

1 Adopted:  
2 Effective:

3  
4 SNOHOMISH COUNTY COUNCIL  
5 SNOHOMISH COUNTY, WASHINGTON

6  
7 ORDINANCE NO. 24-032

8  
9 RELATING TO MANDATORY UPDATES OF THE SNOHOMISH COUNTY GROWTH  
10 MANAGEMENT ACT COMPREHENSIVE PLAN (GMACP), PURSUANT TO RCW 36.70A.130;  
11 AMENDING THE OFFICIAL ZONING MAP AS PART OF THE 2024 GMACP UPDATE  
12

13 WHEREAS, Snohomish County (“the county”) adopted the Snohomish County Growth  
14 Management Act Comprehensive Plan (GMACP) including the Future Land Use (FLU) Map on  
15 June 28, 1995, through passage of Amended Ordinance No. 94-125; and  
16

17 WHEREAS, the county has amended the GMACP FLU Map several times since its  
18 adoption, most recently by Amended Ordinance No. 22-028 on September 14, 2022; and  
19

20 WHEREAS, the Snohomish County Official Zoning Map (“zoning map”) must be  
21 consistent with the FLU Map; and

22 WHEREAS, the county must conduct a periodic review of its GMACP pursuant to  
23 Revised Code of Washington (RCW) 36.70A.130(3), which directs counties planning under the  
24 Growth Management Act (GMA) to take legislative action to review and, if needed, revise their  
25 comprehensive plans and development regulations to ensure that population, employment, and  
26 housing growth for the succeeding 20-year period can be accommodated; and  
27

28 WHEREAS, on November 1, 2021, the county began the State Environmental Policy Act  
29 (SEPA) scoping period, and held two virtual public meetings on November 9 and November 15,  
30 2021, to kick off the review of the GMACP and zoning map and to seek comments on a scope  
31 for an Environmental Impact Statement (EIS); and  
32

33 WHEREAS, the county published the SEPA scoping public notice in English, Spanish,  
34 and Korean in the Everett Herald, sent it to agencies and interested parties as contained in the  
35 Planning and Development Services (PDS) SEPA Distribution List, and posted it to the  
36 Snohomish County website; and  
37

38 WHEREAS, the county created a project website to disseminate information related to  
39 the update of the GMACP and to provide opportunities for public input. The website was  
40 continually updated over the planning process and included a calendar of events related to  
41 Snohomish County Planning Commission (“Planning Commission”) briefings and hearings and  
42 other public engagement opportunities; and  
43

44 WHEREAS, the county provided regular briefings on the update of the GMACP to the  
45 Snohomish County Tomorrow (SCT) Planning Advisory Committee, SCT Steering Committee,  
46 SCT Executive Committee, and SCT Community Advisory Board; and  
47

1 WHEREAS, the county conducted extensive public engagement for the GMACP update  
2 with an emphasis on reaching historically and currently marginalized communities that included  
3 online surveys, newsletters translated into Spanish, Korean, and Vietnamese, and in-person  
4 events across Snohomish County in 2022 and 2023; and  
5

6 WHEREAS, the Planning Commission was provided information on the potential  
7 GMACP FLU Map and zoning map amendments in a briefing on September 12, 2023; and  
8

9 WHEREAS, the county issued the Draft Environmental Impact Statement (DEIS) on  
10 September 6, 2023, and the 45-day public comment period ended on October 23, 2023; and  
11

12 WHEREAS, the county created an online interactive mapping tool for the public to  
13 review the zoning maps and FLU Maps studied for each of the three land use alternatives and  
14 make site specific comments during the DEIS comment period; and  
15

16 WHEREAS, county staff held in-person public open houses on September 12 and  
17 September 23, 2023, to provide the public an opportunity to obtain information and comment on  
18 the DEIS and amendments to the GMACP FLU Map and zoning map; and  
19

20 WHEREAS, the Planning Commission held a public hearing on October 24, 2023, to  
21 receive public testimony concerning the amendments contained in this ordinance; and  
22

23 WHEREAS, the notice of the public open houses and Planning Commission public  
24 hearing was mailed to over 38,554 addresses in Snohomish County (including those potentially  
25 affected by proposed changes and those within 500 feet of a proposed change located within an  
26 urban growth area and 1,000 feet of a proposed change outside of an urban growth area),  
27 published in the Everett Herald, posted to the project website, and posted on-site at final docket  
28 properties; and  
29

30 WHEREAS, after the conclusion of its public hearing, the Planning Commission  
31 deliberated on November 14 and November 15, 2023, and voted to recommend adoption of the  
32 amendments discussed in its recommendation letter dated January 16, 2024; and  
33

