is the Lake Stevens Sewer District located within the Lake Stevens UGA. The site is within the PUD service area for water service and Fire District 7 for fire service.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The LS2 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the LS2 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as wetlands, wildlife habitat, shoreline of statewide significance); open space; noise and light/glare; recreation facilities; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

Snohomish County Planning and Development Services (PDS)

No. The LS2 proposal to expand the boundary of the Lake Stevens UGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The LS2 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(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 LS2 proposed UGA expansion has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed areas. The LS2 proposal contributes transportation impacts to state routes SR 9, SR 92, SR 204, and the US 2 trestle. The Washington State Department of Transportation (WSDOT) has plans for improvements to these state highways including:

- Improvements to the SR 9/SR 204 intersection
- Improvements to SR 9 from US 2 to SR 92
- Improvements to the US 2 Trestle

Even with the planned improvements, the state routes impacted by the LS2 proposal are overcapacity. Snohomish County measures future roadway conditions using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The 2035 V/C ratios for these state routes, listed below, show future conditions that are well overcapacity. While the size of the LS2 UGA expansion is smaller, there will be additional impacts to these overcapacity state highways. Adequate facilities to serve this UGA expansion will not be available without additional state-funded improvements beyond those already planned.

- SR 9 between SR 92 and Arlington - 1.34,
- SR 9 between SR 204 and SR 92 – 1.00
- SR 92 - 1.14,
- SR 204 – 1.07,
- The US 2 Trestle – 1.12

There are no future plans for capacity or operation improvements to county roads and intersections surrounding the proposal site. The two-lane county rural arterials and their intersections that provide access to the LS2 site were not designed to accommodate urban levels of traffic. It is likely that these roadways will require urban standards of improvements at some point in the future if urban levels of development are approved.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city

Snohomish County Planning and Development Services (PDS)

within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The LS2 proposed Lake Stevens UGA expansion is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs have sufficient employment capacity within the composite UGA to accommodate the 2035 growth targets.

MPPs

The LS2 Lake Stevens UGA expansion proposal is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

RGS-12: Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of capacity within the region's planning horizon should be directed to existing urban growth areas.

The LS2 proposal is inconsistent with RGS-4 and RGS-6 as it allows industrial development at urban densities outside of the existing Lake Stevens UGA without first evaluating opportunities to optimize industrial development potential within existing urban areas.

The LS2 proposal to expand the Lake Stevens UGA to add employment capacity is inconsistent with RGS-12 as the Lake Stevens UGA is not identified as a high capacity transit community in the *Regional Growth Strategy* as it is not connected to existing or planned light rail, commuter rail or bus rapid transit facilities.

CPPs

The LS2 proposal, which results in an expansion of the Lake Stevens UGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. The expansion otherwise complies with the Growth Management Act;*
- d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and*
- e. One of the following conditions is met:*
 - 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
 - 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
 - 3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
 - 4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*

Snohomish County Planning and Development Services (PDS)

- (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
- 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong side of a right-of-way that is expected to be annexed to a city.)*
- 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
- 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
- 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
- 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
- 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is*

uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.

11. *The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Factor “a”: The LS2 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the Lake Stevens UGA and the composite UGA have sufficient employment capacity to accommodate the 2035 employment growth targets.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate employment growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under factor “e” for expansion of a UGA in order to increase employment capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 4: The expansion is not the result of employment growth in the Lake Stevens UGA that equals or exceeds fifty percent of the additional employment capacity estimated for the UGA since the start of the planning period. 29.5% of the additional employment capacity estimated for the Lake Stevens UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS’s recommendation on this particular proposal because it is inconsistent with applicable standards not related to employment capacity.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The LS2 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The LS2 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the LS2 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

No. Since the LS2 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

No. The LS2 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed Lake Stevens UGA expansion area.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan is not required concurrent with the proposed LS2 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The City of Lake Stevens LS2 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the LS2 proposal not be further processed.

Docket XXI Initial Review and Evaluation

**Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021**

Applicant: City of Lake Stevens**File:** LS3 20-116756 DA**DESCRIPTION OF PROPOSAL**

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the west boundary of the Lake Stevens Urban Growth Area (UGA) and redesignation from Rural Residential (RR) to Urban Low Density Residential (ULDR).

Rezone: Proposed: R-7200
Existing: Rural 5-Acre (R-5) and PRD-7200

Acreage: 516 acres**GPP Policy Amendments:** No policy amendments proposed**Code Amendments:** No code amendments proposed**SITE RELATED INFORMATION**

Location: West of Lake Stevens city limits, east of Sunnyside Blvd, south of Soper Hill Rd., and north of SR 204

Existing Land Use: Primarily rural single family residential parcels and one urban single family residential development on sewer

Adjacent Land Use: North, East and South—urban single family residential development; West- agricultural land

Adjacent FLU Map Designation: North- City of Marysville; East and South - City of Lake Stevens; and West – Riverway Commercial Farmland (RCF)

Adjacent Zoning Designation: North- City of Marysville; East and South- City of Lake Stevens; West- Agriculture-10 Acre (A-10)

- Site Characteristics:** The proposal site consists of primarily rural residential development located on hilly topography sloping west to the Snohomish River floodplain with areas of mapped steep slopes and on-site creeks and streams flowing into the floodplain.
- Critical Areas:** The proposal site contains several streams which run east to west through the site area and connect to Ebey Slough and the Snohomish River approximately 0.25-1 mile to the west. Four of the streams are identified as containing fish habitat: King Creek, located in the north, Hulbert Creek in the center of the site, and two streams that bisect the site in the southern portion of the site. There is a county-inventoried wetland adjacent to Hulbert Creek.
- Infrastructure:** Access to the site is provided by Sunnyside Blvd, a county major collector, which borders the site to the west; Vernon Road, within the City of Lake Stevens, which connects the site to the east; and Soper Hill Road, within the City of Marysville, which borders the site to the north. State highways that serve the proposal area include SR2, SR9 and SR 204.
- The majority of the proposal site is not within a sewer district. The residences within the proposal site are on individual septic systems except for the grandfathered Valtera View Estates subdivision which is served by the Lake Stevens Sewer District. Water service to the proposal site is provided by the Snohomish County PUD. The western portion of the site is served by Fire District 12 and the eastern portion by Fire District 7.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The LS3 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the LS3 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as streams, wetlands, wildlife habitat, steep slopes); open space; surface water runoff; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The LS3 proposal to expand the boundary of the Lake Stevens UGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The LS3 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(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 LS3 proposed UGA expansion has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed areas. The LS3 proposal will impact state routes SR 9, SR 92, SR 204, and the US 2 trestle. The Washington State Department of Transportation (WSDOT) has plans for improvements to some portions of these state highways in this area, including:

- Improvements to the SR 9/204 intersection
- Improvements to SR 9 from US 2 to SR 92
- Improvements to the US 2 Trestle

Even with the planned improvements, the state routes impacted by the LS3 proposal are overcapacity. Snohomish County measures future roadway conditions using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The 2035 V/C ratios for these state routes, listed below, show future conditions that are well overcapacity and in the case SR 9 severely so. The LS2 proposal will create additional impacts to these overcapacity state highways and adequate facilities will not be available to serve the proposal without additional state-funded improvements beyond those already planned.

- SR 9 between SR 92 and Arlington - 1.34,
- SR 9, between SR 92 and SR 204 (with planned improvements) – 1.00
- SR 92 - 1.14,
- SR 204 – 1.07,
- The US 2 Trestle (with planned improvements) – 1.12

There are no future plans to improve county roads and intersections within or surrounding the docket proposal area. The primary local access is Sunnyside Blvd. This county rural two-lane road has not been designed to accommodate urban traffic from potential urban residential densities on the proposal site. Without planned improvements, Sunnyside Blvd. will likely be

heavily impacted by significant additional vehicle trips from the proposal site and will likely need to be upgraded to urban-level standards to address traffic congestion issues.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The LS3 proposed Lake Stevens UGA expansion is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The LS3 Lake Stevens UGA expansion proposal is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

RGS-12: Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that

Snohomish County Planning and Development Services (PDS)

any expansion of capacity within the region's planning horizon should be directed to existing urban growth areas.

The LS3 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential development at urban densities outside of the existing Lake Stevens UGA without first evaluating opportunities to optimize residential development potential within existing urban areas.

The LS3 proposal to expand the Lake Stevens UGA to add population capacity is inconsistent with RGS-12 as the Lake Stevens UGA is not identified as a high capacity transit community in the Regional Growth Strategy as it is not connected to existing or planned light rail, commuter rail or bus rapid transit facilities.

CPPs

The LS3 proposal, which results in an expansion of the Lake Stevens UGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;

b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;

c. The expansion otherwise complies with the Growth Management Act;

d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and

e. One of the following conditions is met:

1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.

2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).

3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:

(a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
- (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
4. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
- (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
- (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
5. *The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*
6. *Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
7. *In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
8. *The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*

9. *The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
10. *The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
11. *The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Factor “a”: The LS3 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the Lake Stevens UGA and the composite UGA have sufficient capacity to accommodate the 2035 population growth targets.

Factor “b”: The proposed UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate population growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under factor “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the Lake Stevens UGA that equals or exceeds fifty percent of the additional population capacity estimated

for the UGA since the start of the planning period. 32.4% of the additional population capacity estimated for the Lake Stevens UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.

- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS's recommendation on this particular proposal because it is inconsistent with applicable standards not related to population capacity.

Criterion "b": Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The LS3 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion "c": If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The LS3 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion "d": If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the LS3 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

No. Since the LS3 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

Snohomish County Planning and Development Services (PDS)

No. The LS3 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed Lake Stevens UGA expansion area.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan is not required concurrent with the proposed LS3 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|------------|------------|------------|---|------------|------------|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The City of Lake Stevens LS3 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the LS3 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: City of Lake Stevens

File: LS4 20-116757 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the south boundary of the Lake Stevens Urban Growth Area (UGA) and redesignation of 569 acres from Rural Residential (RR) to Urban Low Density Residential (ULDR) and 114 acres from Rural Residential (RR) to Urban Commercial (UC). The proposed UGA expansion would also remove the Rural Urban Transition Area overlay.

Rezone: Proposed: R-7200 and General Commercial (GC)
Existing: Rural 5-Acre (R-5) and Rural Business (RB)

Acreage: 683 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: South of the Lake Stevens city limits, west of 103rd Avenue SE, north of 36th Street SE, and east of US 2

Existing Land Use: Rural residential development with rural commercial businesses east of State Route 9 (preschool, real estate and medical offices) and one in the southeast area (lumber and building supplies).

Adjacent Land Use: East and South—rural residential development, North – urban residential development, Cavelero Park and Cavelero Middle/High school; West- agricultural land

Adjacent FLU Map Designation: North- City of Lake Stevens; East and South – Rural Residential (RR); and West –Riverway Commercial Farmland (RCF)

Adjacent Zoning Designation: North- City of Lake Stevens; East and South- Rural-5 Acre (R-5); West-Agriculture-10 Acre (A-10)

Site Characteristics: The proposed LS4 UGA expansion area slopes from the north to the south in the eastern portion of the site with an area of steep slopes to the east of State Route 2 and other small areas of steep slopes. There are small wooded areas throughout the site.

Critical Areas: Mosher Creek, which contains fish habitat, runs north to south through the eastern portion of the site area and connects to Ebey Slough to the west. There are several freshwater wetlands located in the center and eastern portion of the site and adjacent to Mosher Creek.

Infrastructure: Primary access to the site is provided from the north by Cavalero Road, South Lake Stevens Road and 103rd Ave SE, all rural minor collectors; from the south by 87th Ave. SE, a minor collector; and from the east by 32nd St SE, a minor collector. Bunk Foss Rd, a county rural major collector, and 20th St SE, a City of Lake Stevens' arterial, are key offsite roads serving the LS4 area. State Route 9 and US 2 both provide regional access.

The proposal site is not within a sewer district. The residences in the LS4 area are served by individual septic systems. The nearest sewer service provider is the Lake Stevens Sewer District located within the Lake Stevens UGA. Water service is provided by the Snohomish County PUD and fire service is provided by Fire District 7.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The LS4 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the LS4 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as wetlands and streams); open space; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The LS4 proposal to expand the boundary of the Lake Stevens UGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The LS4 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(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 LS4 proposed UGA expansion has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed areas. The LS4 proposal will directly access State Route 9 and US 2 with significant amounts of new urban traffic. It is likely that there will also be measurable impacts to the US 2 trestle. The Washington State Department of Transportation (WSDOT) has plans for improvements to some portions of these state highways in this area, including:

- Improvements to SR 9 from the Snohomish River Bridge to SR 92. These improvements will in part take place within the LS4 area
- Improvements to the US 2 Trestle. The US 2 Trestle provides direct access from LS4 across the Snohomish River to I-5.

Even with the planned improvements, the state routes impacted by the LS4 proposal are overcapacity. Snohomish County measures future roadway conditions using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the upper-limit capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The 2035 V/C ratios for these state routes, listed below, demonstrate the future overcapacity conditions. The impacts from the LS4 area are significant because these state routes would provide direct access to the proposed UGA expansion. Adequate highway facilities will not be available to serve the LS4 area without additional state-funded improvements beyond those already planned.

- SR9, between US 2 and 20th St SE (with planned improvements) – 1.05
- The US 2 Trestle (with planned improvements) – 1.12

There are no future plans to improve county roads and intersections within or surrounding the docket proposal site. Cavalero Road, South Lake Stevens Road, 87th Ave SE, 32nd St SE, 91st Ave SE, and Bunk Foss Road are currently two-lane county rural arterials that were not built to handle urban traffic. They will likely be heavily impacted by the significant urban levels of

traffic generated by the proposal and may require improvements, especially improvements at urban standards.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The LS4 proposed Lake Stevens UGA expansion is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs have sufficient population and employment capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The LS4 Lake Stevens UGA expansion proposal is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

RGS-12: Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that

Snohomish County Planning and Development Services (PDS)

any expansion of capacity within the region's planning horizon should be directed to existing urban growth areas.

The LS4 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential and commercial development at urban densities outside of the existing Lake Stevens UGA without first evaluating opportunities to optimize residential and commercial development potential within existing urban areas.

The LS4 proposal to expand the Lake Stevens UGA to add population and employment capacity is inconsistent with RGS-12 as the Lake Stevens UGA is not identified as a high capacity transit community in the Regional Growth Strategy as it is not connected to existing or planned light rail, commuter rail or bus rapid transit facilities.

CPPs

The LS4 proposal, which results in an expansion of the Lake Stevens UGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. The expansion otherwise complies with the Growth Management Act;*
- d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and*
- e. One of the following conditions is met:*
 - 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
 - 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
 - 3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
- (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
4. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
 5. *The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong side of a right-of-way that is expected to be annexed to a city.)*
 6. *Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
 7. *In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
 8. *The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from*

Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.

9. *The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
10. *The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
11. *The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Factor “a”: The LS4 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the Lake Stevens UGA and the composite UGA have sufficient capacity to accommodate the 2035 population and employment growth targets.

Factor “b”: The proposed UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate population and employment growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under factor “e” for expansion of a UGA in order to increase residential and employment capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.

Snohomish County Planning and Development Services (PDS)

- Condition 3: The expansion is not the result of population growth in the Lake Stevens UGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. 32.4% of the additional population capacity estimated for the Lake Stevens UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 4: The expansion is not the result of employment growth in the Lake Stevens UGA that equals or exceeds fifty percent of the additional employment capacity estimated for the UGA since the start of the planning period. 29.5% of the additional employment capacity estimated for the Lake Stevens UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS's recommendation on this particular proposal because it is inconsistent with applicable standards not related to population or employment capacity.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The LS4 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The LS4 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the LS4 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

- (1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

Snohomish County Planning and Development Services (PDS)

No. Since the LS4 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

- (2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

No. The LS4 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed Lake Stevens UGA expansion area.

- (3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

Yes. A site plan is not required concurrent with the proposed LS4 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|------------|------------|------------|---|------------|------------|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The City of Lake Stevens LS4 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the LS4 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: Glen Gustafson

File: LS5 20-116927 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the eastern boundary of the Lake Stevens Urban Growth Area (UGA) and redesignation of 81 acres of Rural Residential (RR) to the following: 8.5 acres to Urban Industrial (UI); 30.5 acres to Urban Medium Density Residential (UMDR); and 42 acres to Public/Institutional (P/IU). The proposed UGA expansion would also remove the Rural Urban Transition Area (RUTA) overlay.

Rezone: Proposed: Light Industrial (LI) (8.5 ac.) and R7200 (73 ac.)

Existing: Rural 5-Acre (R-5)

Acreage: 81 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: East of Lake Steven city limits and North Machias Rd and between 20th St NE and 16th St NE

Existing Land Use: Rural residential development, gas utility pipeline, and Lake Stevens Community Park, owned and operated by Snohomish County

Adjacent Land Use: North, East and South– rural residential development; gas utility pipeline running northwest to southwest; West- Centennial Trail and commercial uses

Adjacent FLU Map Designation: Northwest- Urban Industrial; North, East, and South - Rural Residential 1DU/5Acres (RR/5Basic); West- City of Lake Stevens

| | |
|-------------------------------------|--|
| Adjacent Zoning Designation: | Northwest- Heavy Industrial (HI); North- R-5; Northeast and East-Forestry and Recreation (F and R); South- R-5; West- City of Lake Stevens |
| Site Characteristics: | The proposed LS5 UGA expansion area consists of primarily rural residential development, wooded areas, gas utility pipeline, and Lake Stevens Community Park with playgrounds and athletic areas. |
| Critical Areas: | Little Pilchuck Creek, classified as a shoreline of statewide significance, runs north-south through the western portion of the site. There are small areas of steep slopes on the site. Several freshwater wetlands are located in the center of the site and within the western portion of Lake Stevens Community Park. |
| Infrastructure: | <p>Primary access to the site is provided by North Machias Road, a minor arterial, 20th Street NE, a local road, and an access road to Lake Stevens Community Park. Nonmotorized access is provided by the Centennial Trail to the west. Off-site county roads serving the proposal site include 44th St NE, a local road, and South Machias Road, Machias Cutoff Road, Williams Road, and 20th St SE, which are all minor arterials. Key state routes serving the proposal site include SR 9, SR 92, and US 2.</p> <p>The proposal site is not within a sewer district. The residence in the LS5 site is served by an individual septic system. The nearest sewer service provider is the Lake Stevens Sewer District located within the Lake Stevens UGA. Water service is provided by Snohomish County PUD. Fire service is provided by Fire District 7.</p> |

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The LS5 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the LS5 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as wetlands, wildlife habitat, shoreline of statewide significance); open space; noise and light/glare; recreation facilities; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The LS5 proposal to expand the boundary of the Lake Stevens UGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The LS5 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(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 LS5 proposed UGA expansion has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed areas. The LS5 proposal will contribute to transportation impacts to overcapacity conditions on state routes SR 9, SR 92, SR 204, and the US 2 trestle. The Washington State Department of Transportation (WSDOT) has plans for improvements to these state highways including:

- Improvements to the SR 9/204 intersection
- Improvements to SR 9 from US 2 to SR 92
- Improvements to the US 2 Trestle

Even with the planned improvements, the state routes impacted by the LS5 proposal are overcapacity. Snohomish County measures future roadway conditions using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The 2035 V/C ratios for these state routes, listed below, show future conditions that are well overcapacity. While the size of the LS5 UGA expansion proposal is smaller, there will be additional impacts to these overcapacity state highways. Adequate facilities to serve this expansion will not be available without additional state-funded improvements beyond those already planned.

- SR 9 between SR 92 and Arlington - 1.34,
- SR 92 - 1.14,
- SR 204 – 1.07,
- The US 2 Trestle – 1.12

There are no future plans for capacity or operational improvements to county roads and intersections surrounding the proposal site. The two-lane county rural arterials and their intersections that provide access to the LS5 proposal site were not designed to accommodate urban levels of traffic. It is likely that these roadways will require urban standards of improvements at some point in the future if urban levels of development are approved.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The LS5 proposed Lake Stevens UGA expansion is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs have sufficient population and employment capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The LS5 Lake Stevens UGA expansion proposal is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

RGS-12: Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of capacity within the region's planning horizon should be directed to existing urban growth areas.

