

Index of Records						
Project Name		2024 Comprehensive Plan Update				
Part 3 - COUNCIL		Council Staff: Ryan Countryman		Hearing Date: Monday, August 19, 2024 @ 6:00 p.m.		
Exhibit #	Record Type	Date	Received From	Exhibit Description	Element	# of Pages
Ordinance 24-027 SW10 - CS Real Estate Development						
4.1 ECAF and Materials						
4.1.001	ECAF	03/28/24	Executive/PDS	Transmitting Executive initiated Ordinance		2
4.1.002	Ordinance	03/28/24	Executive/PDS	Introduced Ordinance		8
4.1.003	Letter	03/26/24	Executive/PDS	County Executive Recommendation		17
4.1.004	Staff Report	09/11/23	Frank Slusser, PDS Staff	Planning and Development Services CS Real Estate Development Staff Recommendation		9
4.1.005	Letter	01/16/24	Executive/PDS	Planning Commission Recommendation on Final Docket XXI		30
4.1.006	Introduction	03/28/24	Councilmember Nate Nehring	Introduction Slip		1
4.2 Council Planning Committee Materials (see Ordinance 24-033 for related Comprehensive Plan materials)						
4.3 Correspondence, Comments, Testimony						
4.3.001	Public Testimony	04/12/24	Andrew Levins	Public Testimony		9
4.3.002	Public Testimony	04/17/24	Sybil Tetteh	Public Testimony		4
4.3.003	Public Testimony	05/13/24	Andrew Levins	Public Testimony		3
4.3.004	Public Testimony	05/20/24	Thaddaeus Gregory	Public Testimony		7
4.3.005	Public Testimony	05/21/24	Andrew Levins	Public Testimony		4
4.3.006	Public Testimony	05/21/24	Thaddaeus Gregory	Public Testimony		2
4.3.007	Public Testimony	05/29/24	Andrew Levins	Public Testimony		5
4.3.008	Public Testimony	07/30/24	Benjamin Seeger	Public Testimony		3
4.4 Staff Reports and Submissions						
4.5 Public Participation						
4.5.001	Notice	08/02/24	Council Staff	Notice of Introduction and Public Hearing		3
4.5.002	Affidavit	08/07/24	Herald	Affidavit of Publication: Notice of Introduction and Public Hearing		3
4.5.003	Notice	01/27/25	Council Staff	Notice of Enactment		2
4.5.004	Affidavit	01/29/25	Herald	Affidavit of Publication: Notice of Enactment		2
4.6 Council Deliberations						

Executive/Council Action Form (ECAF)

ITEM TITLE:

..Title

Ordinance 24-027, relating to the Growth Management Act, Adopting Future Land Use Map Amendments to the Snohomish County Growth Management Act Comprehensive Plan and Amending the Official Zoning Map to Implement Changes to the Future Land Use Map (SW10 – CS Real Estate Development)

..body

DEPARTMENT: Planning and Development Services (PDS)

ORIGINATOR: Frank Slusser

EXECUTIVE RECOMMENDATION: Approved by Ken Klein 3/27/24

PURPOSE: To adopt Final Docket XXI proposal SW10 – CS Real Estate which amends the Future Land Use (FLU) Map of the GMA Comprehensive Plan by redesignating 14 acres in the Southwest Urban Growth Area (SWUGA) from Urban Industrial (UI) to Urban Center (UC) with a concurrent rezone from Light Industrial (LI) to Urban Center (UC).

BACKGROUND: This ordinance is part of the 2024 Comprehensive Plan Update and Final Docket XXI. Pursuant to RCW 36.70A.130 and .470, interested persons may propose amendments and revisions to the Snohomish comprehensive plan or development regulations. The proposal was reviewed by county staff under Chapter 30.74 Snohomish County Code and the recommendation was for approval. Following a hearing by the Planning Commission on October 24, 2023, the Planning Commission recommended approval during deliberations on November 14 and 15, 2023.

This ECAF is being expedited. SCC 30.74.060 requires transmittal of the ECAF to Council by end of March 2024. Pursuant to RCW 36.70A.130(5), adoption of the 2024 Update of the Snohomish county GMACP is required by December 31, 2024. This mandatory project will require adequate time for review in front of the County Council, so that the Final Environmental Impact Statement (FEIS) can receive timely direction and be completed in time for action by the County Council prior to the review of the County budget.

FISCAL IMPLICATIONS:

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL			

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS

TOTAL		

DEPARTMENT FISCAL IMPACT NOTES: Click or tap here to enter text.

CONTRACT INFORMATION:

ORIGINAL _____ CONTRACT# _____ AMOUNT _____
 AMENDMENT _____ CONTRACT# _____ AMOUNT _____

Contract Period

ORIGINAL START _____ END _____
 AMENDMENT START _____ END _____

OTHER DEPARTMENTAL REVIEW/COMMENTS: Reviewed/approved by Finance – Nathan Kennedy 3/27/24

1 Adopted:
2 Effective:

3
4 SNOHOMISH COUNTY COUNCIL
5 SNOHOMISH COUNTY, WASHINGTON

6
7 ORDINANCE NO. 24- 027

8
9 RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE
10 MAP AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT
11 ACT COMPREHENSIVE PLAN AND AMENDING THE OFFICIAL ZONING MAP
12 TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP
13 (SW10 – CS REAL ESTATE DEVELOPMENT)
14

15 WHEREAS, Revised Code of Washington (RCW) 36.70A.130 and .470 direct
16 counties planning under the Growth Management Act (GMA), chapter 36.70A RCW, to
17 adopt procedures for interested persons to propose amendments and revisions to the
18 Snohomish County Growth Management Act Comprehensive Plan (GMACP) or
19 development regulations; and
20

21 WHEREAS, the Snohomish County Council (“County Council”) adopted chapter
22 30.74 of the Snohomish County Code (SCC), “Growth Management Act Public
23 Participation Program Docketing,” to comply with the requirements of RCW 36.70A.130
24 and .470; and
25

26 WHEREAS, the Department of Planning and Development Services (PDS)
27 compiled a list of non-county initiated amendments and revisions received by the
28 October 31, 2020, deadline for Docket XXI applications and evaluated these proposed
29 amendments, including the SW10 – CS Real Estate Development amendments, for
30 consistency with the initial docket review criteria in SCC 30.74.030(1) and 30.74.040;
31 and
32

33 WHEREAS, on March 9, 2022, the County Council approved, by Amended
34 Motion No. 21-147, a list of proposed non-county initiated comprehensive plan
35 amendments, including SW10 – CS Real Estate Development, to be included on Final
36 Docket XXI and authorized the County Executive, through PDS, to further process the
37 proposed major docket amendments consistent with chapters 30.73 and 30.74 SCC,
38 including environmental review under the State Environmental Policy Act (SEPA), for
39 final consideration in 2024; and
40

41 WHEREAS, the Snohomish County Planning Commission (“Planning
42 Commission”) was briefed on the SW10 – CS Real Estate Development amendments
43 on September 12, 2023; and

1 WHEREAS, pursuant to chapter 30.74 SCC, PDS completed a final review and
2 evaluation of the SW10 – CS Real Estate Development amendments and forwarded a
3 recommendation to approve SW10 – CS Real Estate Development to the Planning
4 Commission; and

5
6 WHEREAS, the Planning Commission held a public hearing on October 24,
7 2023, to receive public testimony on SW10 – CS Real Estate Development; and

8
9 WHEREAS, after the conclusion of its public hearing, the Planning Commission
10 deliberated on November 14 and 15, 2023, and voted to recommend adoption of the
11 amendments contained in this ordinance, as shown in its recommendation letter dated
12 January 16, 2024; and

13
14 WHEREAS, on _____, 2024, the County Council held a public
15 hearing, after proper notice, to receive public testimony and consider the entire record
16 related to the SW10 – CS Real Estate Development amendments contained in this
17 ordinance; and

18
19 WHEREAS, following the public hearing, the County Council deliberated on the
20 amendments contained in this ordinance;

21
22 NOW, THEREFORE, BE IT ORDAINED:

23
24 Section 1. The County Council adopts the following findings to support this
25 ordinance:

- 26
27 A. The foregoing recitals are adopted as findings as if set forth in full herein.
28
29 B. The SW10 – CS Real Estate Development amendments would amend the Future
30 Land Use (FLU) Map of the GMACP by redesignating 14 acres in the Southwest
31 Urban Growth Area (SWUGA) from Urban Industrial (UI) to Urban Center (UC) with
32 a concurrent rezone from Light Industrial (LI) to Urban Center (UC). The SW10 – CS
33 Real Estate Development site is located approximately 0.5 miles southeast of the
34 City of Mill Creek on the west side of Bothell Everett Highway (SR 527), which is a
35 designated transit emphasis corridor. 183rd St SE is directly north, and 192nd St SE
36 is to the south.
37
38 C. The SW10 amendments are consistent with RCW 36.70A.110(3) requirements for
39 the location of future urban population and employment growth, as the SW10
40 amendments would provide opportunities for increasing development densities in a
41 portion of the SWUGA that is already characterized by urban growth. The SW10 site
42 can accommodate additional residential and employment capacity, as it is served by

1 public water and sanitary sewer and nearby bus rapid transit (BRT) facilities on SR
2 527.

3
4 D. The SW10 amendments were analyzed for consistency with RCW 36.70A.130(1)(d),
5 which requires that comprehensive plan amendments be consistent with the GMA.
6 The amendments are consistent with the GMA requirements for accommodating
7 additional residential and employment capacity. The amendments are consistent
8 with RCW 36.70A.130(2)(a), which requires that comprehensive plan amendments
9 be considered no more frequently than once every year. The non-county initiated
10 amendments are scheduled for final consideration by the County Council according
11 to the requirements in chapter 30.74 SCC and are considered together with county-
12 initiated comprehensive plan amendments for final action no more frequently than
13 once per year. The amendments are consistent with RCW 36.70A.070, which
14 requires internal consistency within a comprehensive plan because the proposed
15 amendments maintain internal consistency between the GMACP FLU Map and the
16 official zoning map. The amendments are consistent with RCW 36.70A.100 and
17 36.70A.210, which require that a comprehensive plan be consistent with the Puget
18 Sound Regional Council (PSRC) Multicounty Planning Policies (MPPs) and the
19 Snohomish County Countywide Planning Policies (CPPs). The amendments are
20 consistent with the MPPs and the CPPs as analyzed and described in the
21 September 11, 2023, PDS staff report to the Planning Commission and in the
22 additional findings below.

23
24 E. The SW10 amendments advance the goals of the GMA in RCW 36.70A.020,
25 particularly RCW 36.70A.020(1) (Urban Growth), RCW 36.70A.020(2) (Reduce
26 Sprawl), RCW 36.70A.020(3) (Transportation), RCW 36.70A.020(4) (Housing), RCW
27 36.70A.020(9) (Open Space and Recreation), RCW 36.70A.020(10) (Environment),
28 RCW 36.70A.020(12) (Public Services and Facilities), and RCW 36.70A.020(14)
29 (Climate Change and Resilience), as the proposal would allow for a higher density mix
30 of residential and non-residential uses within the existing SWUGA, which is already
31 characterized by urban growth. The proposal site can be served by public water and
32 sanitary sewer service to accommodate the proposed high density mixed use. The
33 proposal site is also adequately served by a BRT line which is part of the regional high
34 capacity transportation system, while providing more efficient use of urban land and
35 reducing the need to convert open space and wildlife habitat to housing and related
36 infrastructure.

37
38 F. The SW10 amendments were analyzed for consistency with the MPPs. The SW10
39 amendments maintain consistency with the MPPs, including Regional Growth
40 Strategy Policies RGS-6 and RGS-8, by amending the GMACP FLU Map and the
41 official zoning map to optimize the urban residential and employment development
42 potential of the site, which is located in the High Capacity Transit Communities
43 regional geography and within 0.25 miles of a high-capacity transit station. The

1 amendments will encourage more compact and efficient urban development which
2 reduces demand for new public facilities and services.

3
4 G. The SW10 amendments were analyzed for consistency with the CPPs. The SW10
5 amendments maintain consistency with the CPPs, including CPP Development
6 Patterns Policy DP-14, by focusing growth within a compact Urban Center in an area
7 served by high-capacity transit, and consistent with CPP DP-42 by redesignating
8 Urban Industrial land that is no longer suitable for high-intensity industrial uses
9 because such uses are incompatible with mixed residential and commercial
10 development.

11
12 H. The SW10 amendments were analyzed for consistency with the GMACP policies.
13 The SW10 amendments maintain consistency with the GMACP Land Use Element
14 by adopting a reasonable measure to accommodate additional population and
15 employment growth within the existing UGA in a compact Urban Center within 0.25
16 miles of a high-capacity transit station.

17
18 I. Procedural requirements.

19
20 1. State Environmental Policy Act (SEPA) requirements with respect to this non-
21 project action have been satisfied through the completion of a Draft EIS
22 issued on September 6, 2023, and a Final EIS issued on _____, 2024.

23
24 2. This proposal is a Type 3 legislative action pursuant to SCC 30.73.010.

25
26 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance
27 was transmitted to the Washington State Department of Commerce for
28 distribution to state agencies on _____, 2024.

29
30 4. The public participation process used in the adoption of this ordinance
31 complied with all applicable requirements of the GMA and the SCC.
32 Notification was provided in accordance with SCC 30.73.050.

33
34 5. The Washington State Attorney General last issued an advisory
35 memorandum, as required by RCW 36.70A.370, in September of 2018
36 entitled "Advisory Memorandum: Avoiding Unconstitutional Takings of Private
37 Property" to help local governments avoid the unconstitutional taking of
38 private property. The process outlined in the State Attorney General's 2018
39 advisory memorandum was used by Snohomish County in objectively
40 evaluating the amendments proposed by this ordinance.

41
42 J. The ordinance is consistent with the record, including the PDS staff report to the
43 Planning Commission dated September 11, 2023. In its staff report, PDS concluded

1 the proposal met the criteria found in SCC 30.74.060 and, therefore, recommended
2 the proposal be approved.

3
4 Section 2. The County Council makes the following conclusions:

- 5
6 A. The amendments comply with all requirements of Washington State law and county
7 code.
8
9 B. The amendments are consistent with the MPPs.
10
11 C. The amendments are consistent with the CPPs.
12
13 D. The amendments are consistent with the goals, objectives, and policies of the
14 GMACP.
15
16 E. All SEPA requirements with respect to this non-project action have been satisfied.
17
18 F. The amendments do not result in an unconstitutional taking of private property for a
19 public purpose and do not violate substantive due process guarantees.
20

21 Section 3. The County Council bases its findings and conclusions on the entire
22 record of the Planning Commission and the County Council, including all testimony and
23 exhibits. Any finding which should be deemed a conclusion, and any conclusion which
24 should be deemed a finding, is hereby adopted as such.
25

26 Section 4. Map 1 (Future Land Use) of the GMACP Land Use Element, last
27 amended by Ordinance No. _____ on _____, is amended as
28 indicated in Exhibit A to this ordinance, which is attached hereto and incorporated by
29 reference into this ordinance.
30

31 Section 5. The official zoning map maintained pursuant to SCC 30.21.030 shall
32 be revised to reflect the zoning change adopted by the County Council as indicated in
33 Exhibit B to this ordinance, which is attached hereto and incorporated by reference into
34 this ordinance.
35

36 Section 6. The County Council directs the code reviser to update SCC 30.10.060
37 pursuant to SCC 1.02.020(3).
38

39 Section 7. Severability and Savings. If any section, sentence, clause, or phrase
40 of this ordinance shall be held to be invalid by the Growth Management Hearings Board
41 ("Board"), or unconstitutional by a court of competent jurisdiction, such invalidity or
42 unconstitutionality shall not affect the validity or constitutionality of any other section,
43 sentence, clause, or phrase of this ordinance. Provided, however, that if any section,

1 sentence, clause, or phrase of this ordinance is held to be invalid by the Board or court
2 of competent jurisdiction, then the section, sentence, clause, or phrase in effect prior to
3 the effective date of this ordinance shall be in full force and effect for that individual
4 section, sentence, clause, or phrase as if this ordinance had never been adopted.

