



Snohomish County
Planning and Development Services

MEMORANDUM

3000 Rockefeller Ave., M/S 604
Everett, WA 98201-4046
(425) 388-3311
www.snoco.org

TO: Snohomish County Planning Commission

FROM: Frank Slusser, Senior Planner

Dave Somers
County Executive

SUBJECT: Final Docket XXI PDS Staff Recommendation – CS Real Estate Development (SW10)

DATE: September 11, 2023

INTRODUCTION

PDS is providing this staff report and recommendation in advance of the Planning Commission’s October 24, 2023, public hearing on the Snohomish County 2024 GMA Comprehensive Plan Update and Final Docket XXI that includes a proposal by CS Real Estate Development (SW10) to amend the Future Land Use (FLU) map of the GMA comprehensive plan and implementing zoning by redesignating a property within the Southwest Urban Growth Area (UGA) from Urban Industrial to Urban Center and rezone to Urban Center.

The SW10 docket proposal was submitted to PDS by the October 30, 2020, deadline which was the last opportunity to submit a major docket amendment for final action in 2024. The County Council placed the SW10 proposal on Final Docket XXI by Amended Motion No. 21-147 on March 9, 2022, for further processing and final action in 2024 in conjunction with final action on the 2024 GMA comprehensive plan.

A major docket amendment includes proposals that either alter an urban growth area boundary, result in a substantive change in land capacity, or require environmental or capital facility analysis that cannot be accomplished in a two-year time frame. The SW10 proposal would substantially change land capacity and required significant environmental analysis as part of an environmental impact statement. This report includes additional findings from the draft environmental impact statement (DEIS) for the 2024 Update along with a recommendation.

SUMMARY OF PROPOSAL:

The SW10 docket is a proposed redesignation of 14 acres from Urban Industrial (UI) to Urban Center with implementing zoning. The proposal calls for rezoning the subject property from Light Industrial (LI) zoning to Urban Center. There are no proposed policy or code amendments as part of the SW10 docket proposal.

The proposal site is located within the Southwest Urban Growth Area (UGA), 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 a small distance to the south. The proposal site is primarily vacant, cleared and graded, with no industrial uses. The site includes a partially built private school that

has been permitted. Currently, the site contains parking and trailers, and two retention ponds. Adjacent uses to the north across 183rd St SE are commercial buildings and parking lots, including an autobody shop, a dental office, a tow-yard, and a brewing company; to the east directly across Bothell Everett Hwy is the North Creek Country Church, and two large commercial complexes and parking lots; adjacent to the west is an urban high density residential neighborhood called Devon Hill, that is comprised of single-family detached condominiums with private yards served by sewer, and to the south is a commercial gym, and parking lot, and a commercial industrial use.

Adjacent future land use designations are UI to the north, UI and Urban Village (UV) to the east, Urban High Density Residential (UHDR) to the west, and UI to the south. Adjacent zoning is LI to the north, LI and Neighborhood Business (NB) to the east, Multiple Residential (MR) to the west, and LI to the south.

The proposed SW10 site is mainly a vacant lot with evidence of grading, outside of the partially constructed private school building. The southeast portion of the proposal site contains parking and trailers. On the west side of the site, there are two water bodies, one of which is a retaining pond. The eastern border has vegetation and remnants of past building materials.

The proposal site contains no critical areas, streams, or wetlands. According to the DEIS, no fish, wildlife, plants, or habitats of importance are impacted by the proposal.

The SW10 proposal site is directly accessed by SR 527, a principal arterial, and 180th St SE, a minor arterial, intersects SR 527 less than 0.25 miles 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 area is served by Snohomish Regional Fire and Rescue.

The DEIS identifies that nearby parks include the County-owned 81-acre North Creek Park (0.5 miles) and 10-acre Silver Creek Park (0.6 miles). The area is within the Everett School District.

FINAL DOCKET EVALUATION:

PDS is required to prepare a report including a recommendation on the final docket proposal and forward the report to the Planning Commission. PDS is required to recommend approval if the proposal is consistent with all of the following criteria listed in SCC 30.74.060(2):

Criterion "a": The proposed amendment and any related proposals on the current final docket maintain consistency with other plan elements or development regulations.

Yes. The proposed zoning of Urban Center is consistent with the proposed FLUM designation of Urban Center. The school use that has been permitted on the site would be a permitted use under Urban Center zoning.

Criterion "b": All applicable elements of the comprehensive plan, including but not limited to the capital plan and the transportation element, support the proposed amendment.

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. This proposal would be supported by all elements of the 2024 Update comprehensive plan.