Snohomish County Planning and Development Services (PDS)

The LS5 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential and industrial development at urban densities outside of the existing Lake Stevens UGA without first evaluating opportunities to optimize residential and industrial development potential within existing urban areas.

The LS5 proposal to expand the Lake Stevens UGA to add population and employment capacity is inconsistent with RGS-12 as the Lake Stevens UGA is not identified as a high capacity transit community in the Regional Growth Strategy as it is not connected to existing or planned light rail, commuter rail or bus rapid transit facilities.

CPPs

The LS5 proposal, which results in an expansion of the Lake Stevens UGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;

b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;

c. The expansion otherwise complies with the Growth Management Act;

d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and

e. One of the following conditions is met:

1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.

2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).

3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:

(a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent

- Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
- (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
4. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
- (a) *Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
- (b) *An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
5. *The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*
6. *Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
7. *In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
8. *The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*

9. *The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
10. *The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
11. *The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Factor “a”: The LS5 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the Lake Stevens UGA and the composite UGA have sufficient population and employment capacity to accommodate the 2035 population and employment growth targets.

Factor “b”: The proposed UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under factor “e” for expansion of a UGA in order to increase residential and employment capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.

Snohomish County Planning and Development Services (PDS)

- Condition 3: The expansion is not the result of population growth in the Lake Stevens UGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. 32.4% of the additional population capacity estimated for the Lake Stevens UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 4: The expansion is not the result of employment growth in the Lake Stevens UGA that equals or exceeds fifty percent of the additional employment capacity estimated for the UGA since the start of the planning period. 29.5% of the additional employment capacity estimated for the Lake Stevens UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS's recommendation on this particular proposal because it is inconsistent with applicable standards not related to population or employment capacity.

Criterion "b": Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The LS5 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion "c": If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The LS5 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion "d": If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the LS5 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

- (1) **The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.**

Snohomish County Planning and Development Services (PDS)

No. Since the LS5 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

- (2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

No. The LS5 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed Lake Stevens UGA expansion area.

- (3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

Yes. A site plan is not required concurrent with the proposed LS5 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Gustafson LS5 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the LS5 proposal not be further processed.

Snohomish County Planning and Development Services (PDS)

EXHIBIT # 3.1.12**Docket XXI Initial Review and Evaluation**FILE MOT 21-147

**Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021**

Applicant: Taylor McLaren**File:** LS6 20-116748 DA**DESCRIPTION OF PROPOSAL**

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the northern boundary of the Lake Stevens Urban Growth Area (UGA) and redesignation of 287 acres designated Rural Residential (RR) and Rural Residential-5 (RR-5) to the following: 177 acres to Urban Medium Density (UMDR) and 110 acres to Urban Commercial (UC). The proposed UGA expansion would also remove the Rural Urban Transition Area (RUTA) overlay.

Rezone: Proposed: R7200 -63 acres; Low Density Multiple Residential (LDMR) - 114 acres; and Community Business (CB) 110 acres

Existing: Rural 5-Acre (R-5)

Acreage: 287 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: North of State Route 92 and Lake Steven city limits, east of Callow Road, and northwest of the intersection of North Machias Road and SR92.

Existing Land Use: Rural residential development, several small farms, a couple businesses, and the Centennial Trail

Adjacent Land Use: North, East and West– rural residential development, including a summer camp; South- City of Lake Stevens

| | |
|--------------------------------------|---|
| Adjacent FLU Map Designation: | Northeast- RR-5; West- RR; South- Urban Industrial (UI) and City of Lake Stevens |
| Adjacent Zoning Designation: | North, East and West- R-5; South- Business Park (BP) and the City of Lake Stevens |
| Site Characteristics: | The proposed LS6 UGA expansion area consists of primarily low density rural residential development, wooded areas, and farmland. The site is relatively flat. |
| Critical Areas: | There are several wetlands throughout the site including a large inventoried wetland. Catherine Creek, a fish habitat stream, flows through the western portion of the site. Little Pilchuck Creek, classified as a shoreline of statewide significance, runs north to south just east of the site. |
| Infrastructure: | <p>Primary access to the site is provided by State Route 92, a principal arterial, to the south; 44th Street NE, a minor collector, runs east-west through the site; and 123rd Ave NE, a minor collector, runs north-south and connects to 44th St. NE within the proposal site. Non-motorized access is provided by the Centennial Trail which bisects the site. Off-site county roads serving the proposal site include North Machias Road, South Machias Road, Machias Cutoff Road, Williams Road, and 20th St SE, which are all rural minor arterials. Key state routes serving the proposal site include SR 9, SR 92, SR 204, and US 2 trestle.</p> <p>The proposal site is not within a sewer district. The existing rural development on the site is on individual on-site septic systems. The nearest sewer provider is the Lake Stevens Sewer District within the Lake Stevens UGA. Water service is provided by Snohomish County PUD. Fire service is provided by Fire District 7.</p> |

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The LS6 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the LS6 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as wetlands, streams, and wildlife habitat); open space; noise and light/glare; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The LS6 proposal to expand the boundary of the Lake Stevens UGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The LS6 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(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 LS6 proposed UGA expansion has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed areas. Because of its size and location, it is likely that the LS6 proposal will contribute to overcapacity conditions on state routes SR 9, SR 92, SR 204, and the US 2 trestle. The Washington State Department of Transportation (WSDOT) has plans for improvements to the state highways in the area including:

- Improvements to the SR 9/ SR 204 intersection
- Improvements to SR 9 from US 2 to SR 92
- Improvements to the US 2 Trestle

Even with the planned improvements, the state routes impacted by the LS6 proposal are overcapacity. Snohomish County measures future roadway conditions using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The 2035 V/C ratios for these state routes, listed below, show future conditions that are well overcapacity. Because of its size and location, adequate facilities to serve this UGA expansion will not be available without additional state-funded improvements beyond those already planned.

- SR9 between SR 92 and Arlington - 1.34,
- SR 92 - 1.14,
- SR 204 – 1.07,
- The US 2 Trestle – 1.12

Snohomish County Planning and Development Services (PDS)

There are no future plans for capacity or operational improvements to county roads and intersections surrounding the proposal site. The two-lane county rural arterials and their intersections that provide access to the LS6 site were not designed to accommodate urban levels of traffic. It is likely that these roadways will require urban standards of improvements at some point in the future if the urban levels of development associated with LS6 are approved.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The LS6 proposed Lake Stevens UGA expansion is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs have sufficient population and employment capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The LS6 Lake Stevens UGA expansion proposal is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

RGS-12: Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the

Snohomish County Planning and Development Services (PDS)

population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of capacity within the region's planning horizon should be directed to existing urban growth areas.

The LS6 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential and commercial development at urban densities outside of the existing Lake Stevens UGA without first evaluating opportunities to optimize residential and commercial development potential within existing urban areas.

The LS6 proposal to expand the Lake Stevens UGA to add population and employment capacity is inconsistent with RGS-12 as the Lake Stevens UGA is not identified as a high capacity transit community in the *Regional Growth Strategy* as it is not connected to existing or planned light rail, commuter rail or bus rapid transit facilities.

CPPs

The LS6 proposal, which results in an expansion of the Lake Stevens UGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. The expansion otherwise complies with the Growth Management Act;*
- d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and*
- e. One of the following conditions is met:*
 - 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
 - 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
 - 3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*

Snohomish County Planning and Development Services (PDS)

- (a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
- 4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
- 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*
- 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
- 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*

8. *The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
9. *The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
10. *The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is incurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
11. *The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

This proposal is not consistent with the following factors from CPP DP-2:

Factor “a”: The LS6 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that the both the Lake Stevens UGA and the composite UGA have sufficient population and employment capacity to accommodate the 2035 population and employment growth targets.

Factor “b”: The proposed UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate population and employment growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under factor “e” for expansion of a UGA in order to increase residential and employment capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.

Snohomish County Planning and Development Services (PDS)

- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the Lake Stevens UGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. 32.4% of the additional population capacity estimated for the Lake Stevens UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 4: The expansion is not the result of employment growth in the Lake Stevens UGA that equals or exceeds fifty percent of the additional employment capacity estimated for the UGA since the start of the planning period. 29.5% of the additional employment capacity estimated for the Lake Stevens UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS's recommendation on this particular proposal because it is inconsistent with applicable standards not related to employment capacity.

Criterion "b": Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The LS6 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion "c": If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The LS6 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion "d": If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the LS6 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

- (1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.**

No. Since the LS6 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

- (2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

No. The LS6 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed Lake Stevens UGA expansion area.

- (3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

Yes. A site plan is not required concurrent with the proposed LS6 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The McLaren LS6 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the LS6 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: John Vangemert

File: MALT1 20-116748 DA

DESCRIPTION OF PROPOSAL

**General Policy Plan (GPP)
Future Land Use (FLU) Map
Amendments**

Proposed: Proposed expansion of the Maltby Urban Growth Area and redesignation from Rural Residential (RR) to Urban Industrial (UI)

UGA Expansion:

Yes

Zoning:

Proposed: Light Industrial (LI)

Existing: Rural -5 (R-5)

GPP Policy Amendments:

No policy amendments

Code Amendments:

No code amendments

Acreage:

11.75 acres

SITE RELATED INFORMATION

Location:

The MALT1 site is located south of 240th St. SE and south and east of the Maltby UGA and north of the King County line and the City of Woodinville.

Existing Land Use:

One single family residence and a large detached garage with a substantial portion of the site cleared of natural vegetation and modified as lawn, open area and pavement. The west portion of the site contains material storage that is part of an adjacent concrete and asphalt recycling operation.

Adjacent Land Use:

North – warehousing and storage and one single family residence; West – concrete and asphalt recycling business; South – designated open space owned by the City of Woodinville; East – Northshore School District property and the site of the abandoned Wellington Hills golf course

Adjacent GPP FLUM Designations and Zoning: Adjacent plan designations and zoning consist of: North – UI and LI; South – City of Woodinville plan designated open space; East – RR and R-5 and West – UI and LI

Site Characteristics including Critical Areas: The proposal site has 10-12% slopes with approximately one-quarter of the site having slopes greater than 33%. The site contains wooded drainage swales and a large cleared and graded lawn and landscaped area associated with the single-family residence. One non-fish habitat stream flows east to west across the northern portion of the site.

Infrastructure: Public road access to the proposal site is provided by 240th St. SE, which is designated a rural minor collector. The site is within ½ mile of the Woodinville-Snohomish Road, a minor principal urban arterial, and SR 522, a principal urban arterial. Other key nearby off-site roads are 228th St. SE, a minor arterial, and 75th Ave. SE/224th St. SE, a minor collector. Snohomish-Woodinville Road provides direct access north to SR 522, SR 9 and direct access south into the City of Woodinville and King County. SR 522 provides direct access north to Monroe and US 2 and South to Seattle and I-5.

The proposal site is within the Cross Valley Water District (CVWD) public water service area. The site is adjacent to the CVWD sewer service in the Maltby UGA. Fire service is provided by Snohomish County Fire District 7.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The MALT1 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the MALT1 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as steep slopes, streams,); open space; noise and light/glare; air quality; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Docket Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state and federal laws.

No. The MALT1 proposal to expand the boundary of the Maltby UGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The MALT1 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(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 MALT1 proposed UGA expansion has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposals site. Snohomish County measures future roadway conditions using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. Snohomish-Woodinville Road is currently at capacity with a V/C ratio of 0.93. Snohomish County measures intersection level-of-service (LOS) measures the delay at an intersection where LOS F is considered failing. Snohomish-Woodinville Road has been designated at ultimate capacity because of environmental constraints and the close proximity to the railroad right-of-way prevent further capacity improvements. With no future ability to make capacity improvements it is likely that traffic generated from the proposal site will contribute to traffic congestion issues. State Route 522 is also at capacity with a V/C of 0.93. The state has made improvements to this section of SR 522 and there are no plans to make further improvements.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor,

cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The MALT1 proposed Maltby UGA expansion is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs have sufficient employment capacity within the composite UGA to accommodate the 2035 growth targets.

MPPs

The MALT1 Maltby UGA expansion proposal is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

RGS-12: Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of capacity within the region's planning horizon should be directed to existing urban growth areas.

The MALT1 proposal is inconsistent with RGS-4 and RGS-6 as it allows industrial development at urban densities outside of the existing Maltby UGA without first evaluating opportunities to optimize industrial development potential within existing urban areas.

The MALT1 proposal to expand the Maltby UGA to add employment capacity is inconsistent with RGS-12 as the Maltby UGA is not identified as a high capacity transit community in the *Regional Growth Strategy* as this UGA is not connected to existing or planned light rail, commuter rail or bus rapid transit facilities.

CPPs

The MALT1 proposal, which results in an expansion of the Maltby UGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;

Snohomish County Planning and Development Services (PDS)

b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;

c. The expansion otherwise complies with the Growth Management Act;

d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and

e. One of the following conditions is met:

1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.

2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).

3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:

(a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and

(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 any new information presented at public hearings that confirms or revises the conclusions is considered.

4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:

(a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and

(b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.

Snohomish County Planning and Development Services (PDS)

5. *The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong side of a right-of-way that is expected to be annexed to a city.)*
6. *Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
7. *In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
8. *The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
9. *The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
10. *The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
11. *The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant*

Snohomish County Planning and Development Services (PDS)

increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.

The proposal is not consistent with the following factors from CPP DP-2:

Factor “a”: The MALT1 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the Maltby UGA and the composite UGA have sufficient capacity to accommodate the 2035 employment growth targets.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under factor “e” for expansion of a UGA in order to increase employment capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 4: The expansion is not the result of employment growth in the Maltby UGA that equals or exceeds fifty percent of the additional employment capacity estimated for the UGA since the start of the planning period. 0.3% of the additional employment capacity estimated for the Maltby UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024 and this new information may or may not impact PDS’s recommendation on this particular proposal as MALT1 is inconsistent with applicable standards not related to employment capacity.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The MALT1 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

No. The MALT1 proposal to expand the boundary of the Maltby UGA was part of a previous Docket XVI proposal, also known as MALT1, which was reviewed by the county council. The council, by Motion No. 11-131, did not place the MALT1 proposal on Final Docket XVI for further processing. The current MALT1 proposal is not significantly changed from the previous Docket XVI proposal to support a plan amendment at this time.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the MALT1 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

- (1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.**

No. Since the MALT1 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

- (2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

No. The MALT1 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed Maltby UGA expansion area.

- (3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

Yes. A site plan is not required concurrent with the proposed MALT1 rezone.

Summary of Consistency with Initial Docket Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and docket evaluation criteria are met. The Vangemert MALT1 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the MALT1 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: Wade Edelbrock

File: MON1 20-116773 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the northern boundary of the Monroe Urban Growth Area (UGA) and redesignation of 87 acres from Rural Residential (RR) and Rural Urban Transition Area (RUTA) to Urban Low Density Residential (ULDR)

Rezone: Proposed: R-7,200
Existing: Rural 5-Acre (R-5)

Acreage: 87 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: East of Chain Lake Road, West of 203rd Avenue SE, North of Monroe city limits, South of 118th Street SE

Existing Land Use: Low density rural residential development

Adjacent Land Use: North, East and West– rural residential development; Northwest- Chain Lake Elementary; South- City of Monroe

Adjacent FLU Map Designation: West, North and East - RR; South- City of Monroe

Adjacent Zoning Designation: West, North and East- R-5; South- City of Monroe

Site Characteristics: The proposed MON1 UGA expansion area consists of low density rural residential development and wooded areas. The entire site slopes from the north downward to the south.

Critical Areas: There are several areas of mapped steep slopes in the southern portion of the site. There is an inventoried wetland in the northeast portion of the site; a small freshwater wetland in the center; and a freshwater wetland in the southeast portion of the site.

Infrastructure: Primary access to the proposal site is provided by Brown Road, a local rural road, which connects to Chain Lake Road, a rural minor collector, located southwest of the site. Key offsite county roads serving the docket proposal site include 211th Ave SE/Ingraham Rd, a rural local road, and Woods Creek Rd, a rural major collector. Key state routes serving the proposal area include US 2 and SR 203.

The proposal site is not within a sewer district. The residences in the proposal site are served by on-site septic systems. The nearest sewer service provider is the City of Monroe. According to Monroe’s municipal code, the city will not extend sanitary sewer service or increase existing sewer capacity to properties located beyond it’s city limits until such properties have been annexed to the city. Water service is provided by the City of Monroe Water System. Fire service is provided by Snohomish County Fire District 7.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The MON1 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the MON1 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as steep slopes and streams); transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

Snohomish County Planning and Development Services (PDS)

No. The MON1 proposal to expand the boundary of the Monroe UGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The MON1 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(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 MON1 docket proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed areas. There are no future plans to improve county roads in the surrounding MON1 area. Chain Lake Road, a rural arterial, and rural local roads, Brown Road that travels east-west through the MON1 proposal site, 211th Ave SE/Ingraham Road that travels north-south to the east of the proposal site, and Woods Creek Road to the southeast of the proposal site, were not designed for urban levels of traffic as would be generated by this proposal. Further analysis as part of a SEPA process will show whether road improvements will be necessary to support urban levels of development as a result of the MON1 proposal without degrading levels of service below county standards.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The MON1 proposed expansion of the Monroe UGA is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional

Snohomish County Planning and Development Services (PDS)

composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The MON1 proposal, which results in an expansion of the Monroe UGA, is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region’s growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

RGS-12: Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of capacity within the region’s planning horizon should be directed to existing urban growth areas.

The MON1 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential development at urban densities outside of the existing Monroe UGA without first evaluating opportunities to optimize residential development potential within existing urban areas.

The MON1 proposal to expand the Monroe UGA to add population capacity is inconsistent with RGS-12 as the Monroe UGA is not served by the regional high-capacity transit system.

CPPs

The MON1 proposal, which results in an expansion of the Monroe UGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. The expansion otherwise complies with the Growth Management Act;*
- d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city’s position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an*

affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and

e. One of the following conditions is met:

- 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
- 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
- 3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
- 4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
- 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*
- 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated*

that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.

- 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
- 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
- 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
- 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
- 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Factor "a": The MON1 proposal, which results in a UGA expansion, is not supported by the county's most recent land capacity analysis which determined that both the Monroe UGA and the composite UGA have sufficient capacity to accommodate the 2035 population growth targets.

Factor “b”: The proposed UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under factor “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the Monroe UGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. 36.6% of the additional population capacity estimated for the Monroe UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS’s recommendation on this particular proposal because it is inconsistent with applicable standards not related to population capacity.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The MON1 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The MON1 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the MON1 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

- (1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.**

No. Since the MON1 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

- (2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

No. The MON1 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed Monroe UGA expansion area.

- (3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

Yes. A site plan is not required concurrent with the proposed MON1 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Edelbrock MON1 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the MON1 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: Lonnie and Susan Davis, Jonathan and Seth Johnson **File:** MON2 20-116895 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the northern boundary of the Monroe Urban Growth Area (UGA) and redesignation of 22 acres from Rural Residential (RR) and Rural Urban Transition Area (RUTA) to Urban Low Density Residential.