5
6
7 PASSED this _____ day of _____, 2024.

8
9 SNOHOMISH COUNTY COUNCIL
10 Snohomish County, Washington

11
12 _____
13 Council Chair

14
15 ATTEST:

16
17 _____

- 18
19
20 () APPROVED
21 () EMERGENCY
22 () VETOED

23
24
25 DATE: _____

26
27 _____
28 County Executive

29
30 ATTEST:

31
32 _____

33 Approved as to form only:

34  _____ 3/18/24
35 Deputy Prosecuting Attorney

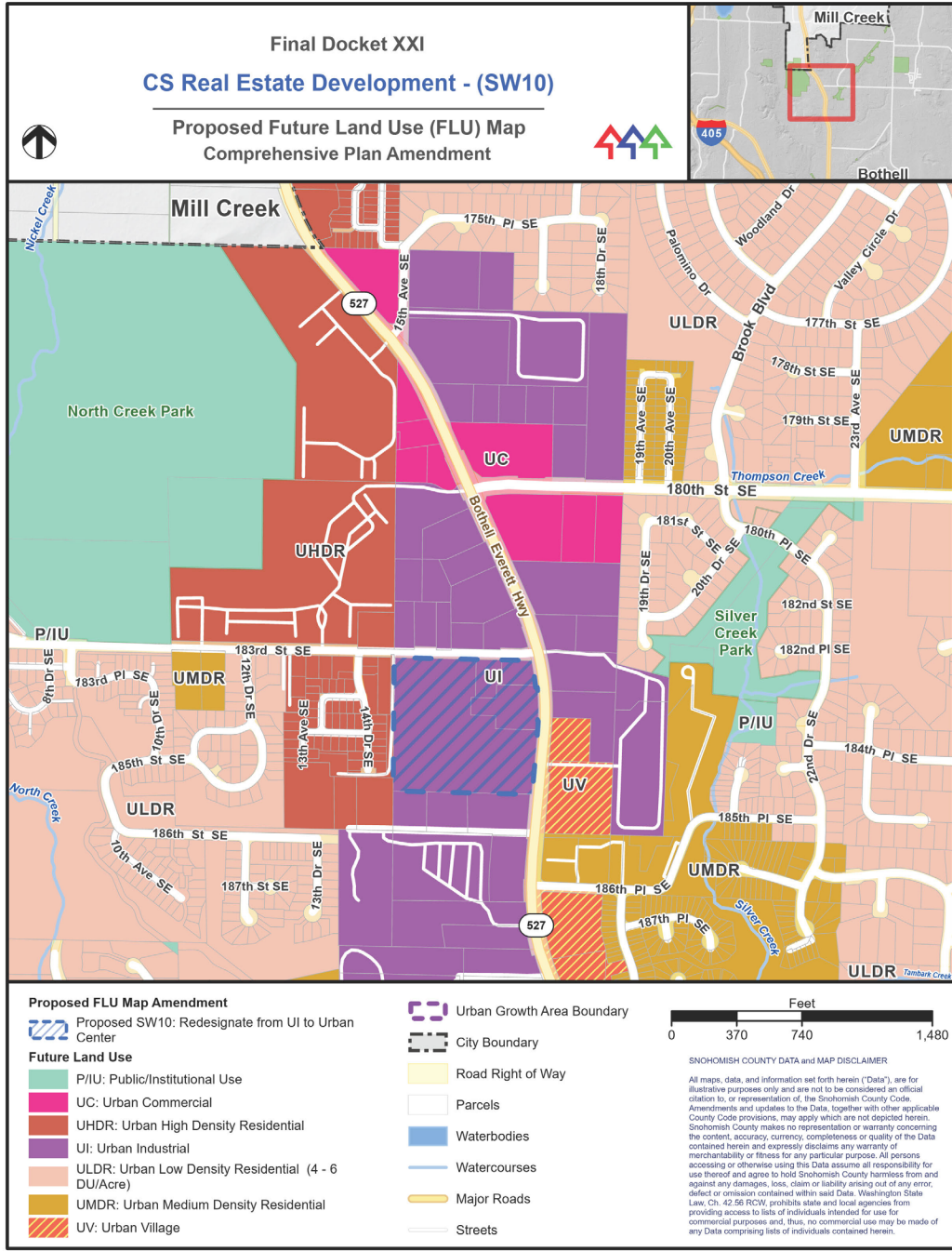
Exhibit A

Ordinance No. 24-027

Final Docket XXI

SW10 – CS Real Estate Development

Amendments to the FLU Map of the GMACP



ORDINANCE NO. 24-_____
RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN AND AMENDING THE OFFICIAL ZONING MAP TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP (SW10 – CS REAL ESTATE DEVELOPMENT)

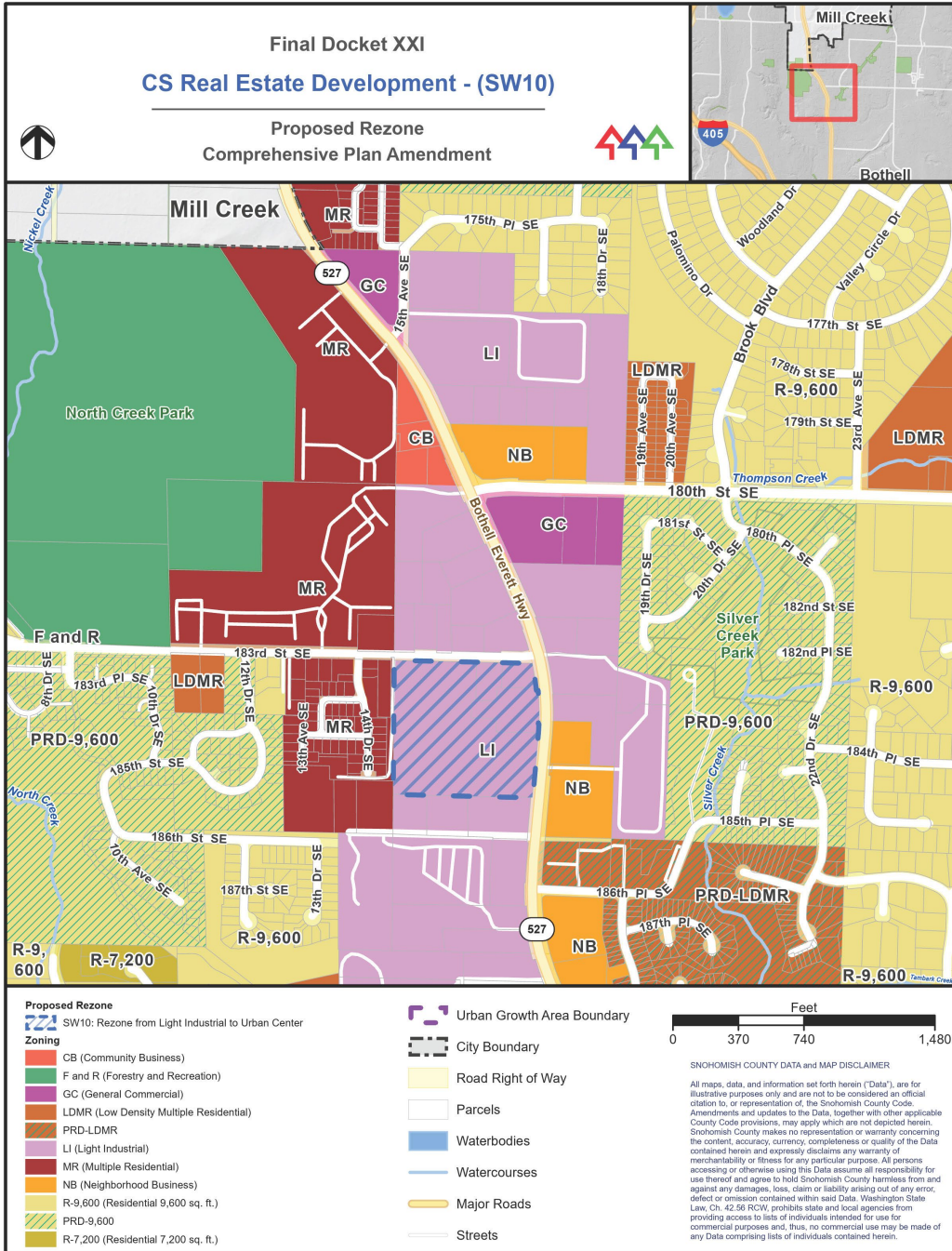
Exhibit B

Ordinance No. 24-027

Final Docket XXI

SW10 – CS Real Estate Development

Amendments to the Official Zoning Map



ORDINANCE NO. 24-_____
RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING
FUTURE LAND USE MAP AMENDMENTS TO THE SNOHOMISH
COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN AND
AMENDING THE OFFICIAL ZONING MAP TO IMPLEMENT CHANGES TO
THE FUTURE LAND USE MAP (SW10 – CS REAL ESTATE DEVELOPMENT)


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Dave Somers
County Executive
MEMORANDUM

TO: Jared Mead, Council Chair
 Nate Nehring, Council Vice-Chair
 Megan Dunn, Councilmember
 Sam Low, Councilmember
 Strom Peterson, Councilmember

FROM: Dave Somers, County Executive

DATE: March 26, 2024

SUBJECT: 2024 Comprehensive Plan Update County Executive Recommended Ordinances

The purpose of this memorandum is to describe and provide rationales for the differences between the the Executive's recommendations and those of the Planning Commission as they relate to Snohomish County's required periodic update of the Growth Management Act Comprehensive Plan. A total of eight ordinances (ECAFs) represent the Executive Recommendations.

The Snohomish County Planning Commission held a public hearing on October 24, 2023, to take testimony on the 2024 Update. A considerable amount of oral and written testimony was received. Deliberations and recommendations occurred on November 14 and 15. For reference, the Planning Commission's recommendations are attached in three letters dated January 16, 2024, and signed by the Chair.

The County Executive has reviewed the Planning Commission recommendations and considered public and staff input. For the most part the Commission made sound recommendations on amendments. However, there are a few instances enumerated in this memo where the Planning Commission recommended amendments that are difficult to support. It is important to note that should the County Council wish to consider a recommendation from the Planning Commission not included in the Executive recommendations it may introduce an amendment sheet prior to a public hearing(s).

Eight Executive Recommended Ordinances

A package of eight ordinances comprise the Executive Recommendation. These ordinances reflect four types of amendments to the comprehensive plan; text, map, County Council motion, and Docket. This approach to ordinances is consistent with past comprehensive plan updates. The ordinances are listed in order of consideration and adoption.

1. RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP AMENDMENTS TO THE (GMACP), AMENDING THE OFFICIAL ZONING MAP TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP, AND REVISING THE DARRINGTON URBAN GROWTH AREA (DR1-DARRINGTON).
2. RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN AND AMENDING THE OFFICIAL ZONING MAP TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP(SW10 – CS REAL ESTATE DEVELOPMENT)
3. RELATING TO THE GROWTH MANAGEMENT ACT, CONCERNING MAXIMUM BUILDING HEIGHTS; AMENDING SECTION 30.23.040 OF THE SNOHOMISH COUNTY CODE (SW12 – MIETZNER)
4. RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP AND MUNICIPAL URBAN GROWTH AREA MAP AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN, AMENDING THE OFFICIAL ZONING MAP TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP, AND REVISING THE SOUTHWEST URBAN GROWTH AREA (SW17 – TOWN OF WOODWAY)
5. RELATING TO THE GROWTH MANAGEMENT ACT; ADOPTING FUTURE LAND USE MAP AMENDMENTS TO THE (GMACP), AMENDING THE OFFICIAL ZONING MAP TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP, AND REVISING THE SOUTHWEST URBAN GROWTH AREA (MOTION NO. 22-134).
6. RELATING TO MANDATORY UPDATES OF THE (GMACP), PURSUANT TO RCW 36.70A.130; ADOPTING FUTURE LAND USE MAP AMENDMENTS TO THE COMPREHENSIVE PLAN.
7. RELATING TO MANDATORY UPDATES OF THE (GMACP), PURSUANT TO RCW 36.70A.130; AMENDING THE OFFICIAL ZONING MAP AS PART OF THE 2024 GMACP UPDATE.
8. RELATING TO MANDATORY UPDATES OF THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN, PURSUANT TO RCW 36.70A.130; ADOPTING TEXT, POLICY, AND MAP AMENDMENTS TO THE COMPREHENSIVE PLAN; AND ADOPTING AN URBAN GROWTH AREA LAND CAPACITY ANALYSIS.

The following pages contain a series of tables corresponding to one of the above listed Executive recommended ordinances. These tables: 1) Summarize the differences between the Planning Commission Recommendation and Executive Recommendation, and 2) Provide a rationale as to why the Executive is choosing to recommend an amendment(s) that differs from the Planning Commission's. Except where noted, the Planning Commission recommendations reflect comprehensive plan amendments which were proposed by staff as part of a series of briefings between March and September 2023.

Adopting text and policy amendments to the comprehensive plan

Element	Planning Commission Recommendation	Executive Recommendation	Comments
Introduction	Recommend approval as proposed by staff.	Same as Planning Commission.	
Population and Employment	Recommend approval as proposed by staff.	Same as Planning Commission except: <ul style="list-style-type: none"> 2044 population and employment growth targets are updated. 	The Executive recommended ordinance updates the 2044 Population and Employment Growth tables to reflect the Executive Recommendations on urban growth boundaries, account for pending development applications and updated capacity information, and address the higher than anticipated housing need projections from Commerce.
Land Use	Recommend approval as proposed by staff except: <ul style="list-style-type: none"> Amend LU Policy 14.A.7 to delete SFR and Townhouse Unit Lot Subdivisions from the list of exemptions requiring a TDR credit to gain additional density. MV2 docket repeals Objective LU 6.D and LU Policy 6.D.1 (as amendment sheet) Add two new policies, one each for the Agricultural and Forest Lands subelements of the Land Use Element, to conduct a comprehensive review of designated forest and agricultural lands of long-term significance. 	Same as Planning Commission except: <ul style="list-style-type: none"> Do not amend LU Policy 14.A.7. Do not repeal Objective LU 6.D and LU Policy 6.D.1. Amend LU Policy 6.A.1 to clarify the rural population growth monitoring methodology. 	The Executive recommended ordinance excludes: 1) The Planning Commission’s recommendation to amend LU Policy 14.A.7 because the use of TDR for single family and townhouse dwellings could impact the cost of housing, and 2) The repeal of LU 6.D and 6.D.1 as the Executive does not support the MV 2 docket application. It also ties the rural growth monitoring methodology to that which is established in the Countywide Planning Policies for consistency.
Housing	Recommend approval as proposed by staff except: <ul style="list-style-type: none"> Add a policy in the Housing Element to develop an incentive driven inclusionary housing and zoning policy in areas of multi-family. 	Same as Planning Commission except: <ul style="list-style-type: none"> Amend 2044 Housing growth targets. Adding a policy regarding support for the construction of new manufactured home communities. 	The Executive recommended ordinance: 1) Updates the 2044 Housing Growth tables to reflect the Executive Recommendations on urban growth boundaries, account for pending development applications and updated capacity information, and address the higher than anticipated housing need projections from Commerce and 2) adds a new policy regarding support for the construction of new manufactured home communities which can be a more affordable housing option.