Criterion “c”: The proposed amendment more closely meets the goals, objectives and policies of the comprehensive plan than the relevant existing plan or code provision.

Yes. The proposal is consistent with LU Policy 1.A.9 (proposed to be maintained and renumbered as policy 1.A.8 as part of the 2024 Update):

Ensure the efficient use of urban land by adopting reasonable measures to increase residential, commercial and industrial capacity within urban growth areas prior to expanding urban growth boundaries. The County Council will use the list of reasonable measures in accordance with the guidelines for review contained in Appendix D of the Countywide Planning Policies to evaluate all UGA boundary expansions.

As described below under criteria “d” and “e” the SW10 proposal would be a reasonable measure that would address shortfalls in capacity for population and employment under the Initial 2044 Growth Targets adopted in the CPPs within the existing UGA.

The proposal is consistent with LU Policy 3.A.3 (proposed to be renumbered as LU Policy 3.B.3 with amendments as shown as part of the 2024 Update):

*Urban Centers, **Light Rail Communities, and Mixed-Use Corridors** shall be located adjacent to a principal arterial road(,) and ~~((meet one of the following additional locational criteria (measured along existing road rights-of-way:))~~ within ½ mile of a high capacity transit station.*

~~*((**Be within 1/2 mile of an existing high capacity transit station;***~~

~~***Be within 1/2 mile of an existing transit center; or***~~

~~***Be within 1/4 mile of an existing bus stop on a major transportation corridor.***~~

The proposal site is within 0.25 miles of a high-capacity transit station. Community Transit’s Swift Green Line provides bus rapid transit (BRT) service on SR 527.

The proposal is consistent with LU Policy 3.A.5 (proposed to be renumbered as LU Policy 3.B.5 with amendments as shown as part of the 2024 Update):

*Urban Centers, **Light Rail Communities, and Mixed-Use Corridors** are designated on the FLUM and additional Urban Centers, **Light Rail Communities, and Mixed-Use Corridors** may be designated in future amendments to the Comprehensive Plan.*

Criterion “d”: The proposed amendment is consistent with the countywide planning policies (CPPs).

Yes. 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 services to existing transit oriented mixed-use development located along this corridor and will support this proposed Urban Center site.

The SW10 proposal is located within the Mill Creek Municipal Urban Growth Area (MUGA). The Mill Creek MUGA has an adopted initial 2020 to 2044 population growth target of 13,377. The DEIS estimates that population capacity under the No Action alternative for the Mill Creek UGA is 7,281, which leaves a population capacity shortfall of 6,096. Similarly, the adopted initial 2019-2044 employment growth

target is 1,599, and the DEIS estimates that employment capacity under the No Action alternative is 1,154, leaving an employment capacity shortfall of 445. This proposal would increase population capacity by 1,105, and increase employment capacity by 313, and therefore would be a reasonable measure to increase population and employment capacity within the existing UGA where there is a shortfall of capacity. Additionally, the increased capacity will be within the High Capacity Transit (HCT) Communities regional geography emphasized for increased growth under the *VISION 2050 Regional Growth Strategy*, the CPPs, and the adopted initial growth targets in the CPPs.

This proposal also complies with CPP-DP-42:

The County and cities should conserve designated industrial land for future industries and related jobs by:

- a. Protecting industrial land from encroachment by incompatible uses and development on adjacent land;*
- b. Discouraging non-industrial uses on industrial land unless such uses support and enhance existing industrial land uses; and*
- c. Discouraging conversion of industrial land to other land use designations unless it can be demonstrated that a specific site is not suitable for industrial uses.*

The subject site is within 0.25 miles of a bus rapid transit station. A non-industrial use, a private school, has already been permitted on a portion of this site, and is partially constructed.

Land to the east across Bothell-Everett Hwy is already designated for mixed-use Urban Village development. Immediately to the west is an urban high density residential neighborhood called Devon Hill, that is comprised of single-family detached condominiums. Uses to the south include a commercial gym.

As a result of the evolution of uses and services in this vicinity, the site is no longer suitable for high-intensity manufacturing or distribution uses that are land-intensive and involve noise, lighting, heavy truck traffic, and 24-hour operation. The site is better suited for higher density mix-use development supporting a mix of jobs and population in proximity of high-capacity transit.

Criterion “e”: The proposed amendment complies with the 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 existing boundaries of the Southwest Urban Growth Area (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 BRT line which is part of the regional high-capacity transportation system, and with which Urban Center development should be coordinated.