Rezone: Proposed: R-7,200
Existing: Rural 5-Acre (R-5)

Acreage: 22 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: West of Chain Lake Road, North of Monroe city limits, South of 130th Place SE

Existing Land Use: Low density rural residential development and vacant properties

Adjacent Land Use: North, East and West– rural residential development, including municipal water storage and utility adjacent to the west; South- City of Monroe

Adjacent FLU Map Designation: West, North and East - RR; South- City of Monroe

Adjacent Zoning Designation: West, North and East- R-5; South- City of Monroe

- Site Characteristics:** The proposed MON2 UGA expansion area consists of low density rural residential development and wooded areas. The entire site slopes from the south downward to the north.
- Critical Areas:** There are some small areas of mapped steep slopes in the western portion of the site. A non-fish bearing seasonal stream crosses the site at the northeastern boundary.
- Infrastructure:** Primary access to the site is provided by Chain Lake Road, a rural minor collector, along the east boundary of the site. Key offsite county roads serving the proposal site include 211th Ave SE/Ingraham Rd, a rural local road, and Woods Creek Rd, a rural major collector. Key state routes serving the proposal area include US 2 and SR 203.
- The proposal site is not within a sewer district. The residences in the proposal site are served by on-site septic systems. According to Monroe’s municipal code, the city will not extend sanitary sewer service or increase existing sewer capacity to properties located beyond it’s city limits until such properties have been annexed to the city. Water service is provided to the western portion of the site by the Marbello Water System and water service is provided to the eastern portion of the site by the City of Monroe Water System. Monroe municipal code requires that any property that connects to the city’s sewer system shall also connect to the city’s water system. Fire service is provided by Snohomish County Fire District 07.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The MON2 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the MON2 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as steep slopes and streams); transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The MON2 proposal to expand the boundary of the Monroe UGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The MON2 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(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 MON2 docket proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed areas. There are no future plans to improve county roads in the surrounding the MON2 site. Chain Lake Road, a rural arterial, and rural local roads including Brown Road that travels east-west through the MON2 site, 211th Ave SE/Ingraham Road that travels north-south to the east of the MON2 site, and Woods Creek Road to the southeast of the MON2 site, were not designed for the levels of urban traffic as would be generated by this proposal. Further analysis as part of a SEPA process will show whether road improvements will be necessary to support urban levels of development by the MON2 proposal without degrading levels of service below county standards.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county’s UGA boundaries must be supported by a land capacity analysis. The MON2 proposed expansion of the Monroe UGA is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated

Snohomish County Planning and Development Services (PDS)

UGAs, and unincorporated MUGAs have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The MON2 proposal, which results in an expansion of the Monroe UGA, is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

RGS-12: Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of capacity within the region's planning horizon should be directed to existing urban growth areas.

The MON2 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential development at urban densities outside of the existing Monroe UGA without first evaluating opportunities to optimize residential development potential within existing urban areas.

The MON2 proposal to expand the Monroe UGA to add population capacity is inconsistent with RGS-12 as the Monroe UGA is not served by the regional high-capacity transit system.

CPPs

The MON2 proposal, which results in an expansion of the Monroe UGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. The expansion otherwise complies with the Growth Management Act;*
- d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and*

give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and

e. One of the following conditions is met:

- 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
- 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
- 3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
- 4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
- 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong side of a right-of-way that is expected to be annexed to a city.)*
- 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban*

growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.

- 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
- 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
- 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
- 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
- 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Factor “a”: The MON2 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that the both the Monroe UGA and the composite UGA have sufficient capacity to accommodate the 2035 population growth targets.

Factor “b”: The proposed UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under factor “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the Monroe UGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. 36.6% of the additional population capacity estimated for the Monroe UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS’s recommendation on this particular proposal because it may be inconsistent with applicable standards not related to population capacity.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The MON2 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The MON2 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the MON2 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

No. Since the MON2 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

No. The MON2 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed Monroe UGA expansion area.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan is not required concurrent with the proposed MON1 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Davis-Johnson MON2 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the MON2 proposal not be further processed.

Docket XXI Initial Review and Evaluation

**Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021**

Applicant: Natural 9 Holdings, LLC

File: MV1 20-116924 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the eastern boundary of the Marysville Urban Growth Area (UGA) and redesignation of approximately 141 acres from Rural Residential-10 (RR-10) to Urban Medium Density Residential (UMDR).

Rezone: Proposed: Low Density Multiple Residential (LDMR)

Existing: Agriculture-10 Acres (A-10)

Acreage: 141 acres

GPP Policy Amendments: Repeal Objective LU 6.D

Designate Rural Residential-10 those areas outside the Marysville-Arlington Urban Growth Areas east of I-5 to maintain large parcel patterns for small farm and low-density rural uses.

Repeal LU Policy 6.D.1

Provide that the portion of the Rural Residential-10 area bounded on the south by 108th and on the north by the diagonal railroad line be maintained in rural status and specialty agriculture through cluster provisions and specialty agriculture priority.

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: East of Marysville city limits, North of 132nd Steet NE, West of 67th Avenue NE

Existing Land Use: Active farms with associated residences

Adjacent Land Use: West and Northwest - City of Marysville; Northeast, East and South – farms and a large greenhouse nursery business

Adjacent FLU Map Designation: West and Northwest - City of Marysville; Northeast, South, and East – RR-10

Snohomish County Planning and Development Services (PDS)

| | |
|-------------------------------------|--|
| Adjacent Zoning Designation: | West and Northwest - City of Marysville; Northeast, South, and East – A-10 |
| Site Characteristics: | The proposal site is primarily flat and consists of cultivated and pasture farmland. |
| Critical Areas: | The proposal site is bisected by an east-west channeled seasonal tributary of Quilceda Creek |
| Infrastructure: | <p>The proposal site is primarily accessed by 132nd St NE, a rural minor collector, that borders the northern edge of the site. Key offsite county roads serving the proposal site include 67th Ave NE, a rural minor arterial. Within the City of Marysville, 51st Ave NE and 136th St NE provide north/south and west connections. Key state routes serving the proposal site area include SR 9, SR 528, and SR 531.</p> <p>The proposal site is not within a sewer district. The residences in the proposal site are served by on-site septic systems. The nearest sewer service provider is the City of Marysville. According to Marysville’s municipal code, the city will not extend sanitary sewer service to properties located beyond it’s city limits until such properties have been annexed to the city. The proposal site is within the City of Marysville’s Water System jurisdiction. Fire service in the northern portion is provided by Snohomish County Fire District 21 and the southern portion is served by Fire District 12.</p> |

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The MV1 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the MV1 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as streams); open space; land use; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The MV1 proposal to expand the boundary of the Marysville UGA and delete a GPP objective and policy supporting a low-density rural residential plan designation is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The MV1 proposed Marysville UGA expansion is inconsistent with the following GMA provisions:

RCW 36.70A.020(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 MV1 docket proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the docket proposal site.

Access to the MV1 proposal site would be provided by two rural county two-lane arterials, 67th Ave NE and 132nd St NE. These arterials were not designed to handle traffic from urban development. Improvements to the intersection of 67th Ave NE and 152nd St NE are in the County’s six-year Transportation Improvement Plan and there are no other plans for improvements. These arterials will likely be impacted by additional urban traffic from the MV1 proposal site and may require additional improvements.

The MV1 proposal will use State Routes 9 and 531 to connect to the regional transportation network. These routes are all forecasted to be severely overcapacity. Snohomish County uses a methodology that compares future volumes (V) to the roadway capacity (C) to forecast the adequacy of state and county roadways for the year 2035. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The calculation shows that in 2035 State Route 9 between Marysville and Arlington will have a V/C ratio of 1.42 and that State Route 531 between 67th and SR 9 will have a V/C ratio of 1.22. The MV1 proposal will further exacerbate forecasted congestion issues without roadway improvements. The Washington State Department of Transportation (WSDOT) does not have plans for improving these state routes.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The MV1 proposed expansion of the Marysville UGA is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

The MV1 proposal to delete GPP Objective LU 6.D and LU Policy 6.D.1, which would remove the objective and policy support for the RR-10 plan designation, is inconsistent with the GMA rural development requirements in RCW 36.70A.070(5):

...

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

- (i) Containing or otherwise controlling rural development;*
- (ii) Assuring visual compatibility of rural development with the surrounding rural areas;*
- (iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;*
- (iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and*
- (v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.*

...

Snohomish County Planning and Development Services (PDS)

The MV1 proposal to remove the objective and policy support for the RR-10 plan designation would encourage rural sprawl, lessen the protection of rural character, and impact rural levels of service by allowing a greater intensity of rural residential development than what is currently planned. The RR-10 area has been designated and zoned since adoption of the first county GMA comprehensive plan over 25 years ago in order to protect existing farms and rural uses where critical areas in the Quilceda-Allen drainage basin require a lower density of rural development.

Maintaining a minimum ten-acre parcel pattern in this area promotes rural scale specialty agricultural operations which is consistent with the current trend to smaller sized farms in Snohomish County, according to the United States Department of Agriculture 2017 Survey of Agriculture. This nation-wide survey indicates that the majority of existing farms in the county are averaging 10 acres in size.

The MV1 proposal would likely lead to the conversion of RR-10 areas into islands of smaller five-acre rural zoned parcels. This likely conversion would result in rural sprawl that would put additional pressure on the ability of remaining farms to continue to operate effectively due to potential conflicts with new smaller lot rural residential development over noise, odors, dust, operation of machinery and other agricultural activities.

MPPs

The MV1 proposal to expand the Marysville UGA is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of capacity within the region's planning horizon should be directed to existing urban growth areas.

The MV1 proposal to expand the Marysville UGA is inconsistent with RGS-4 and RGS-6 as it allows residential development at urban densities outside of the existing Marysville UGA without first evaluating opportunities to optimize residential development potential within existing urban areas.

The MV1 proposal to delete GPP Objective LU 6.D and LU Policy 6.D.1, which would remove the objective and policy support for the RR-10 plan designation, is inconsistent with the following *Vision 2050* MPP:

RGS-14: Manage and reduce rural growth rates over time, consistent with the Regional Growth Strategy, to maintain rural landscapes and lifestyles and protect resource lands and the environment.

Snohomish County Planning and Development Services (PDS)

Vision 2050 and the Regional Growth Strategy were developed with the assumption that rural areas are expected to provide rural lifestyle opportunities in the region over the long term. However, it is not intended that rural areas in the region be served with urban services or accommodate a significant amount of residential or employment growth. VISION 2050 calls for reduced rural population growth rates in all counties. The Multicounty Planning Policies which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-14, make it clear that, over time, counties shall reduce rural population growth rates.

The MV1 proposal is inconsistent with RGS-14 as the proposal to delete GPP Objective LU 6.D and LU Policy 6.D.1 would remove the existing objective and policy protection and support for retaining the remaining farmland and low density rural uses in the RR-10 comprehensive plan designation and the implementing A-10 zoning.

Removal of this key objective and policy would result in greater pressure to convert the RR-10 designated areas to a higher density rural residential plan designation and zoning. This likely increase in planned rural densities in this area is contrary to the Regional Growth Strategy which calls for Snohomish County to reduce its 2017-2050 rural population growth target to 4.5% from the adopted 2035 reconciled rural population growth target of 7.9% in Appendix B of the Countywide Planning Policies.

CPPs

The MV1 proposal to expand the Marysville UGA is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. The expansion otherwise complies with the Growth Management Act;*
- d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and*
- e. One of the following conditions is met:*
 - 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
 - 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by*

Snohomish County Planning and Development Services (PDS)

the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).

3. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) *Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
4. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) *Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) *An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
5. *The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*
6. *Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
7. *In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site*

needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.

- 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
- 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
- 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
- 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Factor "a": The MV1 proposal, which results in a UGA expansion, is not supported by the county's most recent land capacity analysis which determined that both the Marysville UGA and the composite UGA have sufficient population capacity to accommodate the 2035 population growth targets.

Factor "b": The proposed UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor "c": The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate population growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under factor “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the Marysville UGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. Only 20.8% of the additional population capacity estimated for the Marysville UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

The MV1 proposal to delete GPP Objective LU 6.D and LU Policy 6.D.1, which would remove the objective and policy support for the RR-10 plan designation, will result in the future conversion of low density rural residential land intended to preserve small farms and related rural uses to higher density rural residential development, is inconsistent with CPP DP-23 and CPP DP-24:

DP-23 The County shall establish low intensities of development and uses in areas outside of Urban Growth Areas to preserve resource lands and protect rural areas from sprawling development

DP-24 Density and development standards in rural and resource areas shall be based on accommodating the projected population and employment growth not allocated to the urban growth areas, consistent with GF-5 and the growth targets in Appendix B.

The County established the Rural Resource-10 comprehensive plan designation and corresponding Objective LU 6.D and LU Policy 6.D.1 in the county’s 1995 GMA comprehensive plan and applied this plan designation to lands that were previously designated agriculture in pre-GMA subarea comprehensive plans or zoned A-10. The intent of the RR-10 plan designation is to maintain the larger parcel pattern to protect existing farms and require a lower intensity of rural development where critical areas occur in the Quilceda-Allen drainage basin.

Removal of this objective and policy would result in greater pressure to convert the RR-10 designated areas to higher density a rural residential plan designation and zoning. This increase in future rural residential densities is contrary to the Regional Growth Strategy which calls for Snohomish County to reduce its 2017-2050 rural population growth target to 4.5% from the adopted 2035 reconciled rural population growth target of 7.9% in Appendix B of the Countywide Planning Policies.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets

currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS's recommendation on this particular proposal because it is inconsistent with applicable standards not related to population capacity. Also, because the Regional Growth Strategy calls for the county to further reduce its rural population growth, the adoption of new rural growth targets should not affect PDS's recommendation on the proposed repeal of the RR-10 objective and policy.

Criterion "b": Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The MV1 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion "c": If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The MV1 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion "d": If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the MV1 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

No. Since the MV1 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

No. The MV1 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed Marysville UGA expansion area.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan is not required concurrent with the proposed MV1 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|------------|------------|------------|---|------------|------------|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Natural 9 Holdings, LLC MV1 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the MV1 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: NorthPoint Development, LLC

File: MV2 20-116959 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the eastern boundary of the Marysville Urban Growth Area (UGA) and redesignation of approximately 183 acres from Rural Residential-10 (RR-10) to Urban Industrial (UI).

Rezone: Proposed: Light Industrial (LI)
Existing: Agriculture-10 Acre (A-10)

Acreage: 183 acres

GPP Policy Amendments: Repeal Objective LU 6.D

Designate Rural Residential-10 those areas outside the Marysville-Arlington Urban Growth Areas east of I-5 to maintain large parcel patterns for small farm and low-density rural uses.

Repeal LU Policy 6.D.1

Provide that the portion of the Rural Residential-10 area bounded on the south by 108th and on the north by the diagonal railroad line be maintained in rural status and specialty agriculture through cluster provisions and specialty agriculture priority.

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: South and East of Marysville city limits and BNSF railroad right of way, West of 67th Avenue NE, and North of 152nd Street NE

Existing Land Use: Farms and rural residential development

Adjacent Land Use: North, West and Southwest- City of Marysville (rural residential and farms); Southeast– Strawberry Fields Athletic Complex, farms and rural residential development; East- rural residential development

Snohomish County Planning and Development Services (PDS)

| | |
|--------------------------------------|--|
| Adjacent FLU Map Designation: | North, West and Southwest- City of Marysville; Southeast and East – RR-10); Northeast- Rural Residential-5 (RR-5) |
| Adjacent Zoning Designation: | West, North and Southwest- City of Marysville; Southeast and East – A-10; Northeast – R-5 |
| Site Characteristics: | The proposed MV2 UGA expansion area is primarily flat with open pasture areas and cultivated farmland. |
| Critical Areas: | The site is bordered on the south by the middle fork of Quilceda Creek which contains fish habitat. Olaf Strad Creek, a channeled stream, bisects the middle of the site and contains fish habitat. There are inventoried wetlands in the northern and southern portions of the site in addition to uninventoried wetlands throughout the site. |
| Infrastructure: | <p>Primary access to the site is provided from the south by 152nd Avenue NE, a rural minor collector, and from the east by 67th Avenue NE, a rural minor arterial. Key offsite roads serving the docket proposal area include 108th St NE and 132nd St NE, both rural minor collectors, and State Routes SR 9, SR 528 and SR 531.</p> <p>The proposal site is not within a sewer district. The residences in the proposal site are served by on-site septic systems. The nearest sewer service provider is the City of Marysville. According to Marysville’s municipal code, the city will not extend sanitary sewer service to properties located beyond it’s city limits until such properties have been annexed to the city. The proposal site is adjacent to the City of Marysville Water System and the city requires that any property that connects to the city’s sewer system shall also connect to the city’s water system. Fire service is provided by Snohomish County Fire District 21.</p> |

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The MV2 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the MV2 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as streams, wildlife and wetlands); open space; land use; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if

Snohomish County Planning and Development Services (PDS)

all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The MV2 proposal to expand the boundary of the Marysville UGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The MV2 proposed Marysville UGA expansion is inconsistent with the following GMA provisions:

RCW 36.70A.020(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 MV2 docket proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the docket proposal site.

Access to the MV2 proposal site would be by two rural county two-lane arterials, 67th Ave NE and 152nd St NE. These arterials were not designed to handle traffic from urban development. Improvements to the intersection of 67th Ave NE and 152nd St NE are in the County’s six-year Transportation Improvement Plan and there are no other plans for improvements. These arterials will likely be impacted by additional urban traffic from the MV2 proposal and may require additional improvements.

The MV2 proposal will use State Routes SR 9 and SR 531 to connect to the regional transportation network. These routes are all forecasted to be severely overcapacity. Snohomish County uses a methodology that compares future volumes (V) to the roadway capacity (C) to forecast the adequacy of state and county roadways for the year 2035. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The calculation shows that in 2035 State Route 9 between Marysville and Arlington will have a V/C ratio of 1.42 and that State Route 531 between 67th and SR 9 will have a V/C ratio of 1.22. Without additional roadway improvements, the MV2 proposal will further exacerbate the severe congestion issues that have been forecasted. The Washington State Department of Transportation (WSDOT) does not have plans to make improvements to these state routes in these locations.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city

Snohomish County Planning and Development Services (PDS)

within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The MV2 proposed expansion of the Marysville UGA is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs have sufficient employment capacity within the composite UGA to accommodate the 2035 growth targets.

The MV1 proposal to delete GPP Objective LU 6.D and LU Policy 6.D.1, which would remove the objective and policy support for the RR-10 plan designation, is inconsistent with the GMA rural development requirements in RCW 36.70A.070(5):

...

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

- (i) Containing or otherwise controlling rural development;*
- (ii) Assuring visual compatibility of rural development with the surrounding rural areas;*
- (iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;*
- (iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and*
- (v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.*

...

Snohomish County Planning and Development Services (PDS)

The MV2 proposal to remove the objective and policy support for the RR-10 plan designation would encourage rural sprawl, lessen the protection of rural character, and impact rural levels of service by allowing a greater intensity of rural residential development than what is currently planned. The RR-10 area has been designated and zoned since adoption of the first county GMA comprehensive plan over 25 years ago in order to protect existing farms and rural uses where critical areas in the Quilceda-Allen drainage basin require a lower density of rural development.

Maintaining a minimum ten-acre parcel pattern in this area promotes rural scale specialty agricultural operations which is consistent with the current trend to smaller sized farms in Snohomish County, according to the United States Department of Agriculture 2017 Survey of Agriculture. This nation-wide survey indicates that the majority of existing farms in the county are averaging 10 acres in size.

The MV1 proposal would likely lead to the conversion of RR-10 areas into islands of smaller five-acre rural zoned parcels. This likely conversion would result in rural sprawl that would put additional pressure on the ability of remaining farms to continue to operate effectively due to potential conflicts with new smaller lot rural residential development over noise, odors, dust, operation of machinery and other agricultural activities.

MPPs

The MV2 proposal to expand the Marysville UGA is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of capacity within the region's planning horizon should be directed to existing urban growth areas.

The MV2 proposal is inconsistent with RGS-4 and RGS-6 as it allows industrial development at urban densities outside of the existing Marysville UGA without first evaluating opportunities to optimize industrial development potential within existing urban areas.

The MV2 proposal to delete GPP Objective LU 6.D and LU Policy 6.D.1, which would remove the objective and policy support for the RR-10 plan designation, is inconsistent with the following *Vision 2050* MPP:

RGS-14: Manage and reduce rural growth rates over time, consistent with the Regional Growth Strategy, to maintain rural landscapes and lifestyles and protect resource lands and the environment.

Snohomish County Planning and Development Services (PDS)

Vision 2050 and the Regional Growth Strategy were developed with the assumption that rural areas are expected to provide rural lifestyle opportunities in the region over the long term. However, it is not intended that rural areas in the region be served with urban services or accommodate a significant amount of residential or employment growth. VISION 2050 calls for reduced rural population growth rates in all counties. The Multicounty Planning Policies which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-14, make it clear that, over time, counties shall reduce rural population growth rates.

The MV2 proposal is inconsistent with RGS-14 as the proposal to delete GPP Objective LU 6.D and LU Policy 6.D.1 would remove the existing objective and policy protection and support for retaining the remaining farmland and low density rural uses in the RR-10 comprehensive plan designation and the implementing A-10 zoning.