Adopting text and policy amendments to the comprehensive plan

Element	Planning Commission Recommendation	Executive Recommendation	Comments
Transportation	<p>Recommend approval as proposed by staff except:</p> <ul style="list-style-type: none"> Revise the policy in the Transportation Element around the Road Safety Plan to review the Plan every two years, including revisions to speed limits. Amend the Transportation Element’s project list to add 43rd/45th extension, 240th St improvements, and intersection projects at 228th/45th Ave and 240th/45th Ave to the TE project list. These projects were added to address the impacts of corresponding UGA expansions. 	<p>Same as Planning Commission except:</p> <ul style="list-style-type: none"> Revise the policy in the Transportation Element about the Road Safety Plan to regularly review the Plan, including reviewing speed limits. Amend the Transportation Element’s project list to remove the 240th St SE, 156th St NE, and Forty-Five Rd improvements, add improvements for 8th Ave W, and a placeholder project for connecting the new railroad crossing at 156th St NE with Forty Five Rd. 	<p>The Executive recommended ordinance: 1) revises the Planning Commission policy requiring a review the Road Safety Plan keeping the intent of the Planning Commission recommendation while revising the language to be less challenging to implement, 2) changes the list of needed projects to reflect the Executive’s recommendations on UGA boundary adjustments, 3) adds a new project in the area of the future Mariner light rail station to improve bus rapid transit performance and connections to the planned light rail station, and 4) revises the TE project list to include a placeholder improvement project west of Marysville to accommodate the future I-5 interchange and railroad overcrossing at 156th St NE.</p>
Parks and Recreation	<p>Recommend approval as proposed by staff.</p>	<p>Same as Planning Commission.</p>	
Capital Facilities and Utilities	<p>Recommend approval as proposed by staff.</p>	<p>Same as Planning Commission, except:</p> <ul style="list-style-type: none"> Revise Goal CUE 1 to spell out Hazard Mitigation Plan (HMP). Revise Objective CUE 1.A.5 to emphasize coordination with service providers. Revise Objective CUE 1.A.6 to include language for consistency with the Land Use Element. Add CUE Policy 3.A.5 related to Cathcart that was GPP CF Policy 1.B.4. Revise Objective CUE 4.C.4 to add the phrase “where feasible” as it relates to efforts to remove structures in high hazard zones. Revise Objective CUE 4.E.6 to add the phrase “to limit or” as it relates to no net loss of agricultural land from habitat restoration projects. Revise Table 2-5 regarding County owned facilities to change Edmonds and Everett Supportive Housing to Edmonds and Everett New Start Center. Revise Table 2-6 to remove “ATS” from 10012 Hangar Ptn. C-1, delete “BLR” from 3102 C-5, and delete the entry for 10204 Jet Deck C-57. Public water supply – narrative: Revise language regarding the North Snohomish County Coordinated Water System Plan (CWSP) to update the title for the County’s Health Department, add reference to 	<p>The Executive recommended ordinance contains the revisions to the CUE listed in the adjacent column.</p>

Adopting text and policy amendments to the comprehensive plan

Element	Planning Commission Recommendation	Executive Recommendation	Comments
		<p>the Critical Water Service Supply Area, and update RCW citation.</p> <ul style="list-style-type: none"> Water Provider Table: Revise to correct latest water plan amendments for Bothell water plan to 2021; City of Lynnwood to 2018 (latest amendment); For Seven Lakes Water – added language regarding moratorium and that the 2013 plan has expired and is being updated.; City of Snohomish to 2011 from 2020 based info from City; PUD latest water plan to 2021; Three Lakes to 2023. Wastewater narrative: Revise to update 80 percent to 85 percent for when plant reach a threshold for capacity/design per NPDES permit. Wastewater/Sewer Provider table: Revise to update Bothell plan to 2018 and added language that the City does not own wastewater treatment facilities it conveys to King County; updated City of Sultans latest plan to 2019. Revised all maps to remove “DRAFT” watermark and update titles. Updated table of contents to list out maps and update. 	
Economic Development	Recommend approval as proposed by staff.	Same as Planning Commission.	
Natural Environment	Recommend approval as proposed by staff.	<ul style="list-style-type: none"> Same as Planning Commission except: Amend Policy NE 9.A.2 to replace “38%” with “no net loss.” 	The Executive recommended ordinance includes an amendment to Policy NE 9.A.2 to reflect language that was: 1) Contained in Amended Motion No. 22-096 and 2) Has support from a coalition of key parties.
Interjurisdictional Coordination	Recommend approval as proposed by staff.	Same as Planning Commission.	
Climate Change and Resiliency	Recommend approval as proposed by staff.	<p>Same as Planning Commission except:</p> <ul style="list-style-type: none"> Add new CRE Policy 2.B.7 related to energy conservation and recycling that was GPP NE Policy 10.B.6. Revise maps to remove “DRAFT” watermark. Revise Table of contents to list out maps. 	The Executive recommended ordinance contains the revisions to the CRE listed in the adjacent column.
Tribal Coordination	<p>Recommend approval as proposed by staff except:</p> <ul style="list-style-type: none"> Add two new policies to the Tribal Coordination Element regarding tidelands and water. 	<p>Same as Planning Commission except:</p> <ul style="list-style-type: none"> Add two new policies TC 2.B.4 and TC 2.C.2 to the Tribal Coordination Element regarding tidelands and water (slightly different language than PC). 	The Executive recommended ordinance includes alternative language that retains the intent of the Planning Commission recommendation but will be less challenging to implement.

Adopting text and policy amendments to the comprehensive plan

Element	Planning Commission Recommendation	Executive Recommendation	Comments
Urban Core Subarea Plan	Recommend approval as proposed by staff.	Same as Planning Commission except: <ul style="list-style-type: none"> Amend the Urban Core Subarea Plan update information on employment, climate change and the list of transportation projects to add 8th Ave W project (see notes on the Transportation Element above). 	The Executive recommended ordinance includes: 1) The addition of UC Table 2-4 that shows the 2020-2022 total employment by MUGA (municipal urban growth area) portions of the Urban Core Subarea, 2) A revision to UC Map 3-1 the map has been amended to change an area south of 148th St and west of 52nd Av from “gap areas not claimed by any city” to “Lynnwood MUGA.”, 3) The addition to narrative and UC Policies 4.5 and 4.6 that expands the principles of sustainability and green building practices to include Leadership in Energy and Environmental Design (LEED) and Build Green, 4) A revision to UC Map 5-1 the future land use (FLU) designation for an area north of Center Rd and east of Hwy 99 has been changed from “Light Rail Community” to “Mixed Use Corridor,” and 5) add improvements to 8 th Ave W to the list of transportation projects.
Appendices	Recommend approval as proposed by staff.	Same as Planning Commission except: <ul style="list-style-type: none"> Update List of Appendices Update Appendix E Update Appendix I. 	

Adopting Future Land Use Map Amendments to the comprehensive plan

Planning Commission Recommendation	Executive Recommendation	Comments
Recommend approval of Alternative 2 Future Land Use Map except: <ul style="list-style-type: none"> Add 80 acres south of Maltby Rd to the SW UGA Motion No. 22-134 expansion. Add SW 10 Docket application for new Urban Center inside SW UGA. Add MV2 Docket application to the Marysville UGA. Add Motion No. 22-098 + MALT 1 Docket application to the Maltby UGA. The DR 1 docket application was not recommended but recommended that Darrington work with County on a revised proposal. 	Recommend approval of Alternative 2 Future Land Use Map except: <ul style="list-style-type: none"> Add 80 acres south Maltby Rd to the SW UGA Motion No. 22-134 expansion. Add SW 10 Docket application for new Urban Center inside SW UGA. Change six acres near Airport Rd/SR 99 from Urban Center to Mixed Use Corridor. Include revised DR 1 application UGA swap proposal. 	The Executive recommended ordinance excludes: 1) MV 2 Docket application as a reasonable measures analysis has not been completed to support expansion of the Marysville UGA, 2) Motion No. 22-098 and the MALT 1 Docket application as forecasted employment growth for the Maltby UGA does support a need for a UGA expansion, 3) Includes a change from Urban Center to Mixed Use Corridor for six acres near Airport Rd/State Route 99 north of Center Road to create a more logical plan designation boundary.

Amending the official zoning map as part of the 2024 GMACP Update

Planning Commission Recommendation	Executive Recommendation	Comments
Recommend approval of Alternative 2 Zoning Map except: <ul style="list-style-type: none"> Add 80 acres south of Maltby Rd to the SW UGA Motion No. 22-134 expansion. Add SW 10 Docket application for Urban Center rezone inside 	Adopt Alternative 2 Zoning Map except: <ul style="list-style-type: none"> Add 80 acres south Maltby Rd to the SW UGA Motion No. 22-134 expansion. Add SW 10 Docket application for Urban Center 	The Executive recommended ordinance excludes: 1) MV 2 Docket application as a reasonable measures analysis has not been completed to support expansion of the Marysville UGA, 2) Motion No. 22-098 and the MALT 1 Docket application as forecasted employment growth for the Maltby UGA does support a need for a UGA expansion, 3) Includes a change from Urban Center to Mixed Use Corridor zoning for six acres near

Planning Commission Recommendation	Executive Recommendation	Comments
SW UGA. <ul style="list-style-type: none"> • Add MV2 Docket application to the Marysville UGA. • Add Motion No. 22-098 + MALT 1 Docket application to the Maltby UGA. • The DR 1 docket application was not recommended but recommended that Darrington work with County on a revised proposal. 	rezone inside SW UGA. <ul style="list-style-type: none"> • Change six acres near Airport Rd/State Route 99 from Urban Center to Mixed Use Corridor. • Include revised DR 1 application UGA swap proposal. 	Airport Rd/State Route 99 north of Center Road to create a more logical zoning boundary.

Amending the zoning map to implement changes to the Future Land Use Map, and revising the Darrington Urban Growth Area (DR1-Darrington)

Planning Commission Recommendation	Executive Recommendation	Comments
Continue to work with the Town of Darrington on a UGA swap (exclude Alt 2 version from FLU Map and Zoning).	Adopt a GMA compliant UGA swap for the Darrington UGA.	The Executive recommended ordinance contains a UGA swap that has been negotiated with the Town of Darrington and complies with state law, and regional and countywide planning policies.

Amending the zoning map to implement changes to the Future Land Use Map, and revising the Southwest Urban Growth Area (Motion No. 22-134)

Planning Commission Recommendation	Executive Recommendation	Comments
Recommend approval of Motion No. 22-134 plus approximately 80 acres south of Maltby Road, north of 215 th St, west of powerline.	Same as Planning Commission.	N/A

Amending the zoning map to implement changes to the Future Land Use Map, and revising the Southwest Urban Growth Area (SW 10-CS Real Estate)

Planning Commission Recommendation	Executive Recommendation	Comments
Recommend approval.	Same as Planning Commission recommendation.	N/A

Amending Chapter 30.23 of the Snohomish County Code (SW12 – Mietzner)

Planning Commission Recommendation	Executive Recommendation	Comments
Recommend approval.	Same as Planning Commission.	N/A

Amending the zoning map to implement changes to the Future Land Use Map, and revising the Southwest Urban Growth Area (SW17-Town of Woodway)

Planning Commission Recommendation	Executive Recommendation	Comments
Recommend approval.	Same as Planning Commission.	N/A

Reformatting the GMA Comprehensive Plan

In addition to making necessary and required amendments to the County's comprehensive plan, the document underwent an extensive reformatting process, the first since the initial adoption in 1995. This included merging the current four separate documents (General Policy Plan, Transportation Element, Park and Recreation Element and Capital Facilities Plan) into one document. Consistent formatting of fonts, header/footers, headings, tables and maps along with the addition of color photographs represent a much improved and more useable document.

The exhibits attached to the ordinance amending the comprehensive plan indicate amendments to the [list the elements being amended] shown in underline/strikethrough. However, for the Transportation, Parks and Recreation, and Capital Facilities and Utilities Elements as well as the Introduction and select Appendices the reformatting changes were so extensive they required a complete repeal and replace. For the three new elements, Climate Change and Resiliency, Tribal Coordination, and the Urban Core Subare Plan all text is new and therefore not shown in underline.

Attachments:

Planning Commission Recommendation Letters dated January 16, 2024.

cc:

Ken Klein, Executive Director
Mike McCrary, PDS Director
David Killingstad, PDS Long Range Planning Manager
Ryan Countryman, Legislative Analyst



Snohomish County

SNOHOMISH COUNTY PLANNING COMMISSION

January 16, 2024

Snohomish County Council
County Administration Building
3000 Rockefeller Avenue, M/S 609
Everett, WA 98201-4046

SUBJECT: Planning Commission recommendation on Final Docket XXI

Snohomish County Council,

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendations regarding the Final Docket XXI proposed amendments to the Snohomish County Growth Management Act Comprehensive Plan (GMACP) policies and Future Land Use (FLU) Map, zoning, and Snohomish County Code (SCC). The Planning Commission had briefings on the Final Docket XXI proposals on September 12, 2023, and conducted a public hearing on October 24, 2023. Deliberations were held on November 14 and 15, 2023.

Consistent with the requirements for processing of the final docket in SCC 30.74.060, the Planning Commission makes the following recommendations to the Snohomish County Council, which are supported by findings of facts and conclusions after considering testimony and information presented during the public hearing process.

PLANNING COMMISSION RECOMMENDATIONS

- **DR1 – Town of Darrington:** A motion was made by Commissioner Campbell recommending the Town of Darrington continue to work with County staff on a docket application that can meet final approval criteria [Motion approved 9-0.] The recommendation is based on the findings in the September 11, 2023, PDS staff report and public testimony that the proposal as studied for the Draft Environmental Impact Statement (DEIS) and evaluated for the staff recommendation is inconsistent with the Growth Management Act (GMA), the Multicounty Planning Policies (MPPs), the Countywide Planning Policies (CPPs), and the Snohomish County GMACP policies and should be denied. The DR1 docket as evaluated is a proposal to amend the FLU Map of the Snohomish County GMACP to:
 - remove 262 acres from the western part of the Urban Growth Area (UGA) and redesignate from Urban Low Density Residential-3 (ULDR-3), Urban Industrial (UI), and Public/Institutional Use (P/IU) to Rural Residential-Rural Diversification (RR-RD), Commercial Forest-Forest Transition Area (CF-FTA), and Rural Industrial (RI), and rezone the area from Heavy Industrial (HI) and R-12,500 to Rural Diversification (RD), Forestry (F), and Rural Industrial (RI);
 - add 160 acres to the north of the UGA and redesignate from Low Density Rural Residential (LDRR), CF-FTA, RI, and RR-RD and Rural/Urban Transition Area (RUTA) overlay to P/IU, UI, and ULDR-3, and rezone the area from F, RD, and RI to R-12,500 and HI; and

- add 7.8 acres to the south of the UGA and redesignate from Rural Residential-10-Resource Transition (RR-10-RT) and Rural Residential-5 (RR-5) to ULDR-3 and rezone the area from RD to R-12,500.
- **LS2 – City of Lake Stevens: No recommendation** [Motion to recommend approval failed 5-4] was made on a proposed expansion of the east boundary of the Lake Stevens UGA and redesignation of 3.42 acres from Rural Residential (RR) and RUTA to UI. The proposal calls for rezoning the subject property from Rural 5-Acre (R-5) zoning to HI. The Planning Commission considered the findings in the September 11, 2023, PDS staff report that the proposal is inconsistent with GMA, the MPPs, the CPPs, and the GMACP policies.
- **MALT1 – Vangemert: Recommend Approval** [Motion approved 9-0] of a proposed expansion of the Maltby UGA and redesignation of 10.7 acres from RR to UI. The proposal calls for rezoning the subject property from R-5 zoning to Light Industrial (LI). The Planning Commission considered the findings in the September 11, 2023, PDS staff report that the proposal is not fully supported by GMA, the MPPs, the CPPs, and the GMACP policies. The Planning Commission based its recommendation on the public testimony recommending approval.
- **MON2 – Davis-Johnson: No recommendation** [Motion to recommend denial failed 4-5] was made on a proposed expansion of the northern boundary of the Monroe UGA and redesignation of 22 acres from RR and RUTA to Urban Low Density Residential (ULDR). The proposal also calls for rezoning the subject property from R-5 to R-9,600 zoning. The Planning Commission considered the findings in the September 11, 2023, PDS staff report that the proposal is inconsistent with GMA, the MPPs, the CPPs, and the GMACP policies.
- **MV2 – Northpoint Development, LLC: Recommend Approval** [Motion approved 6-3] of a proposed expansion of the eastern boundary of the Marysville UGA and redesignation of approximately 183 acres from Rural Residential-10 (RR-10) to UI. The proposal calls for rezoning the subject property from Agriculture-10 Acre (A-10) to LI. The MV2 docket also calls for the following two policy amendments:

Repeal Objective LU 6.D

Designate Rural Residential-10 in 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.