The proposal is also consistent with the following GMA provisions:

RCW 36.70A.100: The comprehensive plan of each county or city that is adopted pursuant to RCW [36.70A.040](#) shall be coordinated with, and consistent with, the comprehensive plans adopted pursuant to RCW [36.70A.040](#) of other counties or cities with which the county or city has, in part, common borders or related regional issues.

RCW 36.70A.210(1): The legislature recognizes that counties are regional governments within their boundaries, and cities are primary providers of urban governmental services within urban growth areas. For the purposes of this section, a "countywide planning policy" is a written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to this chapter. This framework shall ensure that city and county comprehensive plans are consistent as required in RCW [36.70A.100](#). Nothing in this section shall be construed to alter the land-use powers of cities.

RCW 36.70A.210(7): Multicounty planning policies shall be adopted by two or more counties, each with a population of four hundred fifty thousand or more, with contiguous urban areas and may be adopted by other counties, according to the process established under this section or other processes agreed to among the counties and cities within the affected counties throughout the multicounty region.

RCW 36.70A.210(1) and (7) and RCW 36.70A.100 require consistency with the *VISION 2050* Multicounty Planning Policies.

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 the HCT Communities regional geography where there are 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.

Criterion "f": New information is available that was not considered at the time the relevant comprehensive plan or development regulation was adopted that changes the underlying assumptions and supports the proposed amendment.

Yes. As described under criterion "d" and "e" above, new initial growth targets extending the planning horizon from 2035 to 2044 and concentrating more growth into unincorporated areas served by high-capacity transit consistent with the new *VISION 2050 Regional Growth Strategy* were adopted in the CPPs by the County Council on February 23, 2022, creating the need to take reasonable measures to increase capacity for population and jobs in the Mill Creek MUGA. The Mill Creek MUGA is now part of

the HCT Communities regional geography targeted for a larger share of growth in the future. Previously this area had been de-emphasized for growth under the VISION 2040 as part of the unincorporated UGA regional geography.

The following table summarizes the results of the PDS final docket evaluation of SW10:

Consistent with SCC 30.74.060(2)					
(a)	(b)	(c)	(d)	(e)	(f)
Yes	Yes	Yes	Yes	Yes	Yes

STATE ENVIRONMENTAL POLICY ACT (SEPA) ACTION:

All SEPA requirements with respect to this non-project programmatic proposal have been satisfied. As of this writing, the County expects to issue a Draft Environmental Impact Statement (DEIS) for the Snohomish County Comprehensive Plan 2024 Update in September 2023. A final EIS will be issued in 2024. The analysis in the DEIS was used to review any environmental impacts of the SW10 proposal.

NOTIFICATION OF STATE AGENCIES

Pursuant to RCW 36.70A.106, a 60-day notice of intent to adopt the proposed GMACP map amendments will be transmitted to the Washington State Department of Commerce prior to the planning commission’s briefing for distribution to state agencies.

STAFF RECOMMENDATION

Based on the final evaluation contained in this staff report, PDS recommends that the SW10 proposal to amend the Future Land Use Map of the Snohomish County GMA Comprehensive Plan redesignate 14 acres from Urban Industrial to Urban Center, and rezone the subject property from Light Industrial zoning to Urban Center, **BE APPROVED.**