Removal of this objective and policy would result in greater pressure to convert the RR-10 designated areas to a higher density rural residential plan designation and zoning. This likely increase in planned rural densities in this area is contrary to the Regional Growth Strategy which calls for Snohomish County to reduce its 2017-2050 rural population growth target to 4.5% from the adopted 2035 reconciled rural population growth target of 7.9% in Appendix B of the Countywide Planning Policies.

CPPs

The MV2 proposal to expand the Marysville UGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. The expansion otherwise complies with the Growth Management Act;*
- d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and*
- e. One of the following conditions is met:*
 - 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
 - 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by*

the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).

3. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) *Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
4. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) *Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) *An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
5. *The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*
6. *Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
7. *In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site*

needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.

- 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
- 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
- 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
- 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Factor "a": The MV2 proposal, which results in a UGA expansion, is not supported by the county's most recent land capacity analysis which determined that both the Marysville UGA and the composite UGA have sufficient employment capacity to accommodate the 2035 employment growth targets.

Factor "c": The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate employment growth for the 2015 to 2035 planning period.

Factor "e": The proposed UGA expansion is not supported by any of the applicable conditions under factor "e" for expansion of a UGA in order to increase employment capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.

Snohomish County Planning and Development Services (PDS)

- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 4: The expansion is not the result of employment growth in the Marysville UGA that equals or exceeds fifty percent of the additional employment capacity estimated for the UGA since the start of the planning period. Only 7.1% of the additional employment capacity estimated for the Marysville UGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

The MV2 proposal to delete GPP Objective LU 6.D and LU Policy 6.D.1, which would remove the objective and policy support for the RR-10 plan designation, will result in the future conversion of low density rural residential land intended to preserve small farms and related rural uses to higher density rural residential development, is inconsistent with CPP DP-23 and CPP DP-24:

DP-23 The County shall establish low intensities of development and uses in areas outside of Urban Growth Areas to preserve resource lands and protect rural areas from sprawling development

DP-24 Density and development standards in rural and resource areas shall be based on accommodating the projected population and employment growth not allocated to the urban growth areas, consistent with GF-5 and the growth targets in Appendix B.

The County established the Rural Resource-10 comprehensive plan designation and corresponding Objective LU 6.D and LU Policy 6.D.1 in the county's 1995 GMA comprehensive plan and applied this plan designation to lands that were previously designated agriculture in pre-GMA subarea comprehensive plans or zoned A-10. The intent of the RR-10 plan designation is to maintain the larger parcel pattern to protect existing farms and require a lower intensity of rural development where critical areas occur in the Quilceda-Allen drainage basin.

Removal of this objective and policy would result in greater pressure to convert the RR-10 designated areas to a higher density rural residential plan designation and zoning. This increase in future rural residential densities is contrary to the Regional Growth Strategy which calls for Snohomish County to reduce its 2017-2050 rural population growth target to 4.5% from the adopted 2035 reconciled rural population growth target of 7.9% in Appendix B of the Countywide Planning Policies.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS's recommendation on this particular UGA expansion proposal because it is inconsistent with applicable standards not related to employment capacity. Also, because the Regional

Growth Strategy calls for the county to further reduce its rural population growth, the adoption of new rural growth targets should not affect PDS’s recommendation on the proposed repeal of the RR-10 objective and policy.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The MV2 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The MV2 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the MV2 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

No. Since the MV2 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

No. The MV2 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed Marysville UGA expansion area.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan is not required concurrent with the proposed MV2 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The NorthPoint Development, LLC MV2 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the MV2 proposal not be further processed.

Snohomish County Planning and Development Services (PDS) **EXHIBIT #** 3.1.18**FILE** MOT 21-147

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: Van Dam Farms WWA, LLC **File:** RURAL1 20-116923 DA

DESCRIPTION OF PROPOSAL

**General Policy Plan (GPP)
Future Land Use (FLU) Map
Amendments:**

Proposed: Rural Residential (RR: Base density of 1 dwelling unit per 5 or more acres)

Existing: Rural Residential10 (RR-10: 1 dwelling unit per 10 or more acres)

UGA Expansion:

No

Zoning:**Proposed:** Rural -5 (R-5)**Existing:** Agriculture-10 (A-10)**GPP Policy Amendments:****Repeal Objective LU 6.D**

Designate Rural Residential-10 those areas outside the Marysville-Arlington Urban Growth Areas east of I-5 to maintain large parcel patterns for small farm and low-density rural uses.

Repeal LU Policy 6.D.1

Provide that the portion of the Rural Residential-10 area bounded on the south by 108th and on the north by the diagonal railroad line be maintained in rural status and specialty agriculture through cluster provisions and specialty agriculture priority.

Code Amendments:

No code amendments

Acreage:

78 acres

SITE RELATED INFORMATION**Location:**

The RURAL1 site is located east of the Marysville Urban Growth Area (UGA) in the Allen Creek drainage basin. The proposal site is directly west of 67th Ave. NE; north of 108th St. NE; and south of 132nd St. NE.

Snohomish County Planning and Development Services (PDS)

Existing Land Use: The RURAL1 site is located on several parcels that contained a dairy farm at one time and is currently used for minor agricultural purposes. The site contains three single family dwellings, two of which are co-located with several farming related structures. There are two dairy lagoons located on the proposal site.

Adjacent Land Use: North – Smith Gardens, a wholesale nursery and agricultural land; West – agricultural land; South - rural single-family dwellings and agricultural land; East - rural single-family dwellings and agricultural land.

Adjacent GPP FLUM Designations and Zoning: Adjacent plan designations and zoning consist of: North, South, East and West – RR-10 and A-10.

Site Characteristics including Critical Areas: The topography is flat and consists of active and fallow agricultural land with clusters of agricultural structures and associated farmhouses.

The site includes several wetlands. A channeled seasonal stream bisects the site and flows west. A channeled stream with fish habitat borders the east portion of the site, adjacent to 67th Ave. NE, and flows south into Allen Creek.

Infrastructure: The only direct access to the site is via 67th Ave. NE, a minor arterial road.

The site is within the City of Marysville’s Water System jurisdiction. The site is not served by sanitary sewer and the rural residences are on individual septic systems.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The RURAL1 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the RURAL1 proposal will include, but not necessarily be limited to, potential impacts related to: transportation facilities; critical areas; water quality; and public services (including water).

EVALUATION

PDS shall recommend to the county council that an amendment be further processed only if all of the following criteria are met, except as provided in SCC 30.74.040.

Findings of Initial Docket Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state and federal laws.

No. The RURAL1 proposal is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The RURAL1 proposal is inconsistent with GMA Planning Goal 12 in RCW 36.70A.020:

(Goal 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 RURAL1 proposal has not demonstrated that public facilities and services to serve the increased rural levels of development, particularly rural transportation improvements, are available or programmed to serve the proposal site. There are no future plans to improve county roads/intersections surrounding the docket proposal area.

RURAL1 will use State Routes 9 and 531 to connect to the regional transportation network. These routes are all forecasted to be severely overcapacity. Snohomish County uses a methodology that compares future volumes (V) to the roadway capacity (C) to forecast the adequacy of state and county roadways for the year 2035. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The calculation shows that in 2035 State Route 9 between Marysville and Arlington will have a V/C ratio of 1.42 and that State Route 531 between 67th and SR 9 will have a V/C ratio of 1.22. Without additional roadway improvements, RURAL1 will further exacerbate the severe congestion issues that have been forecasted. The Washington State Department of Transportation (WSDOT) does not have plans for making improvements to these state routes in these locations.

The RURAL1 proposal is inconsistent with the GMA rural development requirements in RCW 36.70A.070(5):

...

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

(i) Containing or otherwise controlling rural development;

Snohomish County Planning and Development Services (PDS)

- (ii) Assuring visual compatibility of rural development with the surrounding rural areas;*
- (iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;*
- (iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and*
- (v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.*

...

The RURAL1 proposal would encourage rural sprawl, lessen the protection of rural character, and impact rural levels of service by allowing a greater intensity of rural residential development than what is currently planned. The area has been designated and zoned to maintain larger rural parcel patterns for small acreage farms and low density rural uses since adoption of the first county GMA comprehensive plan over 25 years ago.

Maintaining the ten-acre minimum rural lot size in this area of the county promotes rural scale specialty agricultural operations which is consistent with the current trend to smaller sized farms in Snohomish County, according to the United States Department of Agriculture 2017 Survey of Agriculture. This nation-wide survey indicates that the majority of existing farms in the county are averaging 10 acres in size.

The RURAL1 proposal would likely lead to the conversion of RR-10 areas into islands of smaller five-acre rural zoned parcels. This likely conversion would result in rural sprawl that would put additional pressure on the ability of remaining farms to continue to operate effectively due to potential conflicts with new smaller lot rural residential development over noise, odors, dust, operation of machinery, and other agricultural activities.

MPPs

The RURAL1 proposal is inconsistent with the following *Vision 2050* MPP:

RGS-14: Manage and reduce rural growth rates over time, consistent with the Regional Growth Strategy, to maintain rural landscapes and lifestyles and protect resource lands and the environment.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that rural areas are expected to provide rural lifestyle opportunities in the region over the long term. However, it is not intended that rural areas in the region be served with urban services or accommodate a significant amount of residential or employment growth. *VISION 2050* calls for reduced rural population growth rates in all counties. The Multicounty Planning Policies which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-14, make it clear that, over time, counties shall reduce rural population growth rates.

The RURAL1 proposal is inconsistent with RGS-14 as the proposal to delete GPP Objective LU 6.D and LU Policy 6.D.1 would remove the existing objective and policy protection and support for retaining the remaining farmland and low density rural uses in the RR-10 comprehensive plan designation and the implementing A-10 zoning.

Removal of this objective and policy would result in greater pressure to convert the RR-10 designated areas to a higher density rural residential plan designation and zoning. This likely

Snohomish County Planning and Development Services (PDS)

increase in planned rural densities in this area is contrary to the Regional Growth Strategy which calls for Snohomish County to reduce its 2017-2050 rural population growth target to 4.5% from the adopted 2035 reconciled rural population growth target of 7.9% in Appendix B of the Countywide Planning Policies.

CPPs

The RURAL1 proposal, which would result in an increase in rural residential development densities, is inconsistent with CPP DP-23 and CPP-24:

DP-23 The County shall establish low intensities of development and uses in areas outside of Urban Growth Areas to preserve resource lands and protect rural areas from sprawling development

DP-24 Density and development standards in rural and resource areas shall be based on accommodating the projected population and employment growth not allocated to the urban growth areas, consistent with GF-5 and the growth targets in Appendix B.

The County established the Rural Resource-10 Future Land Use map designation and corresponding objective and policy in the county's 1995 GMA comprehensive plan and applied this comprehensive plan designation to lands that were previously designated agriculture in pre-GMA subarea comprehensive plans or zoned A-10. The intent of the RR-10 plan designation is to maintain the larger parcel pattern to protect existing farms and require a lower intensity of rural development where critical areas occur in the Quilceda-Allen drainage basin.

The county's adopted rural population growth target in Appendix B of the Countywide Planning Policies is based on existing county rural residential plan and zoning densities. The proposal would compromise the CPP rural growth target by allowing higher density rural residential development that will increase rural population growth beyond what is currently projected.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets, consistent with *VISION 2050 and the Regional Growth Strategy*, that extend to 2044 to replace the 2035 growth targets currently contained in the Countywide Planning Policies. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, because the Regional Growth Strategy calls for the county to further reduce its rural population growth, adoption of new rural growth targets should not affect PDS's recommendation on the proposed repeal of the RR-10 objective and policy.

Criterion "b": Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The RURAL1 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion "c": If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The RURAL1 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the RURAL1 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

- (1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.**

No. Since the RURAL1 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

- (2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

No. The RURAL1 proposal has not demonstrated that public facilities and services to serve increased rural levels of development, particularly transportation improvements, are available or programmed to serve the proposal site.

- (3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

Yes. A site plan is not required concurrent with the proposed RURAL1 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Van Dam Farms WWA, LLC RURAL1 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the RURAL1 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: City of Stanwood

File: STAN1 20-116773 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the northwest boundary of the Stanwood Urban Growth Area (UGA) to include 18 acres and maintain the current Riverway Commercial Farmland (RCF) designation.

Rezone: Proposed: No proposed change
Existing: Agriculture-10 (A-10)

Acreage: 18 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: Northwest of the City of Stanwood and State Route 532, along the east shoreline of the Stillaguamish River and estuary, and west of Burlington Northern Santa Fe Railroad right-of-way.

Existing Land Use: Three farm dwellings, several barns, sheds, an access road, an underground natural gas pipeline with an associated utility building, and a shoreline dike

Adjacent Land Use: North and East– active farmland; West- Stillaguamish River and estuary; South- City of Stanwood

Adjacent FLU Map Designation: West- aquatic area; North and East -Riverway Commercial Farmland; South- City of Stanwood

Adjacent Zoning Designation: West- aquatic area; North and East- Agriculture-10 Acre (A-10); South- City of Stanwood

- Site Characteristics:** The proposal site is relatively flat with structures, access road, dike, shoreline and estuary with associated vegetation
- Critical Areas:** The entire site lies within the 100-year floodplain of the Stillaguamish River. The northern half of the site is within a large marine estuary and wetland. The adjacent shoreline is designated as a Shoreline of Statewide Significance. Two streams on the site drain into the adjacent river and estuary
- Infrastructure:** Access to the proposal site is provided by an easement road that connects south to State Route 532, a principal arterial. The existing dwellings on the proposal site are served by on-site septic systems. The nearest sanitary sewer provider is the City of Stanwood within the Stanwood UGA. Water service is provided by the City of Stanwood Water Department. Fire service is provided North County Regional Fire Authority.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The STAN1 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the STAN1 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as shorelines of the state and frequently flooded areas); land use and open space.

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The STAN1 docket proposal is not consistent with the GMA.

GMA

The STAN1 proposal does not meet all of the criteria in RCW 36.70A.110(8) which generally prohibits, with some exceptions, the expansion of a UGA into the 100-year floodplain of rivers with a mean annual flow of 1000 or more cubic feet per second and located west of the crest of the Cascade mountains:

Snohomish County Planning and Development Services (PDS)

RCW 36.70A.110(8)(a) Except as provided in (b) of this subsection, the expansion of an urban growth area is prohibited into the one hundred year floodplain of any river or river segment that: (i) Is located west of the crest of the Cascade mountains; and (ii) has a mean annual flow of one thousand or more cubic feet per second as determined by the department of ecology.

(b) Subsection (8)(a) of this section does not apply to:

(i) Urban growth areas that are fully contained within a floodplain and lack adjacent buildable areas outside the floodplain;

(ii) Urban growth areas where expansions are precluded outside floodplains because:

(A) Urban governmental services cannot be physically provided to serve areas outside the floodplain; or

(B) Expansions outside the floodplain would require a river or estuary crossing to access the expansion; or

(iii) Urban growth area expansions where:

(A) Public facilities already exist within the floodplain and the expansion of an existing public facility is only possible on the land to be included in the urban growth area and located within the floodplain; or

(B) Urban development already exists within a floodplain as of July 26, 2009, and is adjacent to, but outside of, the urban growth area, and the expansion of the urban growth area is necessary to include such urban development within the urban growth area; or

(C) The land is owned by a jurisdiction planning under this chapter or the rights to the development of the land have been permanently extinguished, and the following criteria are met:

(I) The permissible use of the land is limited to one of the following: Outdoor recreation; environmentally beneficial projects, including but not limited to habitat enhancement or environmental restoration; stormwater facilities; flood control facilities; or underground conveyances; and

(II) The development and use of such facilities or projects will not decrease flood storage, increase stormwater runoff, discharge pollutants to fresh or salt waters during normal operations or floods, or increase hazards to people and property.

(c) For the purposes of this subsection (8), "one hundred year floodplain" means the same as "special flood hazard area" as set forth in WAC 173-158-040 as it exists on July 26, 2009.

The STAN1 UGA expansion proposal site is located within the 100-year floodplain of the Stillaguamish River, which has an annual flow that is greater than 1,000 cubic ft./sec. The proposal is not eligible, according to RCW 36.70A.110(8)(C), for a UGA expansion into this 100-year floodplain as the proposal site is not entirely owned by the City of Stanwood. The city has purchased 15 of the 18 acres in the proposed UGA expansion area. However, the remaining three acres within the proposal site are in private ownership and the development rights on these three acres have not been extinguished. The privately-owned acreage in the proposal site connects the 15-acre city-owned property with the existing Stanwood UGA boundary.

RCW 36.70A.060(4) Forestland and agricultural land located within urban growth areas shall not be designated by a county or city as forestland or agricultural land of long-term commercial significance under RCW 36.70A.170 unless the city or county has enacted a program authorizing transfer or purchase of development rights.

Snohomish County Planning and Development Services (PDS)

The STAN1 proposal, however, is consistent with RCW 36.70A.060(4) which requires that agricultural land located within urban growth areas shall not be designated as agricultural land of long-term significance under RCW 36.70A.170 unless the city or county has enacted a program authorizing a transfer or purchase of development rights.

Snohomish County’s Conservation Futures Program distributes conservation futures property tax funds for use by the county, cities and towns in the county, and eligible non-profit organizations to acquire interests or rights in real property for preservation of open space, farm and agricultural land and timber land. The County Council, in 2018, approved the allocation of conservation futures property tax funds to the City of Stanwood for the subsequent purchase of 15 acres of the Johnson Family Farm property. The city has granted a conservation easement to the county to conserve the 15-acre city-owned property as permanent open space. In addition to the county’s conservation futures program, the county has enacted a transfer of development rights program to conserve significant resource lands including, designated agricultural land.

MPPs

The STAN1 UGA expansion proposal is consistent with the following *Vision 2050* MPP:

DP-40: Protect and enhance significant open spaces, natural resources, and critical areas.

The STAN1 proposal would allow for continued protection and future enhancement of the open space, floodplain and wetland functions on the site.

CPPs

The STAN1 proposal, which results in an expansion of the Stanwood UGA, is consistent with the following factor in CPP DP-1:

DP-1: The County shall maintain Urban Growth Areas (UGAs), as shown on the map in Appendix A, that:

...

d. Have identifiable physical boundaries such as natural features, roads, or special purpose district boundaries when feasible;

e. Do not include designated agricultural or forest land unless the city or County has enacted a program authorizing transfer or purchase of development rights;

...

The STAN1 proposal site has identifiable physical features as its boundaries which consist of the Stillaguamish River, railroad right-of-way, and cultivated farmland. The county has adopted a Conservation Futures Program which distributes conservation futures property tax funds for use by the county, cities and towns in the county, and eligible non-profit organizations to acquire interests or rights in real property for preservation of open space, farm and agricultural land and timber land. In addition to the county’s conservation futures program, the county has enacted a TDR program to conserve significant resource lands including, designated agricultural land.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The proposal will not change the comprehensive plan designation of Riverway Commercial Farmland (RCF) on the proposal site. The proposal is consistent with the agricultural designation criteria of both the GMA and the county’s comprehensive plan.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The STAN1 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions:

This criterion is not applicable to the STAN1 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

This criterion is not applicable. There is no proposed rezone. The proposal would not change the current A-10 zoning on the subject property. The A-10 zone implements the Riverway Commercial Farmland (RCF) designation which will be retained on the subject property in the proposed UGA expansion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

This criterion is not applicable. There is no proposed rezone.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

This criterion is not applicable. There is no proposed rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N/A | N/A | N/A |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The City of Stanwood STAN1 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the STAN1 proposal not be further processed.

Docket XXI Initial Review and Evaluation **FILE** MOT 21-147

**Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021**

Applicant: Charles Austin

File: SW8 20-116690 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the eastern boundary of the Southwest Urban Growth Area (SWUGA) and redesignation from Rural Residential (RR) to Urban Low Density Residential (ULDR).

Rezone: Proposed: R-7,200
Existing: Rural 5-Acre (R-5)

Acreage: 116 acres

Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: The proposal site is North of Jewel Road/196th St. SE; West of 51st Ave SE; South of 187th Pl SE; and East of North Creek High School and Fernwood Elementary School.

Existing Land Use: Small lot rural single-family homes on septic systems.