The Planning Commission considered the findings in the September 11, 2023, PDS staff report that the proposal is not fully supported by GMA, the MPPs, the CPPs, and the GMACP policies. The Planning Commission based their recommendation on the public testimony received recommending approval.


- **SW10 – CS Real Estate Development, LLC: Recommend Approval** [Motion approved 9-0] of a proposed redesignation of 14 acres within the Southwest UGA from UI to Urban Center. The proposal calls for rezoning the subject property from LI to Urban Center. The recommendation is based on the findings in the September 11, 2023, PDS staff report.
- **SW12 – Mietzner: Recommend Approval** [Motion approved 9-0] of a proposed amendment to SCC 30.23.040(14) to expand the area east of SR 99 right-of-way and north of SR 525 and south of the City of Everett, from 800 feet to 2,000 feet, in which maximum height limits of 75 feet apply for multi-family residential development. The recommendation is based on the findings in the September 11, 2023, PDS staff report.
- **SW14 – Petrie: Recommend Denial** [Motion approved 9-0] of a proposed expansion of the eastern boundary of the Southwest UGA and redesignation of 10.75 acres from RR and RUTA to

Urban Medium Density Residential (UMDR). The proposal calls for rezoning the subject property from R-5 to Low Density Multiple Residential (LDMR). The recommendation is based on the findings in the September 11, 2023, PDS staff report.

- **SW17 – Town of Woodway: Recommend Approval** [Motion approved 9-0] of a proposed expansion the western boundary of the Southwest UGA and Woodway MUGA to: 1) add the 1,607 acres of Town of Woodway’s remaining incorporated area which lies within Puget Sound; and 2) add the 2.99 acres of deep-water pier at Point Wells, designate the pier as Urban Village on the FLU Map, and zone the pier as Planned Community Business (PCB). The recommendation is based on the findings in the September 11, 2023, PDS staff report.

These recommendations were made following the close of the public hearing in October, including written testimony submitted prior to close-of-business on October 31, 2023, and after due consideration of the information presented and is based on the findings and conclusions presented in the numerous staff reports, public comments, and Commission discussion.

Respectfully submitted,


[Robert Larsen \(Jan 16, 2024 18:07 PST\)](#)

SNOHOMISH COUNTY PLANNING COMMISSION
Robert Larsen, Chairman

Attachments:

Planning Commission Minutes of October 24 and November 14 and 15, 2023

cc: Dave Somers, Snohomish County Executive
Mike McCrary, Director, Planning and Development Services



SNOHOMISH COUNTY PLANNING COMMISSION

January 16, 2024

Snohomish County Council
County Administration Building
3000 Rockefeller Avenue, M/S 609
Everett, WA 98201-4046

SUBJECT: Planning Commission recommendation on the 2024 Map Amendments to the Snohomish County Growth Management Act Comprehensive Plan

Dear Snohomish County Council:

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendations regarding amendments to the Future Land Use (FLU) Map, zoning, and Municipal Urban Growth Area (MUGA) Map as part of the 2024 Update of the Snohomish County Growth Management Act Comprehensive Plan (GMACP). The Planning Commission had a briefing on the map alternatives on September 12, 2023, and conducted a public hearing on October 24, 2023. Deliberations were held on November 14 and 15, 2023.

There were hundreds of written comments received by the Planning Commission, and 67 members of the public commented at the public hearing. The Planning Commission makes the following recommendations to the Snohomish County Council, which are supported by the information and draft findings in the staff reports dated September 11, 2023, and October 10, 2023, and findings and conclusions after considering testimony and information presented during the public hearing process.

PLANNING COMMISSION RECOMMENDATION

On the first day of deliberations, the Planning Commission made motions about an overall recommended growth alternative, as well as specific County Council-initiated map amendments in motions referred by the County Council for study as part of the 2024 Update, and public docket requests that were part of Final Docket XXI. The Planning Commission recommendations on the Final Docket XXI are detailed in a separate letter.

Future Land Use Alternative: A **motion** was made by Commissioner Campbell and Seconded by Commissioner Sheldon to recommend Alternative 2 [Approved 6-3]. Alternative 2 from the Draft Environmental Impact Statement (DEIS) includes the following FLU Map Amendments:

- Urban Core Subarea Plan FLU Map
- Infill review-proposed FLU Map amendments within the High Capacity Transit Communities regional geography
- Several proposals from Final Docket XXI
- One County Council-initiated Urban Growth Area (UGA) expansion
- Minor technical amendments

Alternative 2 also includes implementing zoning amendments and amendments to the MUGA map consistent with the changes to the Southwest UGA boundary. It is a medium growth alternative that is

generally consistent with the adopted initial 2044 growth targets developed by Snohomish County Tomorrow and adopted by the County Council in the Countywide Planning Policies.

Note that the recommendations on the following specific County Council-initiated map amendments and the individual Final Docket XXI requests may modify the Alternative 2 FLU Map, zoning, MUGA Map, and growth targets to form the Planning Commission recommended alternative.

County Council Motion No. 22-090 Referring a Proposed Expansion of the Southwest UGA: No recommendation was made on a proposed expansion of the east boundary of the Southwest UGA to add 789 acres generally using the Puget Sound Power & Light/Olympic Pipeline utility corridor as an eastern boundary for a variety of residential and Public/Institutional Use (P/IU) FLU designations, with implementing zoning. A motion was made by Commissioner Ash recommending adoption of Motion No. 22-090 and was seconded by Commissioner Brown [Motion failed 5-4]. Motion No. 22-090 was not included in Alternative 2 analyzed within the DEIS.

County Council Motion No. 22-095 Referring a Proposed Expansion of the Lake Stevens UGA: No recommendation was made on a proposed expansion of the Lake Stevens UGA to add 313.5 acres in three areas to the west, south, and east of the existing UGA boundary for Urban Low Density Residential (ULDR), Urban Commercial, and P/IU uses with implementing zoning. A motion to recommend approval of Motion No. 22-095 was made by Commissioner Sheldon and was seconded by Commissioner Ash [Motion failed 5-4]. Motion No. 22-095 was not included in Alternative 2 analyzed within the DEIS.

County Council Motion No. 22-098 Referring a Proposed Expansion of the Maltby UGA: Recommend Approval of a proposed expansion of the Maltby UGA to add a total of 255 acres plus additional right-of-way in three areas northwest, southeast, and a small amendment west of the existing UGA for P/IU, Urban Industrial (UI) and Urban Commercial uses with implementing zoning. A motion recommending approval for Motion No. 22-098 was made by Commissioner Ash and was seconded by Commissioner Niemela [Approved 9-0]. Motion No. 22-098 was not included in Alternative 2 analyzed within the DEIS, so this represents a modification to Alternative 2 for the Planning Commission recommended alternative. The Planning Commission's recommendation was based on public testimony.

County Council Motion No. 22-099 Referring a Proposed Expansion of the Monroe UGA: No recommendation was made on a proposed expansion to the northwestern part of Monroe UGA by 68 acres between US-2 and Roosevelt Rd with redesignation on the FLU Map from Rural Residential (RR) and Rural/Urban Transition Area (RUTA) overlay to ULDR, with implementing zoning. A motion to recommend approval of Motion No. 22-099 was made by Commissioner Sheldon and was seconded by Commissioner Sievers [Motion failed 5-4]. Motion No. 22-099 was not included in Alternative 2 analyzed within the DEIS.

County Council Motion No. 22-134 Referring a Proposed Expansion of the Southwest UGA: Recommend Approval as Amended of a proposed expansion of the Southwest UGA in the proximity of Maltby Rd and 43rd Ave SE. The original proposal was to expand the UGA by approximately 300 acres and redesignate it to Urban Medium Density Residential (UMDR) and P/IU FLU designations with Low Density Multiple Residential (LDMR) and R-9,600 zoning. A motion to amend the main motion was made by Commissioner Busted to include all areas with R-5 zoning north of 215th to Maltby Road be included from Motion No. 22-090 and was seconded by Commissioner Sheldon [Approved 7-2]. A motion to recommend approval of Motion No. 22-134 was made by Commissioner Sheldon and was seconded by Commissioner Ash [Approved 8-1]. Motion No. 22-134 was included in Alternative 2 analyzed within the DEIS, and the amended area represents a modification to Alternative 2 for the Planning Commission recommended alternative. The Planning Commission's recommendation was based on the staff reports dated September 11, 2023, and October 10, 2023, and public testimony.


Final Docket XXI: A separate letter was prepared detailing the recommendations on each of the Final Docket XXI proposals. The following docket requests were recommended for approval and included in the Planning Commission recommended alternative:

- MALT1 – Vangemert (this was not included in Alternative 2)
- MV2 – Northpoint Development, LLC (this was not included in Alternative 2)
- SW10 – CS Real Estate Development, LLC (this was not included in Alternative 2)
- SW12 – Mietzner
- SW17 – Town of Woodway

Docket DR1 – Town of Darrington was not recommended for approval and was included in Alternative 2, so that is a modification for the Planning Commission recommended alternative. The Planning Commission did recommend that the Town continue to work with the County to develop a proposal that can be approved. No recommendations were made on the LS2 – City of Lake Stevens and the MON2 – Davis-Johnson proposals, both of which were not included in Alternative 2. The Planning Commission recommended denial for the SW14 – Petrie docket proposal, which was not included in Alternative 2.

These recommendations were made following the close of the public hearing in October, including written testimony received by October 31, 2023, and after due consideration of the information presented and is based on the findings and conclusions presented in the staff reports, public comments, and Commission discussion.

Respectfully submitted,


Robert Larsen (Jan 16, 2024 18:20 PST)

SNOHOMISH COUNTY PLANNING COMMISSION
Robert Larsen, Chairman

Attachments:

Planning Commission Minutes of October 24 and November 14 and 15, 2023

cc: Dave Somers, Snohomish County Executive
Mike McCrary, Director, Planning and Development Services



SNOHOMISH COUNTY PLANNING COMMISSION

January 16, 2024

Snohomish County Council
County Administration Building
3000 Rockefeller Avenue, M/S 609
Everett, WA 98201-4046

SUBJECT: Planning Commission Recommendation on the Elements of the Snohomish County Growth Management Act Comprehensive Plan

Dear Snohomish County Council:

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendations regarding the Elements of the Snohomish County Growth Management Act Comprehensive Plan (GMACP). The Planning Commission had briefings on each element of the GMACP from March 28, 2023, through September 26, 2023, and conducted a public hearing on October 24, 2023. Deliberations were held on November 14 and 15, 2023.

The recommendation includes three new elements, four repeal and replacements for elements and the Introduction, and amendments to the remaining six elements.

There were hundreds of written comments received by the Planning Commission, and 67 members of the public commented at the public hearing.

PLANNING COMMISSION RECOMMENDATION

On the second day of deliberations, the Planning Commission made motions about each of the 12 GMACP elements, the introduction and appendices, and a final motion to instruct staff to compile all amendments into one document and make housekeeping updates as necessary. The elements, proposed amendments, findings for amendments, and votes are listed below:

Transportation Element: Commissioner Campbell moved to recommend approval, seconded by Commissioner Sheldon. Approved 7-0 with one amendment

- Amendment moved by Commissioner Sheldon, seconded by Campbell (Approved 6-1 with Niemela opposed): Add a policy to review the road safety plan including speed limits using TR policy 2.B.3 to be reviewed every two years.
- Amendment Finding: Commissioners have witnessed reckless driving, and this policy could help implement positive change. Additionally reducing speed limits, can reduce the use of gas and be an aid to climate change resiliency.

Park and Recreation Element: Commissioner Sheldon moved to recommend approval, and Commissioner Campbell seconded. Approved 8-0.

Capital Facilities and Utilities Element: Commissioner Campbell moved to recommend approval, and Commissioner Ash seconded. Approved 8-0.

Population and Employment Element: Commissioner Sheldon moved to recommend approval, and Commissioner Campbell seconded. Approved 8-0.

Economic Development Element: Commissioner Sheldon moved to recommend approval, Commissioner Ash seconded. Approved 8-0.

Interjurisdictional Coordination Element: Commissioner Sheldon moved to recommend approval, seconded by Commissioner Brown. Approved 8-0.

Land Use Element: Commissioner Sheldon moved to recommend approval, Commissioner Brown seconded. Approved 8-0 with two amendments:

- Amendment moved by Commissioner Campbell and seconded by Commissioner Brown: Add a policy to conduct a comprehensive review of designated forest and agricultural lands of long-term significance. The review shall identify important parcels of forest and agricultural lands and downzone those parcels that qualify in the property tax codes for such purposes and to reduce the likelihood that these lands will be converted to housing and rural clusters. The review should also recommend measures to reduce the conversion of these lands to non-forest and non-agricultural uses.
- Amendment Finding: The county has lost tremendous agricultural and forest lands since 1990s and the agricultural and forest land designations of long-term commercial significance create an avenue for the preservation of the resource lands.
- Amendment moved by Commissioner Campbell and seconded by Commissioner Busted: Repeal the provision in 14.A.8(d) that exempts properties designated or zoned for single family residential and townhouse unit lot subdivisions from TDR receiving areas.
- Amendment Finding: TDR is an important component to preserve working farms and forest lands and removing single family exceptions from becoming a receiving area would conserve more working lands.
- A third amendment is included within the recommended approval for docket MV2 described in the Planning Commission Recommendation Letter from day one of deliberations.

Housing Element: Commissioner Sheldon moved to recommend approval, Commissioner Campbell seconded. Approved 8-0 with one amendment:

- Amendment moved by Commissioner Campbell and seconded by Commissioner Sheldon: Add a policy Snohomish County to develop an incentive driven inclusionary housing and zoning policy in areas of multi-family housing to encourage that a mix of housing is created in areas of infill development and public transit.
- Amendment Finding: There is no affordable housing in SWUGA, and this will provide a strong tool to help create it and meet goals.

Natural Environment Element: Commissioner Campbell moved to recommend approval, Commissioner Ash seconded. Approved 8-0.