ACTION REQUESTED

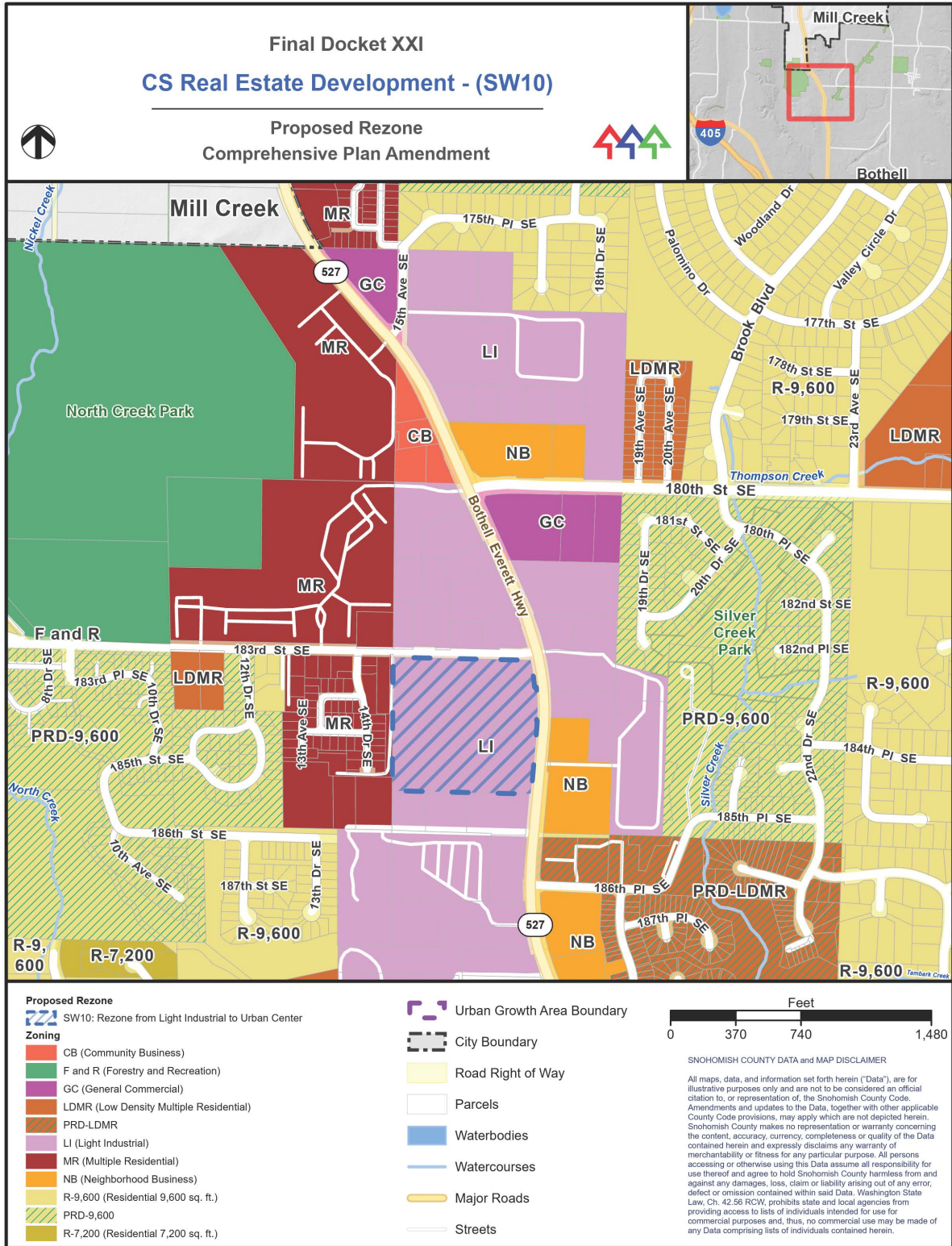
The Planning Commission is requested to hold a public hearing, consider the proposed SW10 amendments, and provide a recommendation to the County Council. The Planning Commission can recommend approval of the SW10 amendments with supporting findings as proposed or modified, denial of the proposal with findings, or amend the proposal with appropriate findings.

ATTACHMENTS

- Attachment A: SW10 Proposed FLU Map Amendment
- Attachment B: SW10 Proposed Rezone Amendment
- Attachment C: SW10 Proposed Findings and Conclusions

cc: Ken Klein, Executive Director
 Mike McCrary, PDS Director
 David Killingstad, PDS Manager

ATTACHMENT B



ATTACHMENT C

FINDINGS

1. The SW10 docket is a proposed redesignation of 14 acres from Urban Industrial (UI) to Urban Center with implementing zoning. The proposal calls for rezoning the subject property from Light Industrial (LI) zoning to Urban Center. There are no proposed policy or code amendments as part of the SW10 docket proposal.
2. The SW10 proposal is consistent with the Growth Management Act (GMA) requirements for the location of urban growth including RCW 36.70A.110(3) by allowing additional growth within the existing urban growth area in an area already characterized by urban development and services.
3. The SW10 proposal is consistent with the Multicounty Planning Policies (MPP), including RGS-6 and RGS-8 by allowing additional population and employment growth at higher densities in an area within the High Capacity Transit Communities regional geography and within 0.25 miles of a high-capacity transit station.
4. The SW10 proposal is consistent with the Countywide Planning Policies (CPP) DP-14 by focusing growth within a compact Urban Center in an area served by high-capacity transit, and consistent with CPP-DP-42 by redesignating Urban Industrial land that is no longer suitable for high-intensity industrial uses incompatible with mixed residential and commercial development.
5. The SW10 proposal is consistent with the Snohomish County GMA Comprehensive Plan Land Use Element by proposing a reasonable measure to accommodate additional population and employment growth within the existing UGA in a compact Urban Center within 0.25 miles of a high-capacity transit station.