Adjacent Land Use: East/South – rural single family residential; North – Low density urban single family residential; West - two public schools.

Adjacent FLU Map Designation: West – Public/Institutional Use; North - Urban Low Density Residential; East - Rural Residential; South – Rural Residential.

Adjacent Zoning Designation: West – R-9,600 and R-7,200; North – R-7,200; East – R-5; and South – R-5.

Site Characteristics: The proposed SW8 UGA expansion site contains small lot rural residential homes with private yards and wooded areas. The site contains no steep slopes.

Critical Areas: A small unnamed seasonal stream flows north to south through the proposal site, connecting to a larger tributary of Little Bear Creek. The proposal site primarily slopes east into this middle subbasin of Little Bear Creek. A small northwesterly portion of the site slopes west into the North Creek basin. Little Bear Creek supports several species of salmon and trout with good water quality and stream habitat. The basin starts in Snohomish County and extends into King County.

Infrastructure: The proposed SW8 SWUGA expansion area is primarily accessed by 43rd Ave. SE, a minor collector, which connects with 188th St. SE to the north of the site. The south portion of the proposal site is bordered by 196th St. SE/Jewell Rd., a minor collector. Key off-site county roads serving the proposed expansion area include 35th Ave. SE and 180th St. SE, both minor arterials, Grannis Road, a major collector, 51st Ave SE, a rural minor collector, and State Route 524 (Maltby Road), a minor arterial.

Stormwater runoff on the SW8 proposal site is primarily collected in drainage ditches and open channels. In order to protect Little Bear Creek's valuable water quality and habitat resources, Snohomish County Surface Water Management (SWM) completed a basin plan for the county's portion of Little Bear Creek to better understand how to manage stormwater in this basin as required by the county's National Pollutant Discharge Elimination System (NPDES) permit.

According to the 2019 *Southwest Urban Growth Area (SWUGA) Boundary Planning Study* issued by PDS, the objective of this watershed-scale stormwater plan for Little Bear Creek was to identify stormwater management strategies that would result in hydrologic and water quality conditions that fully achieve water quality standards and targets.

The SWUGA boundary study identified the potential cost of stormwater retrofit for Snohomish County's portion of the Little Bear Creek watershed, from information provided by SWM, to meet water quality standards in an urban build-out scenario at approximately \$308 million over a 30-year timeframe.

The proposed SWUGA expansion area is within the Alderwood Water and Wastewater District boundaries and would be eligible for sanitary sewer service if the proposed expansion area were added to the SWUGA. The residences within the proposal site are currently on individual septic systems. The district also provides water service to the proposed expansion area. The site is within the Snohomish County Fire District 7 service area.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The SW8 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the SW8 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as fisheries, streams and wetlands); open space; stormwater drainage and water quality; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The SW8 proposal to expand the boundary of the SWUGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The SW8 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(10): Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The SW8 proposed expansion of the SWUGA would have an adverse environmental impact on the Little Bear Creek watershed. The proposal site is located within the middle subbasin of Little Bear Creek according to the 2019 *Southwest Urban Growth Area (SWUGA) Boundary Planning Study*. The *Study* rated the relatively undeveloped Little Bear Creek middle subbasin as in need of the highest environmental resource protection due to having the most intact levels of critical areas and aquatic habitat. Clearing, grading and increased impervious surfaces associated with the proposed conversion of the proposal site to urban residential development would create stormwater runoff impacts that would affect water quality and quantity in the middle and lower subbasins of Little Bear Creek. These impacts would in turn adversely affect salmonid habitat conditions in the Little Bear Creek watershed.

RCW 36.70A.020(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 SW8 docket proposal has not demonstrated that existing or planned transportation facilities and services are available or programmed to serve the docket proposal site. Key travel

Snohomish County Planning and Development Services (PDS)

routes that serve the SW8 area are the north/south arterial, 35th Ave SE and 43rd Ave SE, and east/west arterials 180th St SE and State Route 524. To measure current roadway conditions, Snohomish County uses a travel speed level-of-service (LOS) for arterial segments and intersection delay at intersections where an LOS of F means that the roadway fails county standards. This methodology is outlined in the Transportation Element of the Snohomish County Comprehensive Plan and reported in the annual Concurrency Report. According to the 2020 Concurrency Report, 35th Ave SE is currently operating at LOS F. Also, at risk of failing is the signalized intersection at 35th Ave SE & 197th Pl SE and the unsignalized intersection at 180th St SE & Sunset Rd. The county has temporarily closed 43rd Ave. SE at 188th St. SE to thru traffic due to inadequate road width and rising traffic volumes. There are planned roadway improvements in the area including:

- Improve 43rd Ave SE from SR 524 to 180th St SE including new road segments and widenings,
- Widen 35th Ave SE from SR 524 to Seattle Hill Rd and 180th St SE to 3-lanes,
- Widen 180th St SE from SR 527 to Brook Blvd to 5-lanes,
- Widen 180th St SE from Brook Blvd to SR 9 to 3-lanes urban.

Even with the planned improvements, some roadways impacted by the SW8 proposal will continue to be overcapacity. For future conditions, Snohomish County measures LOS using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. This measurement shows that 35th Ave SE from SR 524 to 188th will have a 2035 V/C of 1.13, which is well over capacity. The measurement also shows that SR 524 from SR 9 to SR 527 will have a 2035 V/C of 1.43, which will be severely over capacity. Because of its size and location, adequate facilities to serve the SW8 UGA expansion area will not be available without additional state and county funded improvements beyond those already planned.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The SW8 proposed expansion of the SWUGA is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs within the SWUGA have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The SW8 proposal, which results in an expansion of the SWUGA, is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that the region's growth should be directed to existing urban growth areas.

The SW8 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential development at urban densities outside of the existing SWUGA without first evaluating opportunities to optimize residential development potential within existing urban areas.

CPPs

The SW8 proposal, which results in an expansion of the SWUGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;

b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;

c. The expansion otherwise complies with the Growth Management Act;

d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and

give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and

e. One of the following conditions is met:

- 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
- 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
- 3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
- 4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
- 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*
- 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban*

growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.

- 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
- 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
- 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
- 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
- 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Snohomish County Planning and Development Services (PDS)

Factor “a”: The SW8 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the SWUGA and the composite UGA have sufficient capacity to accommodate the 2035 population growth targets.

Factor “b”: The UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate growth for the 2015 to 2035 planning period.

Factor “e”: The UGA expansion is not supported by any of the applicable conditions under Factor “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the SWUGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. Only 26.7% of the additional population capacity estimated for the SWUGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS’s recommendation on this particular proposal because it is inconsistent with applicable standards not related to population capacity.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The SW8 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

No. The SW8 proposal to expand the boundary of the SWUGA was part of a previous Docket XIX proposal, SW2, which was reviewed by the county council. The council, by Motion No. 17-117, did not place the SW2 proposal on Final Docket XIX for further processing. The current SW8 proposal is not significantly changed from the previous Docket XIX proposal to support a plan amendment at this time.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the SW8 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

No. Since the SW8 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

No. The SW8 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed SWUGA expansion area.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan is not required concurrent with the SW8 rezone request.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Austin SW8 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the SW8 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan (GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: Norman Crooks

File: SW9 20-116688

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the eastern boundary of the Southwest Urban Growth Area (SWUGA) and redesignation from Rural Residential (RR) to Urban Medium Density Residential (UMDR) and Urban High Density Residential (UHDR).

Rezone: Proposed: LDMR (Low Density Multiple Residential) and MR (Multiple Residential).
 Existing: R-5 (Rural 5-Acre)

Acreage: 165 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: The proposal site is located directly east of the SWUGA; north of Maltby Road; east of Jewell Road; and south of 196th St. SE. 200th St SE accesses the eastern middle of the proposal site and 43rd Ave SE crosses north to south in the western half of the proposal site. The City of Bothell is approximately 0.2 miles west of the proposal site.

Existing Land Use: Small lot rural single-family homes on septic systems, with large forested yards. There are two small businesses within the proposal site: Heriluum Greenhouse and PJJV Mortor Sports. A powerline corridor borders the eastern edge of the proposal site and a second north/south powerline bisects the site.

Adjacent Land Use: North - Small lot rural single-family homes on septic systems; West – Fernwood Elementary School borders the northwest portion of the site and Park Ridge Community Church is adjacent to the southwest corner of the proposal site ; East – rural residential and Ruby Bridges Elementary School on septic systems; South – rural residential and Bonneville Power Administration’s Sno-King Substation on the south side of Maltby Rd.

- Adjacent FLU Map Designation:** North –RR; West – Public/Institutional Use (P/IU), ULDR, and Urban Village in the SWUGA; East –RR; South – P/IU in the SWUGA and RR.
- Site Characteristics:** The proposed SW9 UGA expansion site consists of small lot rural residential homes with private yards and wooded areas. The site is flat with no steep slopes.
- Critical Areas:** The site contains several streams originating at the northern edge of the proposal site. Flowing from north to southeast, one perennial stream transitions into a fish habitat stream. This stream is joined by an unknown stream flowing from a freshwater forested/shrub wetland at the northern boundary. All streams on the site connect to a larger tributary of Little Bear Creek. The Little Bear Creek basin supports several species of salmon and trout with good water quality and stream habitat. The basin starts in Snohomish County and extends into King County.
- Infrastructure:** The SW9 SWUGA expansion area is accessed by State Route 524/Maltby Rd, a minor arterial; 196th St SE and 43rd Ave SE, both minor collectors; and 200th St SE, a local access road. Key offsite county roads serving the proposal area include 35th Ave. SE and 180th St SE, both minor arterials, Grannis Rd, an urban major collector, and 51st Ave SE, a rural minor collector. South of the proposal area, SR 524 is a key connection for east-west travel. Transportation modeling in 2012 indicated that traffic on the segment between SR 9 & SR 527 is overcapacity with a volume to capacity ratio of 1.17.
- Snohomish County Public Works is currently in the design phase of improvements to 43rd Ave. SE including widening the road to a two-lane rural roadway section from SR 524/Maltby Road to 188th St. SE. Future road network plans include connecting 43rd Ave. SE from 180th St. SE on the north to 212th St. SE on the south side of SR 524.
- The proposal site is within the Alderwood Water and Wastewater District. The residences within the proposal site are currently on individual septic systems and would be eligible for sanitary sewer service if the proposed expansion site were added to the SWUGA. The site is within the Snohomish County Fire District 7 service area.
- Stormwater runoff on the SW9 proposal site is primarily collected in drainage ditches and open channels. In order to protect Little Bear Creek’s valuable water quality and habitat resources, Snohomish County Surface Water Management (SWM) completed a basin plan for the county’s portion of Little Bear Creek to better understand how to manage stormwater in this basin as required by the county’s National Pollutant Discharge Elimination System (NPDES) permit.

Snohomish County Planning and Development Services (PDS)

According to the 2019 *Southwest Urban Growth Area (SWUGA) Boundary Planning Study* issued by PDS, the objective of this watershed-scale stormwater plan for Little Bear Creek was to identify stormwater management strategies that would result in hydrologic and water quality conditions that fully achieve water quality standards and targets.

The SWUGA boundary study identified the potential cost of stormwater retrofit for Snohomish County's portion of the Little Bear Creek watershed, from information provided by SWM, to meet water quality standards in an urban build-out scenario at approximately \$308 million over a 30-year timeframe.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The SW9 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the SW9 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as fisheries, streams and wetlands); open space; stormwater drainage and water quality; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion "a": The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The SW9 proposal to expand the boundary of the SWUGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The SW9 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(10): Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The SW9 proposed expansion of the SWUGA would have an adverse environmental impact on the Little Bear Creek watershed. The proposal site is located within the middle subbasin of Little Bear Creek according to the 2019 *Southwest Urban Growth Area (SWUGA) Boundary Planning Study*. The *Study* rated the relatively undeveloped Little Bear Creek middle subbasin as

Snohomish County Planning and Development Services (PDS)

in need of the highest environmental resource protection due to having the most intact levels of critical areas and aquatic habitat. Clearing, grading and increased impervious surfaces associated with the proposed conversion of the proposal site to urban residential development would create stormwater runoff impacts that would affect water quality and quantity in the middle and lower subbasins of Little Bear Creek. These impacts would in turn adversely affect salmonid habitat conditions in the Little Bear Creek watershed.

RCW 36.70A.020(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 SW9 docket proposal has not demonstrated that existing or planned transportation facilities and services are available or programmed to serve the docket proposal site. Key travel routes that serve the SW9 area are the north/south arterial, 35th Ave SE and 43rd Ave SE, and east/west arterials 180th St SE and State Route 524. To measure current roadway conditions, Snohomish County uses a travel speed level-of-service (LOS) for arterial segments and intersection delay at intersections where an LOS of F means that the roadway fails county standards. This methodology is outlined in the Transportation Element of the Snohomish County Comprehensive Plan and reported in the annual Concurrency Report. According to the 2020 Concurrency Report, 35th Ave SE is currently operating at LOS F. Also, at risk of failing is the signalized intersection at 35th Ave SE & 197th Pl SE and the unsignalized intersection at 180th St SE & Sunset Rd. The county has temporarily closed 43rd Ave. SE at 188th St. SE to thru traffic due to inadequate road width and rising traffic volumes. There are planned roadway improvements in the area including:

- Improve 43rd Ave SE from SR 524 to 180th St SE including new road segments and widenings,
- Widen 35th Ave SE from SR 524 to Seattle Hill Rd and 180th St SE to 3-lanes,
- Widen 180th St SE from SR 527 to Brook Blvd to 5-lanes,
- Widen 180th St SE from Brook Blvd to SR 9 to 3-lanes urban.

Even with the planned improvements, some roadways impacted by SW9 will continue to be overcapacity. For future conditions, Snohomish County measures LOS using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. This measurement shows that 35th Ave SE from SR 524 to 188th will have 2035 V/C of 1.13, which is well over capacity. The measurement also shows that SR 524 from SR 9 to SR 527 will have a 2035 V/C of 1.43, which indicates a severely over capacity roadway. Because of its size and location, adequate facilities to serve the SW9 UGA expansion will not be available without additional state and county funded improvements beyond those already planned. In addition, the Washington State Department of Transportation (WSDOT) will seek to limit access to adjacent land uses from SR 524 with the intent of mitigating vehicle conflicts between SR 524 thru-traffic and vehicles accessing adjacent land uses. This will likely divert additional traffic to the capacity constrained 35th Ave SE, 43rd Ave SE, and 51st Ave SE.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The SW9 proposed expansion of the SWUGA is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs within the SWUGA have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The SW9 proposal, which results in an expansion of the SWUGA, is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that the region's growth should be directed to existing urban growth areas.

The SW9 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential development at urban densities outside of the existing SWUGA without first evaluating opportunities to optimize residential development potential within existing urban areas.

CPPs

The SW9 proposal, which results in an expansion of the SWUGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;

b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;

c. The expansion otherwise complies with the Growth Management Act;

d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and

e. One of the following conditions is met:

1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.

2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).

3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:

(a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and

(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 any new information presented at public hearings that confirms or revises the conclusions is considered.

4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:

Snohomish County Planning and Development Services (PDS)

- (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
- 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong side of a right-of-way that is expected to be annexed to a city.)*
- 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
- 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
- 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
- 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
- 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is*

Snohomish County Planning and Development Services (PDS)

uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.

- 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Factor “a”: The SW9 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the SWUGA and the composite UGA have sufficient population capacity to accommodate the 2035 population growth targets.

Factor “b”: The proposed UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate growth for the 2015 to 2035 planning period.

Criterion “e”: The proposed UGA expansion is not supported by any of the applicable conditions under Factor “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the SWUGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. Only 26.7% of the additional population capacity estimated for the SWUGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets

currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS's recommendation on this particular proposal because it is inconsistent with applicable standards not related to population capacity.

Criterion "b": Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The SW9 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion "c": If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

No. The SW9 proposal to expand the boundary of the SWUGA was part of a previous Docket XIX proposal, SW3, which was reviewed by the county council. The council, by Motion No. 17-117, did not place the SW3 proposal on Final Docket XIX for further processing. The current SW9 proposal is not significantly changed from the previous Docket XIX proposal to support a plan amendment at this time.

Criterion "d": If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the SW9 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

No. Since the SW9 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

No. The SW9 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed SWUGA expansion area.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan is not required concurrent with the SW9 rezone request.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|------------|------------|------------|---|------------|------------|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Crooks SW9 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the SW9 proposal not be further processed.

**Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021**

Applicant: CS Real Estate Development, LLC

File: SW10 20-116118 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed redesignation of 14 acres from Urban Industrial (UI) to Urban Center (UC) with implementing zoning.

Rezone: Proposed: Urban Center (UC)

Existing: Light Industrial (LI)

Acreage: 14 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: The proposal site is within the Southwest Urban Growth Area (SWUGA), approximately 0.5 miles southeast of the City of Mill Creek. Bothell Everett Highway (SR 527) is directly east of the proposal site, 183rd is directly north, and 192nd St SE is to the south.

Existing Land Use: The proposal site is primarily vacant with no industrial uses. There were previous plans to build a school and associated buildings onsite, leaving an incomplete building foundation. Currently the site contains parking and trailers, and two retention ponds.

Snohomish County Planning and Development Services (PDS)

Adjacent Land Use: North – commercial buildings and parking lots, including an autobody shop, a dental office, a tow-yard, and a brewing company; West – directly across from Bothell Everett Hwy is North Creek County Church, and two large commercial complexes and parking lots; East – an urban high density residential neighborhood called Devon Hill, that is comprised of single-family homes and private yards served by sewer; South – a 24 Hour fitness building and parking lot, and a commercial industrial complex.

Adjacent FLU Map Designation: North –Urban Industrial (UI); West – UI and Urban Village (UV); East – Urban High Density Residential (UHDR); South – UI.

Adjacent Zoning Designation: North – Light Industrial (LI); East – LI and Neighborhood Business (NB); West – Multiple Residential (MR); South – Light Industrial LI.

Site Characteristics: The proposed SW10 site is mainly a vacant lot with evidence of grading. The southeast portion of the proposal site contains parking and trailers. On the west side of the site there are two waterbodies, one of which is a retaining pond. The eastern border has vegetation and remnants of past building materials.

Critical Areas: The proposal site contains no critical areas, streams, or wetlands.

Infrastructure: The SW10 proposal site is directly accessed by SR 527, a principal arterial, and 180th St. SE, a minor arterial, intersects SR 527 north of the proposal site. Community Transit’s Swift Green Line provides bus rapid transit (BRT) service on SR 527. Community Transit also provides additional commuter and local transit service on SR 527 that is accessible to the proposal site.

The proposal site is within the Alderwood Water and Wastewater District. Since the proposal site is within the UGA, future development would have access to sewer and water services. The site is within the Snohomish County Fire District 7 service area.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The SW10 proposal would be evaluated under SEPA in a non-project, programmatic-level environmental review for the 2024 Comprehensive Plan Update. Analysis specific to the SW10 proposal may be limited to review of existing environmental documents that would have previously analyzed any potential identified impacts of the proposed amendments and no new programmatic level environmental analysis may be required.

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

Yes. The SW10 proposed re-designation from Urban Industrial to Urban Center and rezone from Light Industrial to Urban Center is consistent with the GMA, the MPPs, and the CPPs as described below.

GMA

The proposal is consistent with the UGA requirements in RCW 36.70A.110(3):

(3) Urban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources, and third in the remaining portions of the urban growth areas.

The proposal would allow for a higher density mix of residential and non-residential uses within the SWUGA, which is already characterized by urban growth. The site can be served by public water and sanitary sewer service to accommodate the proposed higher density mixed use. The proposal site is adequately served by a bus rapid transit (BRT) line which is part of the regional high capacity transportation system and which Urban Center development should be coordinated with.

MPPs

The proposal is consistent with MPP RGS-6:

Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

The proposal would increase the potential urban residential and employment development densities on redevelopable land within the SWUGA. The proposal encourages more compact and efficient transit-oriented mixed-use development which reduces demand on public facilities and services.

The proposal is consistent with MPP RGS-8:

Attract 65% of the region’s residential growth and 75% of the region’s employment growth to the regional growth centers and high capacity transit station areas to realize

the multiple public benefits of compact growth around high-capacity transit investments. As jurisdictions plan for growth targets, focus development near high-capacity transit to achieve the regional goal.