34 WHEREAS, the Snohomish County Executive (“Executive”) reviewed staff and public  
35 input and the Planning Commission recommendation and made additional FLU Map and zoning  
36 map recommendations that differ from the Planning Commission as outlined in the memo dated  
37 March 26, 2024, and that are incorporated into this ordinance; and  
38

39 WHEREAS, on \_\_\_\_\_, 2024, the Snohomish County Council (“County  
40 Council”) held a public hearing after proper notice, and considered public comment and the  
41 entire record related to the amendments contained in this ordinance; and  
42

43 WHEREAS, following the public hearing, the County Council deliberated on the  
44 amendments contained in this ordinance;  
45

46 NOW, THEREFORE, BE IT ORDAINED:  
47

48 Section 1. The County Council makes the following findings:  
49

- 1 A. The County Council adopts and incorporates the foregoing recitals as findings as if set forth  
2 in full herein.  
3
- 4 B. The zoning map amendments are required under RCW 36.70A.130. Most of the zoning map  
5 amendments are required to ensure consistency between the zoning map and the FLU Map  
6 amendments adopted by the County Council as part of the GMACP update. Therefore, the  
7 findings and conclusions contained in the ordinance amending the GMACP FLU Map as a  
8 part of the GMACP update are relevant and applicable to the zoning map amendments  
9 contained in this ordinance and are incorporated herein by this reference.  
10
- 11 C. The zoning map amendments will support economic development by eliminating the need  
12 for costly and time-intensive quasi-judicial rezones for isolated parcels that are surrounded  
13 by more intensive zoning. The proposed rezones will assist in processing permits in a timely  
14 and fair manner by eliminating the need for a quasi-judicial rezone.  
15
- 16 D. The amendments are necessary to maintain consistency with the elements of the GMACP  
17 as required by RCW 36.70A.040.  
18
- 19 E. Procedural requirements.
- 20
- 21 1. SEPA requirements with respect to this non-project action have been satisfied through  
22 the completion of a DEIS issued on September 6, 2023, and a Final EIS issued on  
23 \_\_\_\_\_, 2024.  
24
- 25 2. The amendments are a Type 3 legislative action pursuant to SCC 30.73.010.  
26
- 27 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was  
28 transmitted to the Washington State Department of Commerce for distribution to state  
29 agencies on \_\_\_\_\_, 2024.  
30
- 31 4. The public participation process used in the adoption of this ordinance has complied with  
32 all applicable requirements of the GMA and the SCC. The general public and various  
33 interested agencies and parties were notified of the public hearings by means of legal  
34 notices, the county website, and over 38,554 direct mail notices sent to owners and  
35 neighbors of affected properties. Notification was provided in accordance with SCC  
36 30.73.050 and SCC 30.73.070 and consistent with Title VI of the Civil Rights Act of  
37 1964.  
38
- 39 5. The Washington State Attorney General last issued an advisory memorandum, as  
40 required by RCW 36.70A.370, in December of 2018 entitled "Advisory Memorandum:  
41 Avoiding Unconstitutional Takings of Private Property" to help local governments avoid  
42 the unconstitutional taking of private property. The process outlined in the State  
43 Attorney General's 2018 advisory memorandum was used by Snohomish County in  
44 objectively evaluating the regulatory changes proposed by this ordinance.  
45
- 46 F. This ordinance is consistent with the record.
- 47
- 48 1. The amendments to the zoning map are necessary to:  
49 a. maintain consistency with the GMACP and FLU Map; and

- b. rezone properties that are designated Public/Institutional Use on the FLU Map to maintain consistency with adjacent areas that are being rezoned to maintain consistency with the FLU Map; and
- c. accommodate the projected population, employment, and housing growth over the next twenty years to 2044; and
- d. adopt two technical amendments to delete the two remaining instances of Rural Use zoning, both of which are within rights-of-way, and rezone those properties to be consistent with the existing FLU Map designations and adjacent zoning.

2. The rationale for the amendments to the official zoning map is described in more detail in in sections I and II, III.B.6, and IV through IX of the staff report dated September 11, 2023, and the report dated October 10, 2023, as they relate to Alternative 2 rezones that are not part of the docket or Council-initiated UGA expansions, both of which were presented to the Planning Commission and the County Council, as well as in the Planning Commission recommendation letter dated January 16, 2024, and the Executive recommendation memo dated March 26, 2024.

Section 2. The County Council makes the following conclusions:

- A. The amendments to the zoning map maintain consistency between the zoning map and the FLUM and other elements of the GMACP.
- B. The amendments are consistent with the CPPs and the MPPs.
- C. The amendments are consistent with and comply with the procedural and substantive requirements of the GMA.
- D. The County has complied with all SEPA requirements with respect to this non-project action.
- E. The amendments do not result in an unconstitutional taking of private property for a public purpose.