Climate Change and Resiliency Element: Commissioner Sheldon moved to recommend approval, Commissioner Campbell seconded. Approved 8-0.

Urban Core Subarea Plan: Commissioner Campbell moved to recommend approval, Commissioner Sheldon seconded. Approved 8-0.

Tribal Coordination Element: Commissioner Sheldon moved to recommend approval, Commissioner Brown seconded. Approved 8-0 with two amendments:

- Amendment moved by Commissioner Sheldon and seconded by Commissioner Campbell: Add a policy to encourage future discussion of tribal jurisdiction on tidal lands within the reservation boundaries and refer to applicable tribal law.


- Amendment Finding: The recommended approval of docket SW17 docket on day 1 of deliberations, adjusted the UGA to include the pier and water. This amendment would discuss a similar extension of Tribal jurisdiction into tidelands.
- Amendment moved by Commissioner Sheldon and seconded by Commissioner Campbell: Add a policy to encourage future discussion of Tribal jurisdiction over waters, including groundwater, surface water and public water distribution systems “within” the reservation boundaries and refer to applicable tribal law and policy over such waters.
- Amendment Finding: The discussion and approval of the amendment related to tribal jurisdiction on tidal lands within the reservation boundaries led to further discussion about protecting tribal sovereign and treaty rights. This amendment would discuss future engagement with tribal planning partners on the topic of water and water rights in service of this concept.

Introduction and Appendices: Commissioner Campbell moved to recommend approval, Commissioner Brown seconded. Approved 8-0.

Final Motion: Instruct staff to compile all of Planning Commission amendments into final documents and 1) adjust comprehensive plan elements to match our recommended land use alternative, and 2) make necessary changes to ensure internal consistency between individual elements. Approved 8-0.

These recommendations were made following the close of the public hearing in October after due consideration of the information presented and are based on the findings and conclusions presented in the numerous element staff reports, public comments, and Commission discussion.

Respectfully submitted,


Robert Larsen (Jan 18, 2024 19:41 PST)

SNOHOMISH COUNTY PLANNING COMMISSION
Robert Larsen, Chairman

cc: Dave Somers, Snohomish County Executive
Mike McCrary, Director, Planning and Development Services



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

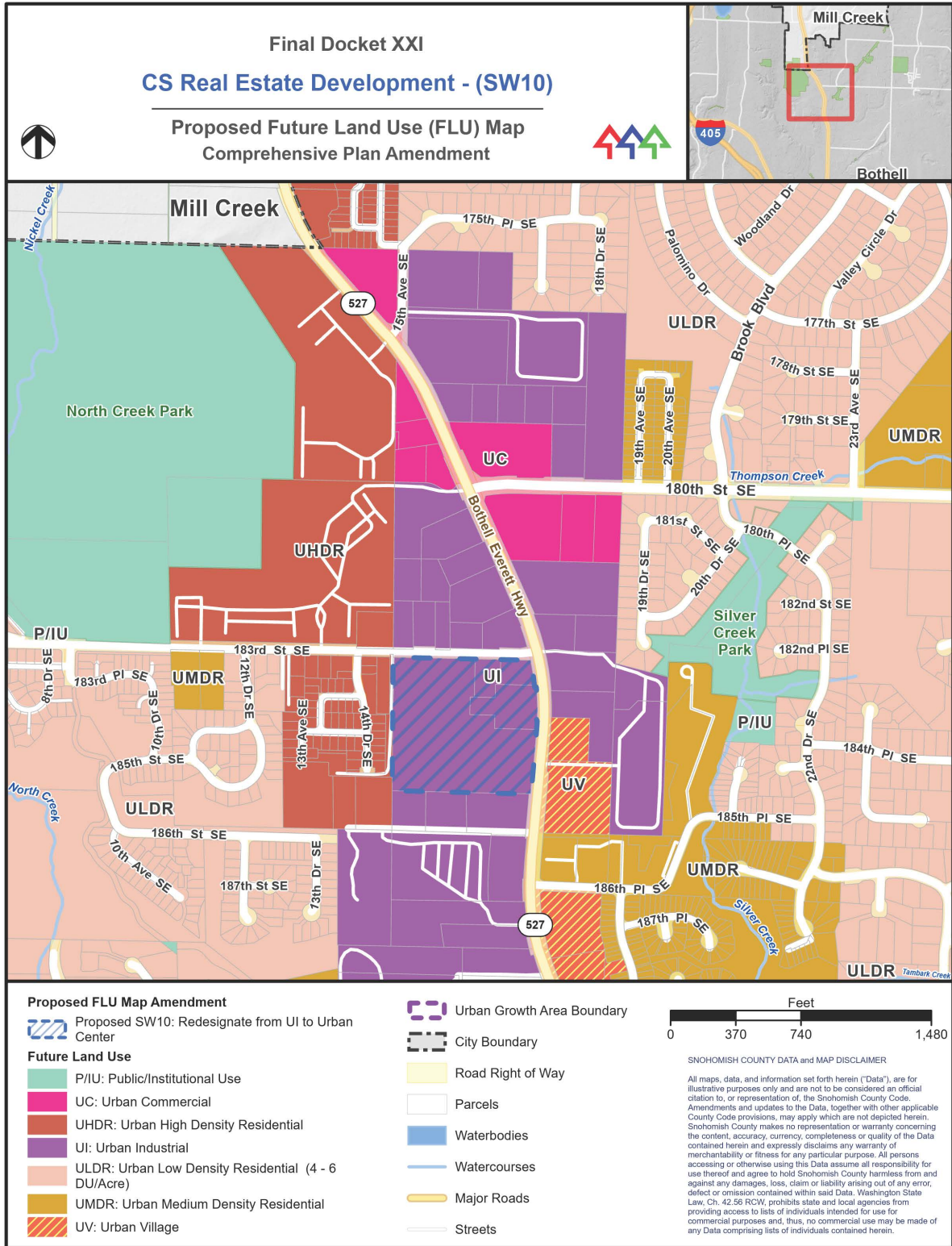
The Planning Commission is requested to hold a public hearing, consider the proposed SW10 amendments, and provide a recommendation to the County Council. The Planning Commission can recommend approval of the SW10 amendments with supporting findings as proposed or modified, denial of the proposal with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

ATTACHMENTS

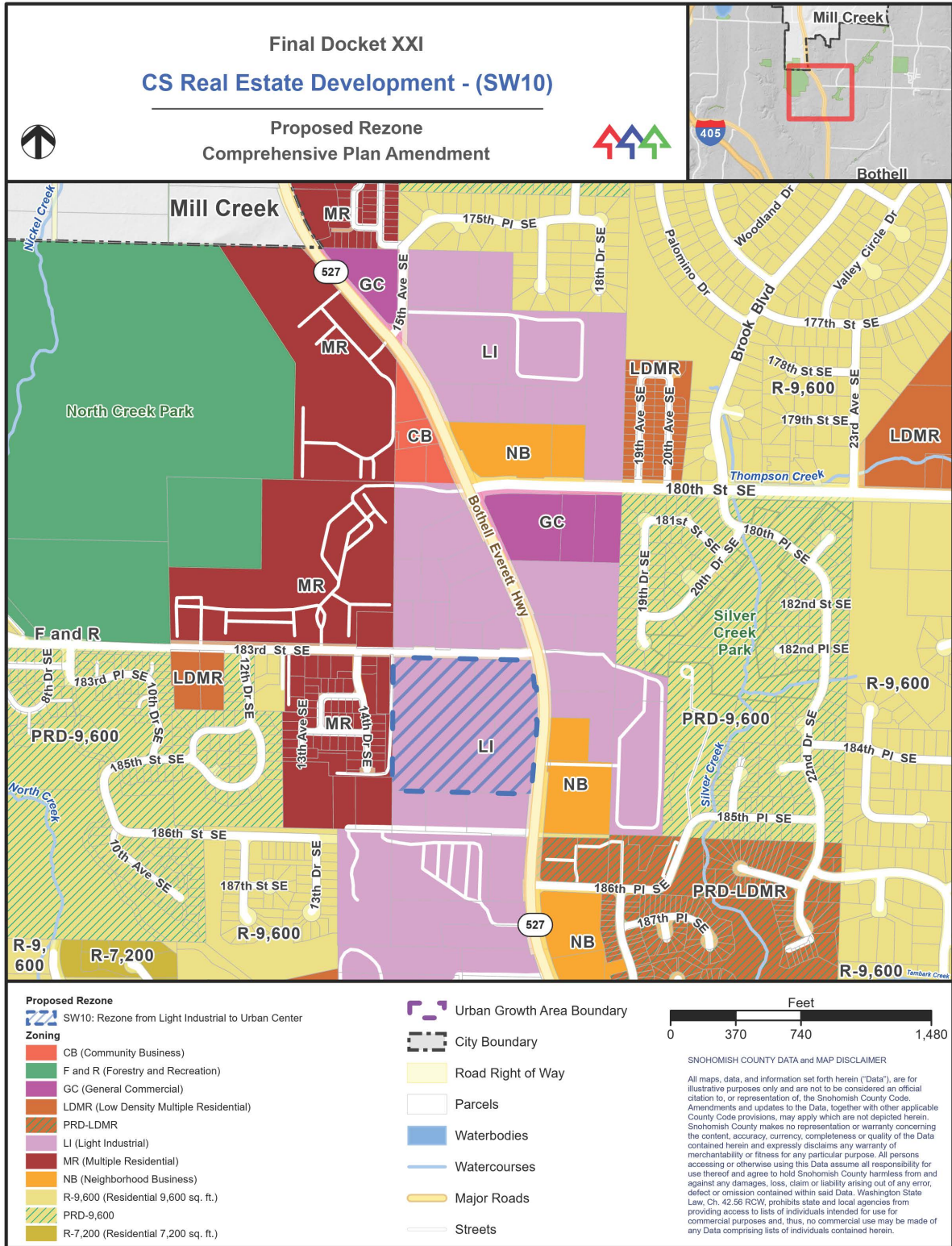
- Attachment A: SW10 Proposed FLU Map Amendment
- Attachment B: SW10 Proposed Rezone Amendment
- Attachment C: SW10 Proposed Findings and Conclusions

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

ATTACHMENT A



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.



Snohomish County

SNOHOMISH COUNTY PLANNING COMMISSION

January 16, 2024

Snohomish County Council
County Administration Building
3000 Rockefeller Avenue, M/S 609
Everett, WA 98201-4046

SUBJECT: Planning Commission recommendation on Final Docket XXI

Snohomish County Council,

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendations regarding the Final Docket XXI proposed amendments to the Snohomish County Growth Management Act Comprehensive Plan (GMACP) policies and Future Land Use (FLU) Map, zoning, and Snohomish County Code (SCC). The Planning Commission had briefings on the Final Docket XXI proposals on September 12, 2023, and conducted a public hearing on October 24, 2023. Deliberations were held on November 14 and 15, 2023.

Consistent with the requirements for processing of the final docket in SCC 30.74.060, the Planning Commission makes the following recommendations to the Snohomish County Council, which are supported by findings of facts and conclusions after considering testimony and information presented during the public hearing process.

PLANNING COMMISSION RECOMMENDATIONS

- **DR1 – Town of Darrington:** A motion was made by Commissioner Campbell recommending the Town of Darrington continue to work with County staff on a docket application that can meet final approval criteria [Motion approved 9-0.] The recommendation is based on the findings in the September 11, 2023, PDS staff report and public testimony that the proposal as studied for the Draft Environmental Impact Statement (DEIS) and evaluated for the staff recommendation is inconsistent with the Growth Management Act (GMA), the Multicounty Planning Policies (MPPs), the Countywide Planning Policies (CPPs), and the Snohomish County GMACP policies and should be denied. The DR1 docket as evaluated is a proposal to amend the FLU Map of the Snohomish County GMACP to:
 - remove 262 acres from the western part of the Urban Growth Area (UGA) and redesignate from Urban Low Density Residential-3 (ULDR-3), Urban Industrial (UI), and Public/Institutional Use (P/IU) to Rural Residential-Rural Diversification (RR-RD), Commercial Forest-Forest Transition Area (CF-FTA), and Rural Industrial (RI), and rezone the area from Heavy Industrial (HI) and R-12,500 to Rural Diversification (RD), Forestry (F), and Rural Industrial (RI);
 - add 160 acres to the north of the UGA and redesignate from Low Density Rural Residential (LDRR), CF-FTA, RI, and RR-RD and Rural/Urban Transition Area (RUTA) overlay to P/IU, UI, and ULDR-3, and rezone the area from F, RD, and RI to R-12,500 and HI; and

- add 7.8 acres to the south of the UGA and redesignate from Rural Residential-10-Resource Transition (RR-10-RT) and Rural Residential-5 (RR-5) to ULDR-3 and rezone the area from RD to R-12,500.
- **LS2 – City of Lake Stevens: No recommendation** [Motion to recommend approval failed 5-4] was made on a proposed expansion of the east boundary of the Lake Stevens UGA and redesignation of 3.42 acres from Rural Residential (RR) and RUTA to UI. The proposal calls for rezoning the subject property from Rural 5-Acre (R-5) zoning to HI. The Planning Commission considered the findings in the September 11, 2023, PDS staff report that the proposal is inconsistent with GMA, the MPPs, the CPPs, and the GMACP policies.
- **MALT1 – Vangemert: Recommend Approval** [Motion approved 9-0] of a proposed expansion of the Maltby UGA and redesignation of 10.7 acres from RR to UI. The proposal calls for rezoning the subject property from R-5 zoning to Light Industrial (LI). The Planning Commission considered the findings in the September 11, 2023, PDS staff report that the proposal is not fully supported by GMA, the MPPs, the CPPs, and the GMACP policies. The Planning Commission based its recommendation on the public testimony recommending approval.
- **MON2 – Davis-Johnson: No recommendation** [Motion to recommend denial failed 4-5] was made on a proposed expansion of the northern boundary of the Monroe UGA and redesignation of 22 acres from RR and RUTA to Urban Low Density Residential (ULDR). The proposal also calls for rezoning the subject property from R-5 to R-9,600 zoning. The Planning Commission considered the findings in the September 11, 2023, PDS staff report that the proposal is inconsistent with GMA, the MPPs, the CPPs, and the GMACP policies.
- **MV2 – Northpoint Development, LLC: Recommend Approval** [Motion approved 6-3] of a proposed expansion of the eastern boundary of the Marysville UGA and redesignation of approximately 183 acres from Rural Residential-10 (RR-10) to UI. The proposal calls for rezoning the subject property from Agriculture-10 Acre (A-10) to LI. The MV2 docket also calls for the following two policy amendments:

Repeal Objective LU 6.D

Designate Rural Residential-10 in 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.

The Planning Commission considered the findings in the September 11, 2023, PDS staff report that the proposal is not fully supported by GMA, the MPPs, the CPPs, and the GMACP policies. The Planning Commission based their recommendation on the public testimony received recommending approval.


- **SW10 – CS Real Estate Development, LLC: Recommend Approval** [Motion approved 9-0] of a proposed redesignation of 14 acres within the Southwest UGA from UI to Urban Center. The proposal calls for rezoning the subject property from LI to Urban Center. The recommendation is based on the findings in the September 11, 2023, PDS staff report.
- **SW12 – Mietzner: Recommend Approval** [Motion approved 9-0] of a proposed amendment to SCC 30.23.040(14) to expand the area east of SR 99 right-of-way and north of SR 525 and south of the City of Everett, from 800 feet to 2,000 feet, in which maximum height limits of 75 feet apply for multi-family residential development. The recommendation is based on the findings in the September 11, 2023, PDS staff report.
- **SW14 – Petrie: Recommend Denial** [Motion approved 9-0] of a proposed expansion of the eastern boundary of the Southwest UGA and redesignation of 10.75 acres from RR and RUTA to

Urban Medium Density Residential (UMDR). The proposal calls for rezoning the subject property from R-5 to Low Density Multiple Residential (LDMR). The recommendation is based on the findings in the September 11, 2023, PDS staff report.