The proposed Urban Center designation would accommodate higher residential and employment densities and would be located within a high capacity transit community where there is existing and planned investments for high-capacity transit facilities and service. The proposal site is within one-quarter mile of a high capacity transit station.

CPPs

The proposal is consistent with CPP DP-14:

The County and cities should promote and focus new compact urban growth in urban centers and transit emphasis corridors.

The proposed redesignation and rezone to Urban Center would be located adjacent to SR 527 which provides high capacity transit service and other commuter and local public transit service to existing transit oriented mixed-use development located along this corridor and will support this proposed Urban Center site.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The proposal will not change any GMA resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The proposed SW10 re-designation and rezone to Urban Center has not been previously reviewed by the planning commission or county council as part of a previous proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d): Findings of Initial Review of Rezone Requests (SCC 30.74.040):

This criterion is not applicable to the SW10 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

Yes. Since the SW10 rezone request is for an implementing zone consistent with the concurrent proposed future land use map amendment that meets the criteria of SCC 30.74.030, the proposed rezone is consistent with this criterion.

- (2) **Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

Yes. Applicable public facilities and services, including sanitary sewer, public water, public roads and bus rapid transit, are available and can serve the proposal site.

- (3) **Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

Yes. A site plan is not required concurrent with the SW10 rezone request.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| Y | N/A | N/A | N/A | Y | Y | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The CS Real Estate Development, LLC SW10 docket proposal meets all of the initial review and evaluation criteria; therefore, PDS recommends that the SW10 proposal be further processed.

**Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021**

Applicant: Todd McNeal

File: SW11 20-116479 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed redesignation of 5 acres from Urban Low Density Residential (ULDR) to Urban Medium Density Residential (UMDR) with implementing zoning.

Rezone: Proposed: R-9,600
Existing: Low Density Multiple Residential (LDMR)

Acreage: 5 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: The proposal site is within the Southwest Urban Growth Area (SWUGA), approximately 200 feet southeast of the City of Mill Creek. 35th Ave SE is directly east of the proposal site and 168th St SE is to the south.

Existing Land Use: The proposal site contains several single-family homes and one mobile home. Large power lines cut through the proposal site, from the southwest corner up to the northeast corner. A substantial portion of the site is within the powerline easement.

Snohomish County Planning and Development Services (PDS)

| | |
|--------------------------------------|--|
| Adjacent Land Use: | North and West – Seattle City Light transmission lines and undeveloped land reserved for Transmission Line Properties Park owned by Snohomish County Parks and; East – directly across 35 th Ave SE is Tambark Village, a small lot single-family residential development with common open space; and South – Mill Creek Court, a small lot single family residential development with common open space. |
| Adjacent FLU Map Designation: | North and West – Public Institutional Use (P/I); East – Urban Medium Density Residential (UMDR); South – UMDR. |
| Adjacent Zoning Designation: | North – PRD-9,600; West – PRD-9,600; East – Low Density Multiple Residential (LDMR); South – LDMR. |
| Site Characteristics: | The SW11 proposal site is comprised of three different features: powerlines with maintained vacant space underneath, four single-family detached structures and one mobile home, and undeveloped land. The homes are currently on individual septic and wells. |
| Critical Areas: | The proposal site contains no critical areas, streams, or wetlands. |
| Infrastructure: | <p>The SW11 proposal site is accessed by 35th Ave SE, an urban minor arterial. Key offsite county roads serving the proposal site include Seattle Hill Rd and 180th St SE, both urban minor arterials, and 156th St SE/169th St SE and Sunset Road, all minor collectors. Community Transit provides public transit service on the portion of 35th Ave. SE adjacent to the proposal site.</p> <p>The proposal site is within the Alderwood Water and Wastewater District. Since the proposal site is within the UGA, future development would have access to sewer and water services. The site is within the Snohomish County Fire District 7 service area.</p> |

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The SW11 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the SW11 proposal will include, but not necessarily be limited to, potential impacts related to transportation facilities.

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The SW11 proposed re-designation to UMDR and rezone to LDMR is not consistent with the GMA, the MPPs, and the CPPs as detailed below.

GMA

The SW11 proposal is inconsistent with GMA Planning Goal 12 in RCW 36.70A.020:

(Goal 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 SW11 docket proposal has not demonstrated that public facilities and services to support urban levels of development, specifically urban transportation improvements, are available or programmed to serve the docket proposal site. Potentially up to 160 additional trips will be generated as a result of this proposed increased in residential density. All of these trips will use 35th Ave SE for access. Snohomish County uses a travel speed level-of-service (LOS) where an LOS of F means that the roadway fails county standards. According to the 2020 Concurrency Report, 35th Ave SE is currently operating at LOS F. Also, at risk of reaching LOS F is the signalized intersection of 35th Ave SE & Seattle Hill Rd and the unsignalized intersection of 180th St SE and Sunset Rd. There are planned roadway improvements in the area including:

- Widen 35th Ave SE from SR 524 to Seattle Hill Rd and 180th St SE to 3-lanes
- Widen 180th St SE from SR 527 to Brook Blvd to 5-lanes
- Widen 180th St SE from Brook Blvd to SR 9 to 3-lanes urban

Even with the planned improvements, future roadway capacity will be limited on 35th Ave SE. Snohomish County measures future roadway conditions using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The 2035 V/C ratio for 35th Ave SE from SR 524 to 188th in 2035 with improvements is forecasted at 1.13, which is over capacity

Multicounty Planning Policies

The proposal is inconsistent with MPP PS-3:

Time and phase services and facilities to guide growth and development in a manner that supports the Regional Growth Strategy.

The proposal would increase potential urban residential development densities which places an increased demand on public facilities and services, specifically the local transportation system, which are not currently available or programed to serve the docket proposal site.

Countywide Planning Policies

The proposal is inconsistent with CPP TR-4:

The County and cities shall provide transportation facilities and services that support the land use elements of their comprehensive plans, including roadway capacities and nonmotorized options together with public transportation services appropriate to the designated land use types and intensities by:

...

d. Reviewing land use designations where roadway capacity and/or transit service capacity cannot adequately serve or expect to achieve concurrency for development allowed under the designation;

...

The proposal site is located in an urban area where roadway capacity cannot adequately achieve concurrency for future development that would be allowed under the proposed designation.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The proposal will not change any GMA resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The SW11 proposal has not been previously reviewed by the planning commission or county council as part of a previous docket proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d): Findings of Initial Review of Rezone Requests (SCC 30.74.040):

This criterion is not applicable to the SW11 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

No. Since the SW11 rezone request is for a zone to implement a concurrent proposed future land use map amendment that does not meet all of the criteria of SCC 30.74.030(1), the proposed rezones is not consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided

consistent with the comprehensive plan and development regulations as determined by applicable service providers.

No. The SW11 proposal has not demonstrated that public facilities and services to support urban levels of development, specifically urban transportation improvements, are available or programmed to serve the proposal site.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan is not required concurrent with the SW11 rezone request.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|------------|------------|------------|---|------------|------------|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The McNeal SW11 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the SW11 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: Mietzner Land Company, LLC

File: SW12 20-115922 DA

DESCRIPTION OF PROPOSAL

**General Policy Plan
(GPP) Future Land Use
(FLU) Map**

Amendments: Proposed: Not applicable

Rezone: Proposed: Not applicable

Acreeage: Proposed code amendment would apply to 497 acres of existing multi-family zoned land within unincorporated Southwest Urban Growth Area (SWUGA)

GPP Policy Amendments: No policy amendments proposed

Code Amendments: Proposed amendment to Section 30.23.040 of the Snohomish County Code (SCC) to expand the area east of the State Route 99 right-of-way and north of SR 525 and south of the City of Everett, from 800 feet to 2000 feet, as eligible for increased maximum multi-family residential development density. Expanding the eligible area to 2,000 feet for a higher maximum multi-family density on the east side of SR 99 right-of-way would be consistent with the current 2,000 feet on the west side of the SR 99 right-of-way that is eligible for an increased maximum multi-family density. Within eligible areas, maximum multi-family development densities can increase from 22 dwelling units per acre up to 58 dwelling units per acre. This increased multi-family residential development density can only be achieved by using transfer of development rights (TDR) credits.

PROPOSED CODE AMENDMENT SITE RELATED INFORMATION

Location: The proposed code amendment would affect an area east of SR 99; north of SR 525; south of Everett Mall Way; and west of Lake Stickney, Manor Way and 8th Ave. W.

Existing Land Uses: The code amendment proposal area contains single-family, townhouse and multiple family residential development and mobile home parks.

Snohomish County Planning and Development Services (PDS)

| | |
|---------------------------------------|--|
| Adjacent Land Uses: | North- retail and multi-family residential development; East- single-family and multi-family residential development, Lake Stickney Park; West- commercial development, multi-family development and mobile home parks; and South- single-family and multi-family residential development. |
| Existing FLU Map Designations: | Urban Commercial (UC), Urban Medium Density Residential (UMDR), Urban High Density Residential (UHDR), Urban Center, Urban Village (UV) and Public/Institutional Use (P/IU) |
| Adjacent FLU Map Designations: | West - UC, UMDR, UHDR, Urban Center; North - City of Everett; East - UC, UHDR, UMDR, UV; South - UHDR |
| Existing Zones | Multiple Residential (MR), Low Density Multiple Residential (LDMR), R-7,200, Mobile Home Park (MHP), Planned Community Business (PCB), Neighborhood Business (NB), and Urban Center (UC) |
| Adjacent Zones: | North - City of Everett; West - UC, R-7,200, MHP, LDMR, MR, PCB, Community Business (CB); East - R-7,200, R-9,600, Townhouse (T), MR, LDMR, NB, PCB, MHP, and Rural Conservation (RC); South – CB and MR |
| Site Characteristics: | The code amendment proposal area contains moderate slopes that drain to the east and south. The majority of the area is developed with several connecting forested open space stream corridors. |
| Critical Areas: | Within the code amendment proposal area, there are several fish and non-fish bearing streams that drain into Swamp Creek, which contains salmon spawning habitat. Swamp Creek flows southward through most of the proposed code amendment area. There is a pond and several wetlands that connect to Swamp Creek within the proposal area. Lake Stickney, with a large associated wetland, is located just east of the proposal area. |
| Infrastructure: | <p>Primary access to the code amendment proposal area is provided by several roads which intersect with SR 99 (a principal arterial) to the west including: 112th St SW (minor arterial); 128th St SW (principal arterial); Gibson Rd (minor collector); and 148th SW (major collector). Access is also provided by Admiralty Way and Manor Way, both local roads, which run north-south. SR 525, south of the site provides regional access to this area via SR 99.</p> <p>Water and sewer service is provided to the proposal area by both the Alderwood Water and Wastewater District (south two thirds of the area) and the Mukilteo Water and Wastewater District (north one-third). Fire service to the entire area is provided by Snohomish County Fire District 01.</p> |

Extent of Potential State Environmental Policy Act (SEPA) Review

In conjunction with the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a docket proposal required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The SW12 proposed code amendment was previously considered as part of a 2018 county-initiated code amendment project to revise development regulations for multi-family development along a portion of the SR 99 corridor. PDS issued a determination of non-significance for the 2018 code amendment proposal on February 15, 2018. The scope of the current SW12 docket proposal and any additional code provisions that would need to be amended by the county to ensure code consistency were previously reviewed under SEPA as part of the 2018 county-initiated code amendment project. The SW12 non-project proposal would likely not result in any new probable significant adverse environmental impacts if placed on the final docket.

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

Yes. The proposed code amendments are consistent with the GMA, the MPPs, and the CPPs as described below.

GMA

The proposal is consistent with the following GMA planning goals in RCW 36.70A.020:

- (1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.*
- (2) Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.*

The proposed code amendments are supportive of the goals of encouraging development in urban areas with adequate public facilities and services and reducing sprawl. The area affected by the proposed code amendments is located within the region’s urban core and is already serviced by a full array of urban facilities and services with sufficient existing and planned capacity to accommodate additional growth at adopted level of service standards.

- (3) Transportation. Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.*

The proposed code amendments are supportive of the goal of encouraging efficient multimodal transportation systems. The area affected by the proposed code amendments connects

directly to the region's high capacity transit lines via SR 99 and 128th St. SW which provide bus rapid transit service. The proposal area is also near the planned and funded extension of the region's light rail system and the area is located next to mixed-use areas with many destinations accessible for pedestrians and bicyclists.

(4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

The proposed code amendments are supportive of the goal of encouraging the availability of affordable housing to all economic segments of the population and promoting a variety of residential densities and housing types. The proposed code amendments would facilitate the addition of housing supply for multiple economic segments, including apartments and condominiums that can be built and maintained at a lower cost through economies of scale and more efficient use of land, utilities, maintenance, and transportation. The code amendments may encourage redevelopment that replaces existing housing stock with new buildings, but the overall effect on housing availability and affordability is expected to be positive.

(5) Economic development. Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

The proposed code amendments are supportive of the goal of encouraging economic development and promoting economic opportunity for all citizens. The proposed code amendments would encourage land development, redevelopment, and housing construction, which are drivers of employment and economic activity, and would facilitate the addition of affordable housing supply in areas with broad access to employment opportunities at the nearby Paine Field Manufacturing/Industrial Center, the Lynnwood Regional Growth Center, and along the SR 99 commercial and urban center corridor.

(9) Open space and recreation. Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

The proposed code amendments are supportive of the goals of protecting the environment, retaining open space, and conserving fish and wildlife habitat. The proposed code amendments would facilitate the efficient use of land and reduce the need to convert open space, rural areas, and fish and wildlife habitat to housing and related infrastructure, would encourage the construction of housing types that use less energy for heating and cooling, and would provide transportation-efficient housing opportunities that reduce air and water pollution including greenhouse gas emissions.

MPPs

The SW12 proposal is consistent with the following *Vision 2050* MPPs:

Snohomish County Planning and Development Services (PDS)

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

The SW12 proposal would optimize the urban residential development potential of this portion of the SWUGA. The proposal would encourage more compact and efficient urban development which reduces demand on public facilities and services.

MPP-H-2: Provide a range of housing types and choices to meet the housing needs of all income levels and demographic groups within the region.

MPP-H-7: Expand the supply and range of housing at densities to maximize the benefits of transit investments, including affordable units, in growth centers and station areas throughout the region.

MPP-H-8: Promote the development and preservation of long-term affordable housing options in walking distance to transit by implementing zoning regulations, and incentives.

The SW12 proposal would provide expanded housing supply for multiple economic segments, including apartments and condominiums that can be built and maintained at a lower cost through economies of scale and more efficient use of land, utilities, maintenance, and transportation. The SW12 proposal would provide opportunities for higher density affordable multi-family residential development that would support high capacity transit service located within one-quarter mile walking distance from the proposal area.

MPP-DP-44: Work to conserve valuable rural and resource lands through techniques such as conservation programs, transfer of development rights, and the purchase of development rights. Focus growth within the urban growth area, especially cities, to lessen pressures to convert rural and resource areas to residential uses.

The SW12 proposal would provide greater incentives for using the county's transfer of development rights (TDR) program by creating a new TDR receiving area with incentives for using TDR credits if developers desire to build to the higher proposed multi-family residential densities. The county's TDR program was adopted to protect designated county farm and forest lands of long-term commercial significance.

CPPs

The SW12 proposal is consistent with following CPPs:

CPP DP-11: The County and cities should revise development regulations and incentives, as appropriate, to encourage higher residential densities and greater employment concentrations in Urban Growth Areas.

CPP DP-30: Jurisdictions should encourage the use of transfer of development rights (TDR), purchase of development rights, and conservation incentives. The objective is to focus growth in the Urban Growth Areas while lessening development pressure on rural and resource areas. Specific steps regarding TDR include: a. Designating additional TDR sending and receiving areas; b. Developing zoning incentives to use TDR in urban areas not already designated as receiving areas; c. Coordinating with efforts to establish a regional TDR program; and d. Ensuring that an area designated as a TDR receiving area

by the County remains a receiving area after annexation or that the city provides an equivalent capacity for receiving TDR certificates elsewhere in the city when the County and the affected cities have adopted an interlocal agreement addressing the TDR program.

The SW12 proposal would provide higher density multi-family residential development with nearby BRT service to employment opportunities at the nearby Paine Field Manufacturing/Industrial Center, the Lynnwood Regional Growth Center, and along the SR 99 commercial and urban center corridor.

The SW12 proposal would provide greater incentives for using the county's transfer of development rights (TDR) program by creating a new TDR receiving area with incentives for using TDR credits if developers desire to build to the higher proposed multi-family residential densities. The county's TDR program was adopted to protect designated county farm and forest lands of long-term commercial significance.

Criterion "b": Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The SW12 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion "c": If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The SW12 proposal has not been previously reviewed by the planning commission or county council as part of a previous docket proposal.

Criterion "d": If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the SW12 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

This criterion is not applicable. There is no rezone request.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

This criterion is not applicable. There is no rezone request.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

This criterion is not applicable. There is no rezone request.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| Y | N/A | N/A | N/A | N/A | N/A | N/A |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Mietzner SW12 docket proposal meets all of the initial review and evaluation criteria; therefore, PDS recommends that the SW12 proposal be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: Gerald Morrier

File: SW13 20-116691

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the eastern boundary of the Southwest Urban Growth Area (SWUGA) and redesignation from Rural Residential (RR) and Rural Urban Transition Area (RUTA) to Urban Low Density Residential (ULDR).

Rezone: Proposed: R-7,200 and R-9,600
Existing: Rural 5-Acre (R-5)

Acreage: 250 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: The proposal site is located east of of Sunset Road and east of the SWUGA boundary; 156th St SE crosses west to east in the northern part of the proposal site; Strumme Road, provides access to the site from the west; and 51st Ave SE provides access to the site from the south.

Forest View Elementary School and Gateway Middle School border the northeast portion of the site. A powerline corridor and Seattle City Light's Bothell substation borders the proposal site to the west and a second north/south powerline bisects the site. The City of Mill Creek is approximately half a mile away to the northwest of the proposal site.

Existing Land Use: Small lot rural single-family homes on septic systems, with large forested yards.

Adjacent Land Use: North – Low density urban single family residential; West – utility substation, powerlines and low density urban single family residential; East – public schools and rural residential; South –rural residential.

Adjacent FLU Map Designation: North –ULDR; West – Public/ Institutional Use (P/IU) andULDR; East – P/IU; South –RR

Snohomish County Planning and Development Services (PDS)

| | |
|-------------------------------------|---|
| Adjacent Zoning Designation: | North – PRD-9,600; West – R-9,500 and R-7,200; East– R-9,600 and R-5; South – R-5. |
| Site Characteristics: | The proposed SW13 UGA expansion site consists of small lot rural residential homes with private yards and wooded areas. There are two large acreage undeveloped parcels in the northeastern portion of the site. The site has moderate slopes that drain into the Little Bear Creek basin. |
| Critical Areas: | The north portion of the SW13 site contains the headwaters of Little Bear Creek which is formed by two seasonal streams that merge into county inventoried wetlands south of 156 th . Little Bear Creek flows south from the wetlands through the western portion of the proposal site. Little Bear Creek supports several species of salmon and trout with good water quality and stream habitat. The Little Bear Creek basin starts in Snohomish County and extends into King County. |
| Infrastructure: | <p>The SW13 SWUGA expansion area is accessed by 156th St SE and Sunset Rd, both minor collectors and Strumme Rd and 51st Ave SE, both local access roads. Key off-site county roads serving the proposal site include 164th St SE, a principal arterial; 35th Ave SE, Seattle Hill Rd, 148th St SE, 180th St SE, all urban minor arterials; Puget Park Dr, a major collector; and 43rd Ave SE and 51st Ave SE, both minor collectors.</p> <p>Stormwater runoff on the SW13 proposal site is primarily collected in drainage ditches and open channels. In order to protect Little Bear Creek’s valuable water quality and habitat resources, Snohomish County Surface Water Management (SWM) completed a basin plan for the county’s portion of Little Bear Creek to better understand how to manage stormwater in this basin as required by the county’s National Pollutant Discharge Elimination System (NPDES) permit. According to the 2019 <i>Southwest Urban Growth Area (SWUGA) Boundary Planning Study</i> issued by PDS, the objective of this watershed-scale stormwater plan for Little Bear Creek was to identify stormwater management strategies that would result in hydrologic and water quality conditions that fully achieve water quality standards and targets. The SWUGA boundary study identified the potential cost of stormwater retrofit for Snohomish County’s portion of the Little Bear Creek watershed, from information provided by SWM, to meet water quality standards in an urban build-out scenario at approximately \$308 million over a 30-year timeframe.</p> <p>The western half of the proposal site is within the Silver Lake Water and Sewer District. The eastern portion of the proposed site is an unclaimed service area for both water and sewer. The residences within the proposal site are currently on individual septic systems. Only properties within the Silver Lake Water and Sewer District service area would be eligible for sanitary sewer service if the proposed expansion site were added to the SWUGA. The site is within the Snohomish County Fire District 7 service area.</p> |

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The SW13 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the SW13 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as fisheries, streams and wetlands); open space; stormwater drainage and water quality; transportation facilities; and public services (including sewer and water).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The SW13 proposal to expand the boundary of the SWUGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The SW13 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(10): Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The SW13 proposed expansion of the SWUGA would have an adverse environmental impact on the Little Bear Creek watershed. The proposal site is located within the upper subbasin of Little Bear Creek according to the 2019 *Southwest Urban Growth Area (SWUGA) Boundary Planning Study*. The *Study* rated the relatively undeveloped Little Bear Creek upper subbasin as in need of high environmental resource protection due to the generally intact nature of the critical areas and aquatic habitat. Clearing, grading and increased impervious surfaces associated with the proposed conversion of the proposal site to urban residential development would create stormwater runoff impacts that would affect water quality and quantity in the upper, middle and lower subbasins of Little Bear Creek. These impacts would in turn adversely affect salmonid habitat in the Little Bear Creek watershed.