Section 3. The Snohomish County Council bases its findings and conclusions on the entire record of the Planning Commission and the County Council, including all testimony and exhibits. Any finding, which should be deemed a conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.

Section 4. The official zoning map maintained pursuant to SCC 30.21.030 shall be revised to reflect the zoning map amendments adopted by the County Council as indicated in Exhibit A to this ordinance, which is attached hereto and incorporated by reference into this ordinance.

Section 5. Severability and Savings. If any section, sentence, clause, or phrase of this ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance. Provided, however, that if any section, sentence, clause, or phrase of this ordinance is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence, clause, or phrase in effect prior to the effective date of this ordinance shall be in full force and

1 effect for that individual section, sentence, clause, or phrase as if this ordinance had never been  
2 adopted.

3  
4 PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

5  
6  
7 SNOHOMISH COUNTY COUNCIL  
8 Snohomish, Washington  
9

10  
11 \_\_\_\_\_  
12 Council Chair

13 ATTEST:

14  
15 \_\_\_\_\_  
16  
17 Asst. Clerk of the Council  
18  
19

- 20 ( ) APPROVED  
21 ( ) EMERGENCY  
22 ( ) VETOED

23  
24  
25  
26 DATE:

27 \_\_\_\_\_  
28 County Executive

29  
30 ATTEST:

31 Approved as to form only:

32   
33  
34 \_\_\_\_\_ 3/21/24  
35 Deputy Prosecuting Attorney  
36  
37

1  
2  
3

EXHIBIT A

[INSERT ZONING MAP HERE]

# SNOHOMISH COUNTY 2024 GMA COMPREHENSIVE PLAN ZONING EXECUTIVE RECOMMENDATION

## Executive Recommendation

- Map Amendments
- UGA Boundary (Proposed)
- Proposed New Zoning: Mixed-Use Corridor (MUC)

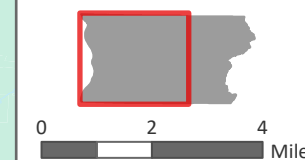
### PROPOSED REZONES

- |                                       |                                     |
|---------------------------------------|-------------------------------------|
| A-10 Agriculture-10 Acre              | R-12,500 Residential 12,500 sq. ft. |
| BP Business Park                      | R-5 Rural-5 Acre                    |
| F Forestry                            | R-7,200 Residential 7,200 sq. ft.   |
| HI Heavy Industrial                   | R-9,600 Residential 9,600 sq. ft.   |
| LDMR Low Density Multiple Residential | RD Rural Diversification            |
| MR Multiple Residential               | RI Rural Industrial                 |
| PCB Planned Community Business        | UC Urban Center                     |

### EXISTING ZONING

- |             |                     |                    |
|-------------|---------------------|--------------------|
| A-10        | PRD-MR              | R-7,200            |
| BP          | NB                  | R-7,200 (PRD)      |
| CB          | PCB                 | PRD-7,200          |
| PRD-CB      | PIP                 | PRD-7,200 (Mobile) |
| CRC         | PRUD                | RB                 |
| RC          | R-5                 | RD                 |
| F & R       | R-20,000            | RFS                |
| F & R (ORV) | PRD-20,000          | RI                 |
| GC          | PRD-20,000 (Mobile) | RRT-10             |
| HI          | R-12,500            | RU                 |
| IP          | PRD-12,500 (Mobile) | SA-1               |
| LDMR        | R-9,600             | PRD SA-1           |
| PRD-LDMR    | R-9,600 (PRD)       | T                  |
| LI          | PRD-9,600           | UC                 |
| MHP         | R-8,400             | WFB                |
| MR          | R-8,400 (PRD)       |                    |
| MR (PRD)    | PRD-8,400           |                    |

- County Boundary
- Incorporated City
- Tribal Land
- National Forest
- Water Bodies
- Interstate
- State Route
- Arterial



**Snohomish County**

### Snohomish County Data and Map Disclaimer

All maps, data, and information set forth herein ("Data"), are for illustrative purposes only and are not to be considered an official citation to, or representation of, the Snohomish County Code. Amendments and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. Snohomish County makes no representation or warranty concerning the content, accuracy, currency, completeness or quality of the Data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this Data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said Data. Washington State Law, Ch. 42.56 RCW, prohibits state and local agencies from providing access to lists of individuals intended for use for commercial purposes and, thus, no commercial use may be made of any Data comprising lists of individuals contained herein.