- **SW17 – Town of Woodway: Recommend Approval** [Motion approved 9-0] of a proposed expansion the western boundary of the Southwest UGA and Woodway MUGA to: 1) add the 1,607 acres of Town of Woodway’s remaining incorporated area which lies within Puget Sound; and 2) add the 2.99 acres of deep-water pier at Point Wells, designate the pier as Urban Village on the FLU Map, and zone the pier as Planned Community Business (PCB). The recommendation is based on the findings in the September 11, 2023, PDS staff report.

These recommendations were made following the close of the public hearing in October, including written testimony submitted prior to close-of-business on October 31, 2023, and after due consideration of the information presented and is based on the findings and conclusions presented in the numerous staff reports, public comments, and Commission discussion.

Respectfully submitted,


[Robert Larsen \(Jan 16, 2024 18:07 PST\)](#)

SNOHOMISH COUNTY PLANNING COMMISSION
Robert Larsen, Chairman

Attachments:

Planning Commission Minutes of October 24 and November 14 and 15, 2023

cc: Dave Somers, Snohomish County Executive
Mike McCrary, Director, Planning and Development Services



Snohomish County

Planning Commission

Planning and Development Services

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201

Clerk Email: Taylor.Twiford@snoco.org

REGULAR SESSION
OCTOBER 24, 2023
MINUTES

For access to supporting documents reviewed by the Planning Commission, visit the Snohomish County Planning Commission webpage at <https://snohomishcountywa.gov/164>

A. CALL TO ORDER AND ROLL CALL

Commissioner Robert Larsen, Planning Commission Chair, called the meeting to order at 5:32 p.m.

Of the eleven (11) currently appointed commissioners, eight (8) were in attendance (a quorum being six (6) members and a majority being six (6) members:

Commissioners Present	Commissioners Absent
Kimberly Busteed	Merle Ash
Christine Eck	Angie Sievers
Robert Larsen	Neil Pedersen
Mark James	
Ray Sheldon	
Rosanna Brown	
Tom Campbell	
Karl Niemela	

David Killingstad, Planning and Development Services Manager, served as the Planning Commission Secretary for this meeting.

B. CHAIRPERSON'S REPORT

C. APPROVAL OF MINUTES

The minutes of [September 26, 2023](#) were unanimously approved.

D. UNFINISHED BUSINESS

1. Comprehensive Plan Update: Hearing

David Killingstad, Long Range Planning Manager, David.Killingstad@snoco.org



Long Range Planning Division Staff
Department of Public Works Staff
Department of Conservation and Natural Resources Staff

The Planning Commission held a public hearing on the proposed update to the Snohomish County Comprehensive Plan in compliance with Growth Management Act requirements in RCW 36.70A.130(3) to review and update, as needed, the county's Urban Growth Areas. Comprehensive plan documents with proposed updates include the Introduction, Population and Employment Element, Land Use Element, Housing Element, Natural Environment Element (including County Council Motion No. 22-096 Urban Tree Canopy Policies), Transportation Element, Parks and Recreation Element, Capital Facilities and Utilities Element (including County Council Motion No. 22-097 Broadband Policies, Economic Development Element, Interjurisdictional Coordination Element and Future Land Use Map, Zoning Map. In addition, new elements for Climate Change and Resiliency, Tribal Coordination, and the Urban Core Subarea Plan. Public comments will be accepted on the proposed amendments to the comprehensive plan documents.

For more information see:

- [Planning Commission Element Briefings Planning Commission Briefings](#)
- [Staff Memorandum dated September 12, 2023](#)
- [Future Land Use and Zoning Map Amendments Staff Report dated September 11, 2023](#)
- [Future Land Use, Zoning, and Municipal Urban Growth Area Map Alternatives Memo dated October 10, 2023](#)
- [Tribal Coordination Element Changes Memo dated October 9, 2023](#)
- [Public Comments submitted as of October 9, 2023](#)

Final Docket XXI

Frank Slusser, PDS Senior Planner, Frank.Slusser@snoco.org

Final Docket XXI consists of seven proposals to amend the Future Land Use (FLU) Map of the General Policy Plan that will revise Urban Growth Area boundaries and may change urban and rural plan designations. The proposals may also include amendments to the official zoning map to implement proposed FLU map amendments. One proposal would amend the future land use map from Urban Industrial to Urban Center and another proposal would amend Title 30 SCC development regulations related to building height. Final Docket XXI is being publicly reviewed and considered for final action in conjunction with the 2024 GMA Comprehensive Plan Update.

For more information see:

City of Darrington (DR1)

- [DR1 – PDS Staff Recommendation](#)

City of Lake Stevens No. 2 (LS2)

- [LS2 – PDS Staff Recommendation](#)

Vangemert (MALT1)

- [MALT – PDS Staff Recommendation](#)



Davis-Johnson (MON1)

- [MON1 – PDS Staff Recommendation](#)

Northpointe Development, LLC (MV2)

- [MV2 – PDS Staff Recommendation](#)

CS Real Estate Development, LLC (SW10)

- [SW10 – PDS Staff Recommendation](#)

Mietzner (SW12)

- [SW12 – PDS Staff Recommendation](#)

Petrie (SW14)

- [SW14 – PDS Staff Recommendation](#)

Town of Woodway (SW17)

- [SW17 – PDS Staff Recommendation](#)

County Council Motions

Frank Slusser, PDS Senior Planner, Frank.Slusser@snoco.org

County Council motions consist of five proposals to amend the Future Land Use (FLU) Map of the General Policy Plan that will revise Urban Growth Area boundaries and may change urban and rural plan designations. The proposals may also include amendments to the official zoning map to implement proposed FLU map amendments. The County Council motions are being publicly reviewed and considered for final action in conjunction with the 2024 GMA Comprehensive Plan Update.

For more information see:

Motion No. 22-090 Referring a Proposed Expansion of the Southwest UGA

- [Motion No. 22-090](#)
- [Future Land Use and Zoning Map Amendments Staff Report dated September 11, 2023](#)

Motion No. 22-095 Referring a Proposed Expansion of the Lake Stevens UGA

- [Motion No. 22-095](#)
- [Future Land Use and Zoning Map Amendments Staff Report dated September 11, 2023](#)

Motion No. 22-098 Referring a Proposed Expansion of the Maltby UGA

- [Motion No. 22-098](#)
- [Future Land Use and Zoning Map Amendments Staff Report dated September 11, 2023](#)

Amended Motion No. 22-099 Referring a Proposed Expansion of the Monroe UGA

- [Motion No. 22-099](#)
- [Future Land Use and Zoning Map Amendments Staff Report dated September 11, 2023](#)

Motion No. 22-123 Referring a Proposed Expansion of the Southwest UGA



- [Motion No. 22-134](#)
- [Future Land Use and Zoning Map Amendments Staff Report dated September 11, 2023](#)

Commissioner Larsen opened the **Public Hearing at 5:37**. for the proposed updates, proposals, and amendments.

Three hundred and fifty-one (351) written comments were received by the Planning Commission from the public before the public hearing. Forty-one (41) members of the public commented in person at the public hearing and nineteen (19) members of the public commented virtually.

Of the sixty (60) members of the public that spoke, thirty (30) of them directly asked the Commission to support the Urban Tree Canopy Policies citing the benefit of trees for protecting the environment and mitigating the impacts from climate change as well as improving quality of life.

Thirty-one (31) members of the public spoke on rezoning and expansions. Fifteen (15) commented directly on the proposed Alternatives with ten (10) giving their support to Alternative 2 or Alternative 3 and five (5) members opposing.

Prior to closing the hearing, the Commission voted with unanimous approval to keep the written record open until 5:00 p.m. on October 31, 2023.

The Public Hearing was closed at 8:32 p.m.

Note: In between taking in-person testimony and virtual testimony, the Commission took a ten (10) minute break from 7:22 p.m. to 7:32 p.m.

E. ADJOURN

A **Motion** to adjourn was made by Commissioner Campbell and seconded by Commissioner Sheldon.

The meeting adjourned at 8:41 pm.

PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:

At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.

PARTY OF RECORD / PUBLIC TESTIMONY:

You may become a party of record for any specific topic that comes before the Planning Commission by submitting a written request or testimony to Taylor Twiford, Planning Commission Clerk, PDS, M/S 604, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Taylor.Twiford@snoco.org.



Snohomish County

Planning Commission

Planning and Development Services

WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:

Please check www.snohomishcountywa.gov for additional information or the Snohomish County Department of Planning and Developmental Services, Reception Desk, 2nd Floor, County Administration Building East, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Taylor.Twiford@snoco.org.

AMERICANS WITH DISABILITIES ACT NOTICE:

Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD.

Snohomish County Planning Commissioners:

Merle Ash, District 1

Mark James, District 1

Kimberly Busteded, District 2

Raymond Sheldon, Jr., District 2

Robert Larsen, District 3

Christine Eck, District 3

Tom Campbell, District 4

Neil Pedersen, District 4

Rosanna Brown, District 5

Karl Niemela, District 5

Angie Sievers, Executive Appointee

Commission Staff (from Planning and Development Services (PDS) Department):

Mike McCrary, Commission Secretary

Taylor Twiford, Commission Clerk



Snohomish County

Planning Commission

Planning and Development Services

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201

Clerk Email: Taylor.Twiford@snoco.org

REGULAR SESSION
NOVEMBER 14, 2023
MINUTES

For access to supporting documents reviewed by the Planning Commission, visit the Snohomish County Planning Commission webpage at <https://snohomishcountywa.gov/164>

A. CALL TO ORDER AND ROLL CALL

Commissioner Robert Larsen, Planning Commission Chair, called the meeting to order at 5:30 p.m.

Of the ten (10) currently appointed commissioners, nine (9) were in attendance (a quorum being six (6) members and a majority being six (6) members:

Commissioners Present

Kimberly Busteed
Robert Larsen
Ray Sheldon
Rosanna Brown
Tom Campbell
Karl Niemela
Merle Ash
Angie Sievers
Mark James

Commissioners Absent

Neil Pedersen

David Killingstad, Planning and Development Services Manager, served as the Planning Commission Secretary for this meeting.

B. CHAIRPERSON'S REPORT

Chair Larsen announced that Commissioner Eck won her bid for the Edmond City Council and had to resign her place on the commission due to the meetings being on the same night.

C. APPROVAL OF MINUTES

The minutes of [October 24, 2023](#) were unanimously approved.

D. UNFINISHED BUSINESS

1. Comprehensive Plan Update: Deliberations
David Killingstad, Long Range Planning Manager, David.Killingstad@snoco.org



Long Range Planning Division Staff
Department of Public Works Staff
Department of Conservation and Natural Resources Staff

The Planning Commission deliberated on the proposed amendments to the Snohomish County Comprehensive Plan in compliance with Growth Management Act requirements in RCW 36.70A.130(3) and made several recommendations to the County Council. Recommendations included Future Land Use Map amendments (infill, County Council Motions, Final Docket XXI as well as Zoning).

The public hearing was held on October 24, 2023. Verbal testimony received at that time, as well as written testimony received through 5:00 p.m. on October 31, 2023, was considered during the following deliberation meetings.

David Killingstad began the meeting by giving a brief presentation outlining how the deliberations would proceed and recommended sequence of topics.

- [Roadmap to Recommendations Deliberation Presentation](#)
- a. [Future Land Use Map-Infill Changes \(links from Hearing agenda\)](#)
Frank Slusser gave an overview of the three alternatives. Alternative 2 and alternative 3 both include the urban core subarea plan as a major component accommodating most of the urban growth for the unincorporated area within the area around the future light rail stations. Alternative 2 and 3 have nearly identical proposals for infill within the southwest UGA and those municipal urban growth areas that are part of the high capacity transit communities. The major differences are UGA expansions and docket proposals. Alternative 3 includes all the docket proposals and council initiated UGA expansions as well as for infill, whereas alternative 2 includes only DR1, SW17, and motion 22-134 as UGA changes.

The commission had a discussion around the provided information with Commissioner Ash stating that he would support the staff recommendations for alternative 3 as it seemed more sensible and trying to address issues like housing.

There was also additional discussion on how to make motions for the docket proposals and County initiated motions after voting on the preferred alternative.

A **motion** was made by Commissioner Campbell and Seconded by Commissioner Sheldon to adopt Alternative 2.

Vote (Motion)

6 In favor (*Brown, Busteed, Campbell, Larsen, Niemela, Sheldon*)

3 Opposed (*Ash, James, Sievers*)

0 Abstention

Motion **PASSED**

For further information, please review the following:

- [Future Land Use and Zoning Map Amendments Staff Report dated September 11, 2023](#)
- [Future Land Use, Zoning, and Municipal Urban Growth Area Map Alternatives Memo](#)



[dated October 10, 2023](#)

b. [County Council Motions \(links from Hearing agenda\)](#)

i. **Motion No. 22-090 Referring a Proposed Expansion of the Southwest UGA**

This is a proposal to expand the east side of the southwest UGA by 789 acres. The proposal is mostly for urban low density and urban medium density, residential uses with some urban high density by Maltby Road and publicly owned properties would be designated public institutional use. It was studied as part of Alternative 3. This is an area where the capacity increase would be roughly 2,300 population, and it also would include employment. It was also noted that there is a docket proposal (SW14) that overlaps with this proposal.

Prior to making a motion, there was a discussion around a population deficit under Alternative 2 and the urban core subarea as a plan that presents opportunities to develop in a way that is consistent with the significant infrastructure investments that light rail represents and the ability for people to move through the region with access to the light rail.

Commissioner Ash expressed concerns about the cost of living in GMA areas and restrictions and Chair Larsen expressed concerns over budget costs mentioned in the Transportation memo. Vice Chair Campbell expressed an interest in limiting UGA expansions unless they really could be approved citing the predicted deficits and the zoning just not being in place for it along with concerns with roads already being at capacity. Commissioner Sievers had some questions regarding the land and if it was sloped. Commissioner Busted addressed written comments received being against the expansion with a lot of the feedback referring to traffic congestion. Commissioner James expressed concerns over not taking away the option for growth with Commissioner Brown agreeing.

A **motion** was made by Commissioner Ash recommending adoption of motion 22-090 and was seconded by Commissioner Brown.

Vote (Motion)

5 in favor (*Ash, Brown, James, Niemela, Sievers*)

4 Opposed (*Campbell, Busted, Larsen, Sheldon*)

0 Abstention

Motion **FAILED**

For further information, please review the following:

1. [Motion No. 22-090](#)
2. [Future Land Use and Zoning Map Amendments Staff Report dated September 11, 2023](#)

ii. **Motion No. 22-134 Referring a Proposed Expansion of the Southwest UGA**

This proposal was studied under alternative 2 and would redesignate roughly 270 acres from rural to urban medium density residential.

During the discussion, Commissioner Busted put forward a motion to amend



the main motion to include the R-5 zoning south of Maltby Road to be included citing written comments received in favor of being included and wanting to see the expansion and connection of 45th to Maltby Road due to traffic and safety issues. It was also noted that the City of Bothell was against the expansion and that a portion of the area that was discussed to be included in the proposed amended area was not included in the environmental review and that it may require more analysis, so that portion was removed from the amended area.