RCW 36.70A.020(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 SW13 docket proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements and sewer and water service, are available or programmed to serve the docket proposal site.

To measure current roadway conditions, Snohomish County uses a travel speed level-of-service (LOS) for arterial segments and intersection delay at intersections where an LOS of F means that the roadway fails county standards. This methodology is outlined in the Transportation Element of the Snohomish County Comprehensive Plan and reported in the annual Concurrency Report. According to the 2020 Concurrency Report, 35th Ave SE is currently operating at LOS F. Also, at risk of reaching LOS F is the signalized intersection of 35th Ave SE & Seattle Hill Rd and the unsignalized intersection of 180th St SE and Sunset Road. There are planned improvements in the area including:

- Widen 35th Ave SE from SR 524 to Seattle Hill Rd and 180th St SE to 3-lanes
- Widen 180th St SE from SR 527 to Brook Blvd to 5-lanes
- Widen 180th St SE from Brook Blvd to SR 9 to 3-lanes urban

Even with the planned improvements, future roadway capacity will be limited on 35th Ave SE. Snohomish County measures future roadway conditions using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The 2035 V/C ratio for 35th Ave SE from SR 524 to 188th in 2035 with improvements is forecasted at 1.13, well over capacity.

The SW13 docket proposal has not demonstrated that sewer and water service is available or programmed to serve the entire SWUGA expansion proposal site. The eastern portion of the proposal site is an unclaimed service area not within a water and/or sewer utility district. The *Southwest Urban Growth Area (SWUGA) Boundary Planning Study* concluded that it was possible to provide sewer and water service within most of the study area. However, according to the study, some locations along Little Bear Creek would be the most physically challenging and costly to extend water or sewer connections.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the

Snohomish County Planning and Development Services (PDS)

reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The SW13 proposed expansion of the SWUGA is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs within the SWUGA have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The SW13 proposal, which results in an expansion of the SWUGA, is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that the region's growth should be directed to existing urban growth areas.

The SW13 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential development at urban densities outside of the existing SWUGA without first evaluating opportunities to optimize residential development potential within existing urban areas.

CPPs

The SW13 proposal, which results in an expansion of the SWUGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*

- c. The expansion otherwise complies with the Growth Management Act;*
- d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and*
- e. One of the following conditions is met:*
 - 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
 - 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
 - 3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
 - 4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
 - 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows*

Snohomish County Planning and Development Services (PDS)

an arbitrary feature such as a section line, or where the boundary is on the wrong side of a right-of-way that is expected to be annexed to a city.)

- 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
- 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
- 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
- 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
- 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
- 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an*

Snohomish County Planning and Development Services (PDS)

individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.

The proposal is not consistent with the following factors from CPP DP-2:

Factor “a”: The SW13 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the SWUGA and the composite UGA have sufficient capacity to accommodate the 2035 population growth targets.

Factor “b”: The proposed UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under Factor “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the SWUGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. Only 26.7% of the additional population capacity estimated for the SWUGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS’s recommendation on this particular proposal because it is inconsistent with applicable standards not related to population capacity.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The SW8 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The SW13 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the SW13 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

- (1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.**

No. Since the SW8 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

- (2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

No. The SW13 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation and sewer and water improvements, are available or programmed to serve the proposed SWUGA expansion area.

- (3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

Yes. A site plan is not required concurrent with the SW8 rezone request.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Morrier SW13 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the SW13 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: Janice R. Petrie

File: SW14 20-116761 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the eastern boundary of the Southwest Urban Growth Area (SWUGA) and redesignation from Rural Residential (RR) and Rural Urban Transition Area (RUTA) to Urban Medium Density Residential (UMDR).

Rezone: Proposed: Low Density Multiple Residential (LDMR)
Existing: Rural 5-Acre (R-5)

Acreeage: 10.75 acres

GPP Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: The proposal is North of the 164th St SE right-of-way; East of Sunset Road, a north/south powerline corridor, and the Southwest UGA boundary; West of 51st Ave SE; and South of Strumme Rd. The City of Mill Creek is approximately half a mile northwest of the proposal site.

Existing Land Use: Small lot rural single-family homes on septic systems with large forested yards.

Adjacent Land Use: North/East/South – Rural residential; West – Low density urban residential.

Adjacent FLU Map Designation: North/South – RR and RUTA; East – RR; West – Urban Low Density Residential (ULDR).

Adjacent Zoning Designation: North/East/South – R-5; West – R-7,200 and R-9,600.

- Site Characteristics:** The proposed SW14 UGA expansion site contains small lot rural residential homes with private yards and wooded areas. The northeastern portion of the site is undeveloped. The site is flat with no steep slopes.
- Critical Areas:** There are no significant critical areas within the proposal site. The site is within the Tambark Creek subbasin of the North Creek watershed.
- Infrastructure:** The SW14 SWUGA expansion site is primarily accessed by Strumme Rd, a local access road. Strumme Road feeds into Sunset Road, a minor collector, located west of the proposal site. Key off-site county roads serving the proposal site include 164th St SE, a principal arterial; 35th Ave SE, Seattle Hill Rd, 148th St SE, 180th St SE, all urban minor arterials; Puget Park Dr, a major collector; and 43rd Ave SE and 51st Ave SE, both minor collectors.
- The proposed SW14 SWUGA expansion site is within the Silver Lake Water and Sewer District and would be eligible for sanitary sewer service if added to the SWUGA. The residences within the proposal site are currently on individual septic systems. The site is within the Snohomish County Fire District 7 service area.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The SW14 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the SW14 proposal will include, but not necessarily be limited to, potential impacts related to transportation facilities.

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The SW14 proposal to expand the boundary of the SWUGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The SW14 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(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 SW14 docket proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the docket proposal site. To measure current roadway conditions, Snohomish County uses a travel speed level-of-service (LOS) for arterial segments and intersection delay at intersections where an LOS of F means that the roadway fails county standards. This methodology is outlined in the Transportation Element of the Snohomish County Comprehensive Plan and reported in the annual Concurrency Report. According to the 2020 Concurrency Report, 35th Ave SE is currently operating at LOS F. Also, at risk of reaching LOS F is the signalized intersection of 35th Ave SE & Seattle Hill Rd and the unsignalized intersection of 180th St SE and Sunset Road. There are planned improvements in the area including:

- Widen 35th Ave SE from SR 524 to Seattle Hill Rd and 180th St SE to 3-lanes
- Widen 180th St SE from SR 527 to Brook Blvd to 5-lanes
- Widen 180th St SE from Brook Blvd to SR 9 to 3-lanes urban

Even with the planned improvements, future roadway capacity will be limited on 35th Ave SE. Snohomish County measures future roadway conditions using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The 2035 V/C ratio for 35th Ave SE from SR 524 to 188th in 2035 with improvements is forecasted at 1.13 which is over capacity.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor,

cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The SW14 proposed expansion of the SWUGA is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs within the SWUGA have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The SW14 proposal, which results in an expansion of the SWUGA, is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of a UGA within the region's planning horizon should be directed to existing urban growth areas.

The SW14 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential development at urban densities outside of the existing SWUGA without first evaluating opportunities to optimize residential development potential within existing urban areas.

CPPs

The SW14 proposal, which results in an expansion of the SWUGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. The expansion otherwise complies with the Growth Management Act;*

Snohomish County Planning and Development Services (PDS)

d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and

e. One of the following conditions is met:

- 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
- 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
- 3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
- 4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
- 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*

Snohomish County Planning and Development Services (PDS)

6. *Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
7. *In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
8. *The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
9. *The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
10. *The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
11. *The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Snohomish County Planning and Development Services (PDS)

Factor “a”: The SW14 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the SWUGA and the composite UGA have sufficient capacity to accommodate the 2035 population growth targets.

Factor “b”: The proposed UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under Factor “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the SWUGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. Only 26.7% of the additional population capacity estimated for the SWUGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS’s recommendation on this particular proposal because it is inconsistent with applicable standards not related to population capacity.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The SW14 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The SW14 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the SW14 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

- (1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.**

No. Since the SW14 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

- (2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

No. The SW14 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed SWUGA expansion area.

- (3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

Yes. A site plan is not required concurrent with the proposed SW14 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Petrie SW14 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the SW14 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: RNK Investments LLC

File: SW15 20-116955 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the eastern boundary of the Southwest Urban Growth Area (SWUGA) and redesignation from Rural Residential (RR) and Rural Urban Transition Overlay (RUTA) to Urban Medium Density Residential (UMDR)

Rezone: Proposed: Low Density Multiple Residential (LDMR)
Existing: Rural 5-Acre (R-5)

Acreage: 64 acres

Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: The proposal site is North of 169th St SE; East of Sunset Road and the SWUGA boundary; West of 51st Ave SE; and South of Strumme Road. The proposal site is bordered on the east and west by two north/south powerline corridors. The City of Mill Creek is approximately half a mile to the northwest of the proposed site.

Existing Land Use: The proposal site contains small lot rural single-family homes on septic systems located in the north and south portions of the proposal site. There is one 19 acre parcel containing a single family home. The Everett School District owns an undeveloped 10 acre parcel in the northeast portion of the proposal site.

Adjacent Land Use: North/East/South – Rural single family residential; West – urban single family residential development.

Snohomish County Planning and Development Services (PDS)

| | |
|--------------------------------------|---|
| Adjacent FLU Map Designation: | North/South – RR and RUTA; East – RR; West – Urban Low Density Residential (ULDR). |
| Adjacent Zoning Designation: | North/East/South – R-5; West – R-7,200 and R-9,600. |
| Site Characteristics: | The proposed SW15 UGA expansion site contains small lot rural residential homes with private yards and wooded areas. The northeastern portion of the site is undeveloped and wooded. The site is flat with no steep slopes. |
| Critical Areas: | There is a small freshwater pond in the middle of the proposal site. An unnamed stream flows east from the freshwater pond into Little Bear Creek east of 51 st Ave SE. The western half of the proposal site is within the Tambark Creek subbasin of the North Creek watershed. The eastern half of the proposal site is within the Little Bear Creek watershed. Little Bear Creek supports several species of salmon and trout with good water quality and stream habitat. The basin starts in Snohomish County and extends into King County. |
| Infrastructure: | <p>The SW15 SWUGA expansion site is primarily accessed by 169th St SE, a minor collector, which borders the south side of the proposal site. Strumme Rd, on the north side of the site, is a local access road. An unopen right-of-way, 164th St. SE, abuts the west side of the site. All of these roads feed into Sunset Road, a minor collector, located west of the proposal site. Key off-site county roads serving the proposal site include 164th St SE, a principal arterial; 35th Ave SE, Seattle Hill Rd, 148th St SE, and 180th St SE, all urban minor arterials; Puget Park Dr, a major collector; and 43rd Ave SE and 51st Ave SE, both minor collectors.</p> <p>Stormwater runoff on the SW15 proposal site is primarily collected in drainage ditches and open channels. In order to protect Little Bear Creek’s valuable water quality and habitat resources, Snohomish County Surface Water Management (SWM) completed a basin plan for the county’s portion of Little Bear Creek to better understand how to manage stormwater in this basin as required by the county’s National Pollutant Discharge Elimination System (NPDES) permit. According to the 2019 <i>Southwest Urban Growth Area (SWUGA) Boundary Planning Study</i> issued by PDS, the objective of this watershed-scale stormwater plan for Little Bear Creek was to identify stormwater management strategies that would result in hydrologic and water quality conditions that fully achieve water quality standards and targets. The SWUGA boundary study identified the potential cost of stormwater retrofit for Snohomish County’s portion of the Little Bear Creek watershed, from information provided by SWM, to meet water quality standards in an urban build-out scenario at approximately \$308 million over a 30-year timeframe.</p> |

The northern one-third of the proposed SW15 SWUGA expansion site is within the Silver Lake Water and Sewer District and would be eligible for sanitary sewer service if added to the SWUGA. The remaining portion of the proposal site is within an unclaimed service area for both sewer and water. The residences within the proposal site are currently on individual septic systems. The site is within the Snohomish County Fire District 7 service area.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The SW15 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the SW15 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as streams and wetlands); open space; stormwater drainage and water quality; transportation facilities; and public services (including sewer and water).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The SW15 proposal to expand the boundary of the SWUGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The SW15 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(10): Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The SW15 proposed expansion of the SWUGA would have an adverse environmental impact on the Little Bear Creek watershed. The proposal site is located within the upper subbasin of Little Bear Creek according to the 2019 *Southwest Urban Growth Area (SWUGA) Boundary Planning Study*. The *Study* rated the relatively undeveloped Little Bear Creek upper subbasin as in need of high environmental resource protection due to the generally intact nature of the critical areas and aquatic habitat. Clearing, grading and increased impervious surfaces associated with the proposed conversion of the proposal site to urban residential development would create stormwater runoff impacts that would affect water quality and quantity in the upper, middle

Snohomish County Planning and Development Services (PDS)

and lower subbasins of Little Bear Creek. These impacts would in turn adversely affect salmonid habitat in the Little Bear Creek watershed.

RCW 36.70A.020(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 SW15 docket proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements and sewer and water service, are available or programmed to serve the docket proposal site.

To measure current roadway conditions, Snohomish County uses a travel speed level-of-service (LOS) for arterial segments and intersection delay at intersections where an LOS of F means that the roadway fails county standards. This methodology is outlined in the Transportation Element of the Snohomish County Comprehensive Plan and reported in the annual Concurrency Report. According to the 2020 Concurrency Report, 35th Ave SE is currently operating at LOS F. Also, at risk of reaching LOS F is the signalized intersection of 35th Ave SE & Seattle Hill Road and the unsignalized intersection of 180th St SE and Sunset Road. There are planned improvements in the area including:

- Widen 35th Ave SE from SR 524 to Seattle Hill Road and 180th St SE to 3-lanes
- Widen 180th St SE from SR 527 to Brook Blvd to 5-lanes
- Widen 180th St SE from Brook Blvd to SR 9 to 3-lanes urban

Even with the planned improvements, future roadway capacity will be limited on 35th Ave SE. Snohomish County measures future roadway conditions using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. The 2035 V/C ratio for 35th Ave SE from SR 524 to 188th in 2035 with improvements is forecasted at 1.13 which is over capacity.

The SW15 docket proposal has not demonstrated that sewer and water service is available or programmed to serve the entire SWUGA expansion proposal site. The eastern portion of the proposal site is an unclaimed service area not within a water and/or sewer utility district. The *Southwest Urban Growth Area (SWUGA) Boundary Planning Study* concluded that it was possible to provide sewer and water service within most of the study area. However, according to the study, some locations along Little Bear Creek would be the most physically challenging and costly to extend water or sewer connections.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Snohomish County Planning and Development Services (PDS)

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The SW15 proposed expansion of the SWUGA is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs within the SWUGA have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The SW15 proposal, which results in an expansion of the SWUGA, is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that any expansion of a UGA within the region's planning horizon should be directed to existing urban growth areas.

The SW15 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential development at urban densities outside of the existing SWUGA without first evaluating opportunities to optimize residential development potential within existing urban areas.

CPPs

The SW15 proposal, which results in an expansion of the SWUGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

Snohomish County Planning and Development Services (PDS)

- a. *The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. *The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. *The expansion otherwise complies with the Growth Management Act;*
- d. *Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and*
- e. *One of the following conditions is met:*
 1. *The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
 2. *The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
 3. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - a) *Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - 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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
 4. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - a) *Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*

- (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
- 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*
 - 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
 - 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
 - 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
 - 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
 - 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
 - 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been*

Snohomish County Planning and Development Services (PDS)

redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.

The proposal is not consistent with the following factors from CPP DP-2:

Factor “a”: The SW15 proposal, which results in a UGA expansion, is not supported by the county’s most recent land capacity analysis which determined that both the SWUGA and the composite UGA have sufficient capacity to accommodate the 2035 population growth targets.

Factor “b”: The proposed UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The proposed UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate growth for the 2015 to 2035 planning period.

Factor “e”: The proposed UGA expansion is not supported by any of the applicable conditions under Factor “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the SWUGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. Only 26.7% of the additional population capacity estimated for the SWUGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS’s recommendation on this particular proposal because it is inconsistent with applicable standards not related to population capacity.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The SW15 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The SW15 proposal has not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the SW15 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

- (1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.**

No. Since the SW15 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

- (2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

No. The SW15 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements and water and sewer facilities, are available or programmed to serve the proposed SWUGA expansion area.

- (3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

Yes. A site plan is not required concurrent with the proposed SW15 rezone.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N/A | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The RNK Investments SW15 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the SW15 proposal not be further processed.

Docket XXI Initial Review and Evaluation

**Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021**

Applicant: Village Life, Inc.**File:** SW16 20-116750 DA**DESCRIPTION OF PROPOSAL**

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed expansion of the eastern boundary of the Southwest Urban Growth Area (SWUGA) and redesignation from Rural Residential (RR) to Urban Medium Density Residential (UMDR)

Rezone: Proposed: Low Density Multiple Residential (LDMR)
Existing: Rural 5-Acre (R-5)

Acreage: 116 acres

Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

Location: The proposal site is North of Jewel Road/196th St. SE; West of 51st Ave SE; South of 187th Pl SE; and East of North Creek High School and Fernwood Elementary School.

Existing Land Use: Small lot rural single-family homes on septic systems.

Adjacent Land Use: East/South – rural single family residential; North – Low density urban single family residential; West - two public schools.

Adjacent FLU Map Designation: West – Public/Institutional Use; North - Urban Low Density Residential; East - Rural Residential; South – Rural Residential.

Adjacent Zoning Designation: West – R-9,600 and R-7,200; North – R-7,200; East – R-5; and South – R-5.

Site Characteristics: The proposed SW16 UGA expansion area is small lot rural residential homes with private yards and wooded areas. The site contains no steep slopes.

Critical Areas: A small unnamed seasonal stream flows north to south through the proposal site, connecting to a larger tributary of Little Bear Creek. The proposal site primarily slopes east into this middle subbasin of Little Bear Creek. A small northwesterly portion of the site slopes west into the North Creek basin. Little Bear Creek supports several species of salmon and trout with good water quality and stream habitat. The basin starts in Snohomish County and extends into King County.

Infrastructure: The proposed SW16 SWUGA expansion area is primarily accessed by 43rd Ave. SE, a minor collector, which connects with 188th St. SE to the north of the site. The south portion of the proposal site is bordered by 196th St. SE/Jewell Rd., a minor collector. Key off-site county roads serving the proposed expansion area include 35th Ave. SE and 180th St. SE, both minor arterials, Grannis Road, a major collector, 51st Ave SE, a rural minor collector, and State Route 524 (Maltby Road), a minor arterial.