A motion to approve motion 22-134 was made by Commissioner Sheldon and was seconded by Commissioner Ash.

Vote (Motion)

8 In favor (*Ash, Brown, Busted, James, Larsen, Niemela, Sheldon, Sievers*)

1 Opposed (*Campbell*)

0 Abstention

Motion **PASSED**

A **motion** to amend the main motion was made by Commissioner Busted to include all R-5 zoning north of 215th to Maltby Road be included from motion 22-090 and was seconded by Commissioner Sheldon.

Vote (Motion)

7 In favor (*Ash, Brown, Busted, James, Larsen, Niemela, Sievers*)

2 Opposed (*Campbell, Sheldon*)

0 Abstention

Motion **PASSED**

For further information, please review the following:

1. [Motion No. 22-134](#)
2. [Future Land Use and Zoning Ma Amendments Staff Report dated September 11, 2023](#)

- iii. **Motion No. 22-095 Referring a Proposed Expansion of the Lake Stevens UGA**
This proposal includes three areas of expansion that are in separate parts of the UGA. The first is along Sunnyside Boulevard and would add 216 acres to the West side for the designation of urban low density residential. The second is to the South of State Route 9, an area that has existing commercial and the third is on the east side, an area that includes former Lake Stevens, landfill, and some additional properties that are in between that and the existing UGA boundary and would be an addition of 86 acres south of Fourth Street and west of 130 First Avenue NE for urban low density residential on the properties over here and public institutional use.

Commissioner Ash expressed concerns of Lake Stevens running out of residential land and their need to expand to meet their growth targets and prompted discussion on their motivations. Commissioner Busted referenced written comments that were opposed to this expansion due to critical areas and farming concerns. Commissioner Sheldon had some concerns on the areas and whether they were sensitive areas or not. Ryan Countryman clarified that



the proposed area was not for a school but likely a ball field. Commissioner Sievers referenced a letter from the City of Lake Stevens in favor with Commissioner James agreeing that the mayor and Council know best for their city.

A **motion** was made to approve motion 22-095 was made by Commissioner Sheldon and was seconded by Commissioner Ash.

Vote (Motion)

5 In favor (*Sievers, Niemela, James, Brown, Ash*)

4 Opposed (*Sheldon, Larsen, Campbell, Busted*)

0 Abstention

Motion **FAILED**

A **motion** to amend the main motion to remove Sunnyside Road and include the landfill area and rural business area was made by Commissioner Campbell and seconded by Commissioner Busted.

Vote (Motion)

5 In favor (*Sievers, Sheldon, Larsen, Campbell, Busted*)

4 Opposed (*Niemela, James, Brown, Ash*)

0 Abstention

Motion **FAILED**

For further information, please review the following:

1. [Motion No. 22-095](#)
2. [Future Land Use and Zoning Map Amendments Staff Report dated September 11, 2023](#)

The Commission took a brief break and 7:10 pm and reconvened at 7:20 pm.

iv. Motion No. 22-098 Referring a Proposed Expansion of the Maltby UGA

This proposal contains three separate areas for a total of 255 acres plus additional right of way. Area one is to the northwest of Maltby, the existing Maltby UGA, 142 acres plus additional right of way. Area 2 is to the South and would add 112 acres to the Southeast extending down to the county line. The third area is 0.87 acres west of State Route 9 and would redesignate that to urban industrial. That property already has an overlapping building that goes across the UGA boundary at that location.

Prior to the motions, there was discussion around how many acres would remain if the properties for the school district were excluded and how the 9 million transportation component would be added in. Commissioner Ash requested further clarification on what the designation of the first area was. It's actually 215 acres that are proposed for public/institutional use and 24 acres that would go to industrial uses.

A **motion** recommending approval for motion 22-098 was made by Commissioner Ash and was seconded by Commissioner Niemela.



Vote (motion)

9 In favor (*Ash, Brown, Busteded, Campbell, James, Niemela, Larsen, Sheldon, Sievers*)

0 Opposed

0 Abstention

Motion **PASSED**

For further information, please review the following:

1. [Motion No. 22-098](#)
2. [Future Land Use and Zoning Map Amendments Staff Report dated September 11, 2023](#)

v. Amended Motion No. 22-099 Referring a Proposed Expansion of the Monroe UGA

This proposal is on the west side of the Monroe UGA, North of US 2, and this would expand the UGA by 68 acres between US 2 and Roosevelt Road. It would be redesignated from rural residential within the rural urban transition area.

There was some discussion regarding the goal and motivation of the expansion as well as growth targets. Commissioner Campbell discussed concerns that the site was problematic.

A **motion** to recommend approval of motion 22-099 was made by Commissioner Sheldon and was seconded by Commissioner Sievers.

Vote (motion)

5 In favor (*Ash, Brown, James, Niemela, Sievers*)

4 Opposed (*Busteded, Campbell, Larsen, Sheldon*)

Motion **FAILED**

For further information, please review the following:

1. [Motion No. 22-099](#)
2. [Future Land Use and Zoning Map Amendments Staff Report dated September 11, 2023](#)

c. Final Docket XXI (links from Hearing agenda)

i. City of Darrington (DR1)

This docket proposal would remove 262 acres to the west of the Darrington UGA and add 160 acres to the north for a mix of uses. The staff recommendation for this proposal is to deny due to it also includes the area within the flood plain which is not allowed under GMA to be included in the urban growth area.

Prior to a motion being made there was discussion about what could be amended on the proposal to get it approved. Commissioner Sheldon did note



that the Sauk-Suiattle Tribe submitted verbal and written testimony against the proposal.

A **motion** was made by Commissioner Campbell recommending the Town of Darrington continue to work with County staff on docket application that can meet final approval and was seconded by Commissioner Ash.

Vote (motion)

9 In favor (*Sievers, Sheldon, Niemela, Larsen, James, Campbell, Busted, Brown, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

1. [DR1 – PDS Staff Recommendation](#)

ii. **City of Lake Stevens No. 2 (LS2)**

This proposal would add 3.4 2 acres to the east part of the UGA boundary for urban industrial use, would add 6 jobs of capacity to the UGA, and was studied under Alternative 3. Staff recommendation is to deny the proposal.

There was discussion around the issues in the proposal including the site being in critical areas within a shoreline designation of Rural conservancy, which is inconsistent with being added to the AGA therefore, less than a third of the site would be developable, but it would help meet shortfall capacity. There was discussion around protections of the wetlands and streams with Commissioner Sheldon expressing concerns that there could be more proactive protections with Commissioner Campbell echoing the statement.

A **motion** was made to approve Lake Stevens LS2 application was made by Commissioner Ash and was seconded by Commissioner James.

Vote (motion)

5 In favor (*Ash, Brown, James, Niemela, Sievers*)

4 Opposed (*Busted, Campbell, larsen, Sheldon*)

0 Abstention

Motion **FAILED**

1. [LS2 – PDS Staff Recommendation](#)

iii. **Vangemert (MALT1)**

This proposal overlaps with Council Motion 22-098 and would add 10.7 acres of urban industrial to the southeast part of the Maltby UGA and was studied under Alternative 3. While it would add 73 jobs to the UGA the staff recommendation is to deny due to Vision 2050 direction to avoid adding additional capacity to urban unincorporated areas.

Commissioner Ash inquired as to what kind of business currently existed on the property which prompted a discussion on demand for recycling of construction



debris. Commissioner Busted also prompted discussion on the differences between this docket proposal and council motion 22-098.

A **motion** to approve MALT1 application was made by Commissioner Busted and was seconded by Commissioner Ash.

Vote (motion)

9 In favor (*Ash, Busted, Brown, Campbell, James, Larsen, Niemela, Sheldon, Sievers*)

0 Opposed

0 Abstention

Motion **PASSED**

1. [MALT1 – PDS Staff Recommendation](#)

iv. **Davis-Johnson (MON2)**

This proposal would add 22 acres to the north part of the urban growth area boundary for urban low density residential use. The proposed zoning is R-9,600 at this location. The recommendation from staff on this proposal is to deny due to the large excess of residential capacity within the existing Monroe UGA and under the Vision 2050 the direction is to avoid increasing capacity within urban unincorporated areas, regional geography.

A **motion** to deny MON2 application was made by Commissioner Campbell and was seconded by Commissioner Busted.

4 In favor (*Busted, Campbell, Larsen, Sheldon*)

5 Oppose, (*Ash, Brown, James, Niemela, Sievers*)

Motion **FAILED**

1. [MON2 – PDS Staff Recommendation](#)

v. **Northpoint Development, LLC (MV2)**

This proposal would add roughly 183 acres to the east part of the Marysville UGA for urban industrial uses and it would also propose deleting an objective and a policy in the Land Use Element that would remove policy direction to maintain the Rural Residential-10 designation for 1,200 acres. Staff recommendation is to deny.

Commissioner James stated that it seemed to be common sense to add it and let growth happen naturally there. Commissioner Ash stated that both the city of Arlington and city of Marysville have this cascade industrial center and there is a lot of industrial commercial type businesses coming into the area already. Commissioner Busted referenced written comments received that were against the proposal citing multiple fish streams and most of the property looking to be covered in potential wetlands. Commissioner Campbell echoed the sentiment, feeling that this would be adding before it was needed. There was additional discussion around the existing uses on the land. Commissioner James asked for the proposal to be re-summarized and then read into the



record a letter from the Community Development Director. Commissioner James also expressed that the decisions should be made locally.

A **motion** was made to deny MV2 was made by Commissioner Sheldon and was seconded by Commissioner Campbell.

Vote (motion)

3 In favor (*Busteed, Campbell, Sheldon*)

6 Opposed (*Ash, Brown, James, Larsen, Niemela, Sievers*)

0 Abstention

Motion **FAILED**

Prior to voting on the second main motion, Commissioner Sheldon expressed concerns for approving this proposal as it would extend beyond the docket proposal by deleting the objective and the policy that is part of the Land Use element.

A **motion** to approve MV2 was made by Commissioner Ash and was seconded by Commissioner Sievers.

6 In favor (*Ash, Brown, James, Larsen, Niemela, Sievers*)

3 Opposed (*Busteed, Campbell, Sheldon*)

0 Abstention

Motion **PASSED**

1. [MV2 – PDS Staff Recommendation](#)

vi. **CS Real Estate Development, LLC (SW10)**

This proposal would redesignate 14 acres along Bothell Everett Highway from urban industrial to urban center. Staff recommendation is to approve as it does meet the requirement that there is a need for additional capacity within the Mill Creek UGA to accommodate the adopted initial target for the Mill Creek municipal urban growth area.

A **motion** to approve SW10 was made by Commissioner Campbell and seconded by Commissioner Ash.

9 In favor (*Ash, Brown, Busteed, Campbell, James, Niemela, Larsen, Sheldon, Sievers*)

0 Opposed

0 Abstention

Motion **PASSED**

1. [SW10 – PDS Staff Recommendation](#)

vii. **Mietzner (SW12)**

This proposal is a proposed code amendment and not a map amendment. The proposal is to change the number 800 to the number 2,000 in the bulk matrix in the development code title 30 of the Snohomish County Code and correct a typo of a missing word in the existing code provision. The effect of this policy is



to expand the area along Highway 99 within the urban core of the southwest UGA where there is an increased maximum height limit for multifamily development.

A **motion** to approve SW12 was made by Commissioner Campbell and was seconded by Commissioner Ash.

9 In favor (*Ash, Brown, Busteded, Campbell, James, Larsen, Niemela, Sheldon, Sievers*)

0 Opposed

0 Abstention

Motion **PASSED**

1. [SW12 – PDS Staff Recommendation](#)

viii. **Petrie (SW14)**

This proposal would add 10.75 acres to the southwest UGA and would redesignate this urban medium density residential with low density multiple residential. The staff recommendation is to deny as directed by Vision 2050 to avoid adding capacity to the urban unincorporated areas.

A **motion** to deny the SW14 application was made by Commissioner Campbell and was seconded by Commissioner Sheldon.

9 In favor (*Ash, Brown, Busteded, Campbell, James, Larsen, Niemela, Sheldon, Sievers*)

0 Opposed

0 Abstention

Motion **PASSED**

1. [SW14 – PDS Staff Recommendation](#)

ix. **Town of Woodway (SW17)**

This proposal is to add to an area that is within the existing town limits that extends into Puget Sound, out to the county border to the UGA and also to add the pier that extends from within the UGA but is currently located just outside of the UGA include those within the Woodway municipal urban growth area. The recommendation from staff is to approve as this does not add any development capacity, but it does bring the existing town into the UGA and would minimize the number of jurisdictions for the pier and would allow Woodway to annex in the future, potentially to also bring the entire pier structure into its jurisdiction, which would make it easier to make repairs if desired to the pier in the future.

Commissioner Sheldon stressed the importance of how votes went on these dockets as it may affect the voting as elements were addressed. Chair Larsen also prompted some discussion on pollution discharge regulations and wanting to see jurisdiction clean up.

A **motion** to approve SW17 was made by Commissioner Campbell and



seconded by Commissioner Ash.
8 In favor (Ash, Brown, Busteded, Campbell, James, Larsen, Niemela, Sievers)
1 Opposed (Sheldon)
0 Abstention
Motion **PASSED**

1. [SW17 – PDS Staff Recommendation](#)

A **motion** to continue deliberation was made by Commissioner Campbell and was seconded by Commissioner Busteded.

E. ADJOURN

A **Motion** to adjourn was made by Commissioner Campbell and seconded by Commissioner Busteded.

The meeting adjourned at 8:41 pm.

PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:

At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.

PARTY OF RECORD / PUBLIC TESTIMONY:

You may become a party of record for any specific topic that comes before the Planning Commission by submitting a written request or testimony to Taylor Twiford, Planning Commission Clerk, PDS, M/S 604, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Taylor.Twiford@snoco.org.

WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:

Please check www.snohomishcountywa.gov for additional information or the Snohomish County Department of Planning and Developmental Services, Reception Desk, 2nd Floor, County Administration Building East, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Taylor.Twiford@snoco.org.

AMERICANS WITH DISABILITIES ACT NOTICE:

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Snohomish County Planning Commissioners:

Merle Ash, District 1	Tom Campbell, District 4
Mark James, District 1	Neil Pedersen, District 4
Kimberly Busteded, District 2	Rosanna Brown, District 5
Raymond Sheldon, Jr., District 2	Karl Niemela, District 5
Robert Larsen, District 3	Angie Sievers, Executive Appointee
Vacant, District 3	

Commission Staff (from Planning and Development Services (PDS) Department):

Mike McCrary, Commission Secretary	Taylor Twiford, Commission Clerk
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Snohomish County

Planning Commission

Planning and Development Services

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201

Clerk Email: Taylor.Twiford@snoco.org

SPECIAL SESSION
NOVEMBER 15, 2023
MINUTES

For access to supporting documents reviewed by the Planning Commission, visit the Snohomish County Planning Commission webpage at <https://snohomishcountywa.gov/164>

A. CALL TO ORDER AND ROLL CALL

Commissioner Robert Larsen, Planning Commission Chair, called the meeting to order at 5:33 p.m.

Of the ten (10) currently appointed commissioners, eight (8) were in attendance (a quorum being six (6) members and a majority being six (6) members:

Commissioners Present

Kimberly Busteed
Robert Larsen
Ray Sheldon
Rosanna Brown
Tom Campbell
Karl Niemela
Angie Sievers
Merle ash @ 6:02 pm

Commissioners Absent

Neil Pedersen
Mark James

David Killingstad, Planning and Development Services Manager, served as the Planning Commission Secretary for this meeting.

B. CHAIRPERSON'S REPORT

No report.