Stormwater runoff on the SW16 proposal site is primarily collected in drainage ditches and open channels. In order to protect Little Bear Creek's valuable water quality and habitat resources, Snohomish County Surface Water Management (SWM) completed a basin plan for the county's portion of Little Bear Creek to better understand how to manage stormwater in this basin as required by the county's National Pollutant Discharge Elimination System (NPDES) permit.

According to the 2019 *Southwest Urban Growth Area (SWUGA) Boundary Planning Study* issued by PDS, the objective of this watershed-scale stormwater plan for Little Bear Creek was to identify stormwater management strategies that would result in hydrologic and water quality conditions that fully achieve water quality standards and targets.

The SWUGA boundary study identified the potential cost of stormwater retrofit for Snohomish County's portion of the Little Bear Creek watershed, from information provided by SWM, to meet water quality standards in an urban build-out scenario at approximately \$308 million over a 30-year timeframe.

The proposed SW16 SWUGA expansion area is within the Alderwood Water and Wastewater District boundaries and would be eligible for sanitary sewer service if the proposed expansion area were added to the SWUGA. The residences within the proposal site are currently on individual septic systems. The district also provides water service to the proposed expansion area. The site is within the Snohomish County Fire District 7 service area.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The SW16 proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement prepared for the 2024 Comprehensive Plan Update. Analysis specific to the SW16 proposal will include, but not necessarily be limited to, potential impacts related to: critical areas (such as fisheries, streams and wetlands); open space; stormwater drainage and water quality; transportation facilities; and public services (including sewer).

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

No. The SW16 proposal to expand the boundary of the SWUGA is inconsistent with the GMA, the MPPs and the CPPs as described below.

GMA

The SW16 proposal is inconsistent with the following GMA provisions:

RCW 36.70A.020(10): Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The SW16 proposed expansion of the SWUGA would have an adverse environmental impact on the Little Bear Creek watershed. The proposal site is located within the middle subbasin of Little Bear Creek according to the 2019 *Southwest Urban Growth Area (SWUGA) Boundary Planning Study*. The *Study* rated the relatively undeveloped Little Bear Creek middle subbasin as in need of the highest environmental resource protection due to having the most intact levels of critical areas and aquatic habitat. Clearing, grading and increased impervious surfaces associated with the proposed conversion of the proposal site to urban residential development would create stormwater runoff impacts that would affect water quality and quantity in the middle and lower subbasins of Little Bear Creek. These impacts would in turn adversely affect salmonid habitat conditions in the Little Bear Creek watershed.

RCW 36.70A.020(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 SW16 docket proposal has not demonstrated that existing or planned transportation facilities and services are available or programmed to serve the docket proposal site. Key travel

Snohomish County Planning and Development Services (PDS)

routes that serve the SW16 area are the north/south arterial, 35th Ave SE and 43rd Ave SE, and east/west arterials 180th St SE and State Route 524. To measure current roadway conditions, Snohomish County uses a travel speed level-of-service (LOS) for arterial segments and intersection delay at intersections where an LOS of F means that the roadway fails county standards. This methodology is outlined in the Transportation Element of the Snohomish County Comprehensive Plan and reported in the annual Concurrency Report. According to the 2020 Concurrency Report, 35th Ave SE is currently operating at LOS F. Also, at risk of failing is the signalized intersection at 35th Ave SE & 197th Pl SE and the unsignalized intersection at 180th St SE & Sunset Rd. The county has temporarily closed 43rd Ave. SE at 188th St. SE to thru traffic due to inadequate road width and rising traffic volumes. There are planned roadway improvements in the area including:

- Improve 43rd Ave SE from SR 524 to 180th St SE including new road segments and widenings,
- Widen 35th Ave SE from SR 524 to Seattle Hill Rd and 180th St SE to 3-lanes,
- Widen 180th St SE from SR 527 to Brook Blvd to 5-lanes,
- Widen 180th St SE from Brook Blvd to SR 9 to 3-lanes urban.

Even with the planned improvements, some roadways impacted by the SW16 proposal will continue to be overcapacity. For future conditions, Snohomish County measures LOS using a methodology that compares future volumes (V) to the roadway capacity (C) for a 2035 planning-level forecast of adequacy. This comparison creates a ratio (V/C) where 1.0 is the capacity of the roadway and results over 1.0 represent overcapacity conditions. This methodology and the resulting ratios are contained in the Transportation Element of the Snohomish County Comprehensive Plan. This measurement shows that 35th Ave SE from SR 524 to 188th will have 2035 V/C of 1.13, which is well over capacity. The measurement also shows that SR 524 from SR 9 to SR 527 will have a 2035 V/C of 1.43, which will be severely over capacity. Because of its size and location, adequate facilities to serve the SW16 UGA expansion area will not be available without additional state and county funded improvements beyond those already planned.

RCW 36.70A.110(2): Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.

Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.

...

A county's UGA boundaries must be supported by a land capacity analysis. The SW16 proposed expansion of the SWUGA is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs within the SWUGA have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

MPPs

The SW16 proposal, which results in an expansion of the SWUGA, is inconsistent with the following *Vision 2050* MPPs:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

RGS-6: Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.

Vision 2050 and the Regional Growth Strategy were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2050. The MPPs which implement *Vision 2050* and the *Regional Growth Strategy*, including MPP RGS-4 and RGS-6, make it clear that the region's growth should be directed to existing urban growth areas.

The SW16 proposal is inconsistent with RGS-4 and RGS-6 as it allows residential development at urban densities outside of the existing SWUGA without first evaluating opportunities to optimize residential development potential within existing urban areas.

CPPs

The SW16 proposal, which results in an expansion of the SWUGA, is inconsistent with CPP DP-2:

DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:

- a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*
- b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*
- c. The expansion otherwise complies with the Growth Management Act;*
- d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council*

Snohomish County Planning and Development Services (PDS)

approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and

e. One of the following conditions is met:

- 1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
- 2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
- 3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
 - (a) Population growth in the UGA (city plus unincorporated UGA) 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. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
 - (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 any new information presented at public hearings that confirms or revises the conclusions is considered.*
- 4. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
 - (a) Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
 - (b) An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
- 5. The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*
- 6. Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans*

Snohomish County Planning and Development Services (PDS)

should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.

- 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
- 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
- 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
- 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
- 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposal is not consistent with the following factors from CPP DP-2:

Factor "a": The SW16 proposal which results in a UGA expansion is not supported by the county's most recent land capacity analysis which determined that both the SWUGA and the composite UGA have sufficient capacity to accommodate the 2035 population growth targets.

Snohomish County Planning and Development Services (PDS)

Factor “b”: The UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Factor “c”: The UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate growth for the 2015 to 2035 planning period.

Factor “e”: The UGA expansion is not supported by any of the applicable conditions under Factor “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight-year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the SWUGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. Only 26.7% of the additional population capacity estimated for the SWUGA has been used since the start of the 2015 to 2035 planning period according to the *Snohomish County Tomorrow 2020 Growth Monitoring Report*.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

It should be noted that the county and its cities are in the process of developing new population and employment growth targets that extend to 2044 to replace the 2035 targets currently contained in the CPPs. The county is also in the process of preparing the 2021 Buildable Lands Report (BLR). The adoption of the new growth targets and the BLR will help guide the GMA plan updates in 2024. However, this new information is not likely to impact PDS’s recommendation on this particular proposal because it is inconsistent with applicable standards not related to population capacity.

Criterion “b”: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The SW16 proposal will not change any GMA comprehensive plan resource lands designation.

Criterion “c”: If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

No. The SW16 proposal to expand the boundary of the SWUGA was part of a previous Docket XIX proposal, SW2, which was reviewed by the county council. The council, by Motion No. 17-117, did not place the SW2 proposal on Final Docket XIX for further processing. The current SW

proposal is not significantly changed from the previous Docket XIX proposal to support a plan amendment at this time.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the SW16 proposal since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.

No. Since the SW16 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.

No. The SW16 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed SWUGA expansion area.

(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

Yes. A site plan is not required concurrent with the SW16 rezone request.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|-----|-----|-----|---|-----|-----|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| N | N/A | N | N/A | N | N | Y |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Village Life, Inc. SW16 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the SW16 proposal not be further processed.

Docket XXI Initial Review and Evaluation
Proposed Amendments to the Growth Management Comprehensive Plan
(GMACP) and Implementing Development Regulations
March 31, 2021

Applicant: Town of Woodway

File: SW17 19-116722 DA

DESCRIPTION OF PROPOSAL

General Policy Plan (GPP) Future Land Use (FLU) Map Amendments: Proposed: Proposed GPP map amendments by the Town of Woodway to expand the western boundary of the Southwest Urban Growth Area (SWUGA) and Woodway's Municipal Urban Growth Area (MUGA) to: 1) add the Town of Woodway's remaining incorporated area which lies within Puget Sound; and 2) add the deep water pier at Point Wells, designate the pier as Urban Village, and add the unincorporated portion of Puget Sound west of the pier to the Snohomish County line (no FLU designation)

Rezoning: Proposed: Planned Community Business (Point Wells pier)
Existing: Not zoned

Acres: 1,607 acres – Additional Woodway incorporated area
641 acres - Unincorporated Puget Sound area
(including 2.99 acres for the Point Wells pier)

Shoreline Management Plan designation: Aquatic Environment

Policy Amendments: No policy amendments proposed

Code Amendments: No code amendments proposed

SITE RELATED INFORMATION

- Location:** The SW17 Part 1 proposal is located in Puget Sound and would add the remaining portion of the Town of Woodway’s incorporated area which extends to the Snohomish County line shared with Kitsap County, approximately midway between the east and west shores of Puget Sound. The SW17 Part 2 proposal is located in the unincorporated portion of Puget Sound which extends west to the Snohomish County line shared with Kitsap County; north of the King County line within Puget Sound; south of the Town of Woodway incorporated area within Puget Sound; and east to the easterly boundary of state owned aquatic lands shared with privately owned land on Point Wells. The Part 2 proposal includes the main portion of the Point Wells pier which is on state owned aquatic lands.
- Existing Land Use:** The only existing use within the SW17 proposal is a 1,104 foot long deep water pier located on state aquatic land in Puget Sound. The pier is currently being used as part of a marine fuel depot.
- Adjacent FLU Map Designation:** East within the SWUGA – Urban Village (Point Wells)
- Adjacent Zoning Designation:** East within the SWUGA - Planned Community Business (Point Wells)
- Critical Areas:** The Point Wells deep water pier and marine waters west to the county line are located on state-owned aquatic land and are designated as critical areas by county code.
- Infrastructure:** Primary public road access to Point Wells is provided by Richmond Beach Drive, which originates in the City of Shoreline. The Point Wells site is within the Olympic View Water and Sewer District and water and sewer service is available.

Extent of Potential State Environmental Policy Act (SEPA) Review

As part of the initial evaluation of individual docket proposals, PDS is required to conduct an assessment of the extent of future environmental review of a proposal that would be required by the State Environmental Policy Act (SEPA) if the proposal were placed on the final docket for further processing.

The SW17 Part 2 Point Wells SWUGA expansion proposal would be reviewed under SEPA in a non-project, programmatic-level environmental impact statement that will be prepared for the 2024 Comprehensive Plan Update. Analysis specific to the SW17 Part 2 proposal may include, but not necessarily be limited to, potential impacts related to: shorelines of statewide significance, marine fish habitat, noise, light and glare, and land use. The SW17 Part 2 site was previously included in a Determination of Significance and request for EIS scoping comments issued by PDS on March 12, 2014, for the proposed Point Wells urban center project. There are no identified potential SEPA impacts for the SW17 Part 1 proposal.

EVALUATION

According to Snohomish County Code (SCC) 30.74.030 and 30.74.040, PDS is required to recommend to the county council proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. PDS conducted an initial review and evaluation of the proposed amendments and the findings are discussed below.

Findings of Initial Review and Evaluation Criteria (SCC 30.74.030(1)):

Criterion “a”: The proposed amendment is consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state or federal laws.

Yes (SW17 Part 1), No (SW17 Part 2). The SW17 Part 1 proposal to amend the boundary of the SWUGA to include Woodway’s remaining portion of its incorporated area is considered a technical correction that is consistent with the GMA, the MPPs and the CPPs as described below. The SW17 Part 2 SWUGA expansion proposal to include all unincorporated Puget Sound west of the current SWUGA boundary to the county line, including the deep-water Point Wells pier, is not consistent with the GMA, MPPs and the CPPs.

GMA

The SW17 Part 1 proposal is consistent with the following GMA provisions:

RCW 36.70A.110(1): Each county that is required or chooses to plan under RCW 36.70A.040 shall designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature. Each city that is located in such a county shall be included within an urban growth area. An urban growth area may include more than a single city. An urban growth area may include territory that is located outside of a city only if such territory already is characterized by urban growth whether or not the urban growth area includes a city, or is adjacent to territory already characterized by urban growth, or is a designated new fully contained community as defined by RCW 36.70A.350.

The SW17 Part 1 proposal to amend the SWUGA boundary to include Woodway’s remaining portion of its incorporated area is considered a technical correction consistent with the requirement of the GMA that an urban growth area shall include each city that is located in a county planning under the GMA.

The SW17 Part 2 proposal to expand the SWUGA boundary is inconsistent with the following GMA provisions:

WAC 365-196-310(4)(c)(vi): Determining the appropriate locations of new or expanded urban growth area boundaries. This process should consider the following:

...

(vi) Consideration of critical areas issues. Although critical areas exist within urban areas, counties and cities should avoid expanding the urban growth areas into areas with known critical areas extending over a large area. See RCW 36.70A.110(8) for legislative direction on expansion of urban growth areas into the one hundred-year flood plain of river segments that are located west of the crest of the Cascade mountains and have a mean annual flow of one thousand or more cubic feet per second.

...

Snohomish County Planning and Development Services (PDS)

The SW17 Part 2 proposed expansion of the SWUGA into aquatic lands in Puget Sound is inconsistent with the GMA requirement that appropriate locations for expanding UGA boundaries should avoid areas of known critical areas over a large area. The state-owned marine waters in Puget Sound are designated as a critical area for protection by the county's critical area regulations.

MPPs

The SW17 Part 1 proposal is consistent with the following *Vision 2050* MPP:

RC-1: Coordinate planning efforts among jurisdictions, agencies, federally recognized tribes, ports and adjacent regions, where there are common borders or related regional issues, to facilitate a common vision.

The SW17 Part 1 proposal to amend the SWUGA boundary to include the town's remaining portion of its incorporated area is a city/county coordination effort through the county's docket process that will ensure that urban growth areas include a city's contiguous incorporated area.

The SW17 Part 2 proposal is inconsistent with the following *Vision 2050* MPP:

RGS-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision and the goals of the Regional Open Space Conservation Plan.

The SW17 Part 2 proposal to expand the boundary of the unincorporated SWUGA into aquatic lands in Puget Sound is inconsistent with MPP RGS-4 as aquatic lands are unbuildable and, therefore, do not contain population or employment capacity that can accommodate the region's growth.

CPPs

The SW17 Part 1 proposal is consistent with CPP DP-1. The SW17 Part 2 proposal is inconsistent with CPP DP-1:

DP-1 The County shall maintain Urban Growth Areas (UGAs), as shown on the map in Appendix A, that:

- a. Include all cities in Snohomish County;*
- b. Can be supported by an urban level of service consistent with capital facilities plans for public facilities and utilities;*
- c. Are based on the best available data and plans regarding future urban growth including new development, redevelopment, and infill;*
- d. Have identifiable physical boundaries such as natural features, roads, or special purpose district boundaries when feasible;*
- e. Do not include designated agricultural or forest land unless the city or County has enacted a program authorizing transfer or purchase of development rights;*
- f. Have been evaluated for the presence of critical areas;*
- g. Where possible, include designated greenbelts or open space within their boundaries and on the periphery of the UGA to provide separation from adjacent urban areas, rural areas, and resource lands;*

h. Should consider the vision of each jurisdiction regarding the future of their community during the next 20 years;

i. Are large enough to ensure an adequate supply of land for an appropriate range of urban land uses to accommodate the planned growth; and

j. Support pedestrian, bicycle and transit compatible design.

The SW17 Part 1 proposal to amend the SWUGA boundary to include Woodway's remaining portion of its incorporated area is consistent with CPP DP-1 which requires that UGAs include all cities within the county. The SW17 Part 2 proposed expansion of the unincorporated SWUGA boundary into aquatic lands and west to the county line in the middle of Puget Sound is inconsistent with CPP DP-1 as aquatic lands are unbuildable and, therefore, do not contain population or employment capacity that can accommodate the region's growth.

The Town of Woodway is proposing the expansion of the unincorporated portion of the SWUGA boundary west into Puget Sound and would include the deep-water pier at Point Wells, which is located on state-owned aquatic land. The town maintains that it was a county oversight that excluded the Point Wells pier from the SWUGA which contains all of the privately owned Point Wells property. The town includes the deep-water pier in the town's urban growth area as part of its comprehensive plan. The town wants to align the county UGA and MUGA boundaries with the town's future plans to administer the Point Wells property and the pier upon annexation.

The SWUGA was established as part of the adoption of the initial Snohomish County GMA comprehensive plan in 1995. The SWUGA is the only UGA in the county that is adjacent to the Puget Sound shoreline. The SWUGA boundary was established along the unincorporated portion of the Puget Sound shoreline based on following the waterside property lines of all tax parcels. These parcels all abut state-owned aquatic lands. The unincorporated SWUGA boundary along the Puget Sound shoreline does not include any state-owned aquatic lands. However, the SWUGA boundary does include existing incorporated areas that extend into Puget Sound, and which may include state, federal and/or port-owned aquatic lands.

The county did not include the deep-water pier in the SWUGA when it was first adopted 1995 due to the pier being located on state-owned aquatic land. The state Department of Natural Resources (DNR) previously leased the aquatic land that the deep-water pier is located on to the former owner of the Point Wells property.

Criterion "b": Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

This criterion is not applicable. The SW17 Part 1 and Part 2 proposals will not change any GMA comprehensive plan resource lands designation.

Criterion "c": If the proposed amendment has been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

This criterion is not applicable. The SW17 Part 1 and Part 2 proposals have not been previously reviewed by the planning commission or county council as part of a prior proposal.

Criterion “d”: If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions in SCC 30.74.030(d):

This criterion is not applicable to the SW17 Part 1 and Part 2 proposals since Docket XXI, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

Findings of Initial Review of Rezone Requests (SCC 30.74.040):

- (1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.**

This criterion is not applicable to SW17 Part 1.

No – SW17 Part 2. Since the SW17 Part 2 rezone request is for a zone to implement a concurrent future land use map amendment that does not meet all of the criteria in SCC 30.74.030(1), the proposed rezone is not consistent with this criterion.

- (2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

This criterion is not applicable to the SW17 Part 1 and Part 2 proposals.

- (3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

This criterion is not applicable to SW17 Part 1. Yes, a site plan is not required concurrent with the SW17 Part 2 rezone request.

Summary of Consistency with Review Criteria:

| Consistent with Initial Docket Review Criteria: SCC 30.74.030(1) | | | | Consistent with Rezone Criteria: SCC 30.74.040 | | |
|---|--------------------------|--------------------------|--------------------------|---|--------------------------|----------------------------|
| "a" | "b" | "c" | "d" | "1" | "2" | "3" |
| Y (Part 1) N (Part 2) | N/A (Part 1 & Part 2) | N/A (Part 1 & Part 2) | N/A (Part 1 & Part 2) | N/A (Part 1) N (Part 2) | N/A (Part 1 & Part 2) | N/A (Part 1) Y (Part 2) |

PDS RECOMMENDATION

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. The Town of Woodway SW17 Part 1 docket proposal meets all of the initial review and evaluation criteria; therefore, PDS recommends that the SW17 Part 1 proposal be further processed. The Town of Woodway SW17 Part 2 docket proposal does not meet all of the initial review and evaluation criteria; therefore, PDS recommends that the SW17 Part 2 proposal not be further processed.