C. UNFINISHED BUSINESS

1. Comprehensive Plan Update: Deliberations

David Killingstad, Long Range Planning Manager, David.Killingstad@snoco.org
Long Range Planning Division Staff
Department of Public Works Staff
Department of Conservation and Natural Resources Staff



The Planning Commission continued their deliberations (which began on November 14th, 2023) on the proposed amendments to the Snohomish County Comprehensive Plan in compliance with Growth Management Act requirements in RCW 36.70A.130(3) and made several recommendations to the County Council. Recommendations include Future Land Use Map amendments (infill, County Council Motions, Final Docket XXI as well as Zoning) and Text Amendments (Element Narratives, Goals, Objectives, Policies, and Appendices).

a. Comprehensive Plan Element Text and Map Amendments

i. **Transportation Element**

Nathan Howard gave an overview of the Transportation Element which included the reorganization of the element and bringing policies from the general policy plan to Transportation. He also touched on public comments received and addressed the role Transportation plays in addressing congestion issues. Following the overview, the Commissioners had some discussion regarding speed control.

A **motion** to approve the Transportation Element as presented by staff was made by Commissioner Campbell and was seconded by Commissioner Sheldon

Vote (motion)

7 In favor (*Busteed, Larsen, Sheldon, Brown, Campbell, Niemela, Sievers*)

0 Opposed

0 Abstention

Motion **PASSED**

A motion to amend the main motion to review the road safety plan including speed limits using TR policy 2.b.3 to be reviewed every two years was made by Commissioner Sheldon and was seconded by Commissioner Campbell.

Vote (motion)

6 In favor (*Busteed, Larsen, Sheldon, Brown, Campbell, Sievers*)

1 Opposed (*Niemela*)

0 Abstention

Motion **PASSED**

- [PW Staff Memo dated Nov 7, 2023](#)

ii. **Park and Recreation Element**

Carol Ohlfs gave an overview of the Parks and Recreation Element. Changes to the element included reorganizing the narrative content around nine goals and updating the level of service methodology, including adding and new level of service for urban open space and preserve acres.

Following the overview, there was discussion on how the Urban Tree Canopy Policies would work under the element now that Parks and Recreation are now part of DNRC. Commissioner Sheldon prompted some discussion on definitions of specific words found in the element.

A **motion** to approve the Parks and Recreation element was made by



Commissioner Sheldon and was seconded by Commissioner Campbell.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

iii. **Capital Facilities and Utilities Element (including broadband policies)**

Eileen Canola gave an overview of the Capital Facilities and Utilities Element. The element is a proposed repeal and replacement from 2015 with policies for the capital facilities, utilities, and essential public facilities migrating from the general policy plan into the element and focusing on consistency with Vision 2050. The purpose is really to ensure that the County has the public facilities and utilities necessary to support development.

Following the overview, the Commissioners had some discussion on recycling services and how community transit relates to the element.

A **motion** made to approve the Capital Facilities Element including broadband policies was made by Commissioner Campbell and seconded by Commissioner Ash.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

- [Capital Facilities and Utilities Element Presentations dated Nov 15, 2023](#)

iv. **Population and Employment Element**

Steve Toy gave an overview of the Population and Employment Element purpose and changes to the element. The purpose of the element is to establish the goals, objectives, and policies for allocating future growth to different parts of the county. The prioritization of the allocation of growth is to areas with or near centers and high capacity transit that are affiliated for annexation, urban areas being the primary emphasis.

Following the overview, Commissioner Campbell prompted some discussion on the reconciliation process and the struggle to get the appropriate level of densities within some cities. Commissioner Campbell also expressed concerns about whether there were consequences for Cities not meeting targets or ways to coax them to meet levels.

A **motion** to approve the Population and Employment Element was made by Commissioner Sheldon and seconded by Commissioner Campbell.



Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

- [Population and Employment Element Flyer](#)

v. Economic Development Element

Michael Saponaro gave an overview of the Economic Development Element. The proposed amendments would provide consistency with CPPS, Vision 2050, and MPPs. The amendments were based around the following themes: comparative advantage, specialization, freight issues, creative place, making an innovation, sustainability, the emerging green industries, economic resiliency, regulatory reform, workforce training, human services and child care opportunities, displacement mitigation, and diversity, equity, and inclusion.

A motion to approve the economic development element was made by Commissioner Sheldon and was seconded by Commissioner Ash.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

- [2024 Update Eco Dev and IC Summary Presentation](#)

vi. Interjurisdictional Coordination Element

Michael Saponaro gave an overview of the Interjurisdictional Coordination Element. There were eight total updates, but the vast majority were minor ward changes, such as changing language, like stakeholder to parties or residents. There was another change related to the removal of the Snohomish Health District as they are longer considered a separate jurisdiction. There are three policy updates that are slightly more substantial including adding a minimum residential density requirement to the list of inner jurisdictional issues that can be addressed with interlocal agreements and policy word changes that allow for County discretion.

Following the overview, Commissioner Sheldon had some questions regarding how Tribes were addressed in the element and which ones were recognized in the element. Commissioner Campbell had some questions regarding the softening of the language around the process by which Cities provide urban



level of services and the use of may vs shall.

A **motion** to approve the Interjurisdictional Coordination Element was made by Commissioner Sheldon and was seconded by Commissioner Brown.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

vii. Land Use

Sarah Titcomb gave an overview of the Land Use Element. Major changes included a new equity sub element, a change in how growth targets are addressed emphasizing urban infill and reducing growth in rural areas, new agricultural policies to allow for more conservation and restoration, and new Countywide objectives and policies. It was also noted that with the recommended approval of docket MV2 from the day prior, that Objective 6.D has been repealed.

Commissioner Campbell prompted some discussion regarding the protection of agricultural and forest lands and the desire for a more serious review. Commissioner Brown requested clarification on what would be considered an important parcel. Commissioner Campbell also asked about transfer of development rights.

A **motion** to approve the land use element was made by Commissioner Sheldon and was seconded by Commissioner Brown.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

A **motion** to amend the main motion to conduct a comprehensive review of designated forest and agricultural lands of long-term significance. The review shall identify important parcels of forest and agricultural lands and downzone those parcels that qualify in the property tax codes for such purposes and to reduce the likelihood that these lands will be converted to housing and rural clusters. The review should also recommend measures to reduce the conversion of these lands to non-forest and non-agricultural uses was made by Commissioner Campbell and was seconded by Commissioner Brown.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed



0 Abstention
Motion **PASSED**

viii. Housing Element

Amber Piona gave an overview of the Housing Element. The Housing Element includes some significant changes due to State law. House Bill 1220 amended both the GMA Goal and requirements for the element. Modifications were made to existing policies to incorporate considerations for moderate, low, very low, and extremely low income households, the role of accessory dwelling units in moderate density housing types to meet the County's housing needs, and policies to undo racially disparate impacts and exclusion in housing caused by past planning. A new anti displacement objective and supporting policies as well as a map showing areas of displacement risk in the county was proposed. There also are two appendices to the housing element which include the housing needs analysis.

Following the overview, Commissioner Sheldon inquired into the definitions of moderate, low, very low, and extremely low income households and how homelessness was addressed. Commissioner Campbell prompted discussion on large developers and market rate housing. Commissioner Ash inquired if these requirements were punitive, or incentive driven.

A **motion** to approve the housing element was made by Commissioner Sheldon and was seconded by Commissioner Campbell.

Vote (motion)

8 In favor (*Brown, Busteed, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)
0 Opposed
0 Abstention
Motion **PASSED**

A **secondary motion** to amend the main motion for Snohomish County to develop an incentive driven inclusionary housing and zoning policy in areas of multi-family housing to encourage that a mix of housing is created in areas of infill development and public transit was made by Commissioner Campbell and was seconded by Commissioner Sheldon.

Vote (motion)

8 In favor (*Brown, Busteed, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)
0 Opposed
0 Abstention
Motion **PASSED**

The commission took a break at 7:42 pm and returned at 7:57 pm.

ix. Natural Environment Element (including Urban Tree Canopy Policies)



Terri Strandberg gave an overview of the Natural Environment Element. Aside from the Urban Tree Canopy policies, the element does not have a lot of changes to it. A majority of the changes were to the language to increase inclusivity and address equity. Some additional policies were proposed on how to address water quality within the county for both groundwater and surface waters.

Hilary McGowan gave an overview of the Urban Tree Canopy Policies. These policies were referred to PDS by County Council through amended motion 22-096. Some of the changes made to the amended motion included reorganizing and rephrasing the policies based on prior language within existing regulations and policies already in place. The main change in the policies transmitted in Motion No. 22-096 and the policies proposed is instead of the baseline urban canopy established as no net loss, it set a minimum canopy coverage goal for urban unincorporated areas of at least 38%. The main objective is to develop an urban forest management program that would be for urban unincorporated areas and would identify, protect, maintain, and restore forests and plants that have significant environmental habitat, cultural public health, and aesthetic value.

Following the overviews, Chair Larsen shared a comment that was sent in by Commissioner James, who was unable to attend the second night of deliberations and inquired about implementation efforts for Urban Tree Canopy policies. Commissioner Sheldon inquired if these policies could be brought to incorporated areas of the County not just the unincorporated and if the policies were adequate enough and prompted discussion on what was appropriate for County planning policies. Commissioner Sievers had some questions regarding coverage requirements and infill. Commissioner Sheldon addressed public comments received and concerns of land clearing.

A **motion** to adopt the Natural Environment Element including Urban Tree Canopy polices was made by Commissioner Campbell and Commissioner Ash seconded.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

- [Urban Tree Canopy Memo dated Nov 6,2023](#)

x. Climate Change Element

Eileen Canola gave an overview of the Climate Change Element. While it is still optional at this point, House Bill 1181 set a requirement for it by 2029 and County staff felt it necessary to respond. The element would address climate change which includes reducing greenhouse gas emissions and responding,



adapting, and planning for current and projected impacts of climate change. It consists of two sub elements one being a resiliency sub element and the other being a greenhouse gas emissions reduction and it would also support state, regional, and local efforts for greenhouse gas emission reduction and climate resiliency. The County was able to create a Vulnerability and Risk assessment tool due to a grant from the Washington State Department of Commerce.

Following the overview, Commissioner Campbell inquired as to why the language in Goal CRE2 was changed from “achieve” to “help meet” and where the accountability was for these goals. Commissioner Sheldon had some questions regarding emergency transportation routes.

A **motion** to approve the Climate Changes Element was made by Commissioner Sheldon and seconded by Commissioner Campbell.

Vote (motion)

8 In favor (*Brown, Busteed, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

- [Climate Change Presentation dated Nov 15, 2023](#)

xi. Urban Core Subarea Plan

Mathew Siddons gave an overview of the Urban Core Subarea Plan. The Urban Core Subarea element is specific to the Southwest unincorporated urban area of the County and is a brand new element that's being introduced into the comprehensive plan. It consists of ten subelements each with its own goal and supporting policies.

Following the overview, Vice Chair Campbell prompted some discussion on annexations and the cities' engagement in this process. Chair Larsen expressed some surprise at the lack of public comments submitted to the Commission regarding the element. Commissioner Sheldon had questions regarding where wetlands, streams, and creeks were on the map and policies put in place to protect them in the event of an accident.

A **motion** to adopt the Urban Core Subarea Plan was made by Commissioner Campbell and was seconded by Commissioner Sheldon.

Vote (motion)

8 In favor (*Brown, Busteed, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

xii. Tribal Coordination



Henry Jennings gave an overview of the Tribal Coordination Element. It is a new element that recognizes and supports tribal cultures, emphasizes collaboration, to avoid or minimize adverse impacts to cultural and archaeological resources, and aims to build resilience to the effects of climate change in a way that protects tribal, sovereign, and treaty rights and cultural practices.

Following the overview, Vice Chair Campbell had questions about when Tribes have usual and accustomed areas if those were included or specifically identified in sections.

A **motion** to approve the tribal coordination element was made by Commissioner Sheldon and seconded by Commissioner Brown.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

A **secondary motion** to the main motion to encourage future discussion of tribal jurisdiction on tidal lands within the reservation boundaries and refer to applicable tribal law was made by Commissioner Sheldon and seconded by Commissioner Campbell.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

A **second secondary motion** to amend was made by Commissioner Sheldon to encourage future discussion of Tribal jurisdiction over waters, including groundwater, surface water, and public water distribution systems within the reservation boundaries and refer to applicable tribal law and policy over such waters and was seconded by Commissioner Campbell.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

- [Open House Tribal Coordination Element Flyer](#)

xiii. Introduction and Appendices

David Killingstad gave an overview of the Introduction and Appendices for the Comprehensive Plan. The original vision statement has not been updated since 1995 and this new one brings in more equity, diversity, and inclusion as well as



Snohomish County
Planning Commission
Planning and Development Services

a number of other changes that account for the shift from the General Policy Plan.

A **motion** to approve the Introduction and associated appendices was made by Commissioner Campbell and seconded by Commissioner Brown.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

A motion to instruct staff to compile all amendments into final documents and 1) adjust comprehensive plan elements to match the recommended land use alternative and 2) make necessary changes to ensure internal consistency between individual elements was made by Commissioner Busted and was seconded by Commissioner Sievers.

Vote (motion)

8 In favor (*Brown, Busted, Campbell, Larsen, Niemela, Sheldon, Sievers, Ash*)

0 Opposed

0 Abstention

Motion **PASSED**

For further information, please review the following:

- [Planning Commission Element Briefings Planning Commission Briefings](#)
- [Staff Memorandum dated September 12, 2023](#)
- [Tribal Coordination Element Changes Memo dated October 9, 2023](#)
- [Public Comment Memo dated Nov 9, 2023](#)
- [Public Comments submitted as of 5 p.m. October 31, 2023](#)

***IMPORTANT NOTE:** The November 16 hearing dates/times are reserved if additional time is needed. A determination regarding whether or not to continue the planning commission deliberations will be made at the end of the deliberations on November 15, 2023. To find out if the hearing is continued to November 16, check the Planning Commission page on the county's website or via email at Taylor.Twiford@snoco.org.

D. ADJOURN

The meeting adjourned at 9:10 pm

PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:

At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.



Snohomish County

Planning Commission

Planning and Development Services

PARTY OF RECORD / PUBLIC TESTIMONY:

You may become a party of record for any specific topic that comes before the Planning Commission by submitting a written request or testimony to Taylor Twiford, Planning Commission Clerk, PDS, M/S 604, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Taylor.Twiford@snoco.org.

WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:

Please check www.snohomishcountywa.gov for additional information or the Snohomish County Department of Planning and Developmental Services, Reception Desk, 2nd Floor, County Administration Building East, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Taylor.Twiford@snoco.org.

AMERICANS WITH DISABILITIES ACT NOTICE:

Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD.

Snohomish County Planning Commissioners:

Merle Ash, District 1

Mark James, District 1

Kimberly Busteed, District 2

Raymond Sheldon, Jr., District 2

Robert Larsen, District 3

Vacant, District 3

Tom Campbell, District 4

Neil Pedersen, District 4

Rosanna Brown, District 5

Karl Niemela, District 5

Angie Sievers, Executive Appointee

Commission Staff (from Planning and Development Services (PDS) Department):

Mike McCrary, Commission Secretary

Taylor Twiford, Commission Clerk

ECAF:
RECEIVED:

SNOHOMISH COUNTY COUNCIL

**ORDINANCE
INTRODUCTION SLIP**

EXHIBIT # 4.1.006

TO: Clerk of the Council

FILE Ord 24-027

TITLE OF PROPOSED ORDINANCE:

Introduced By:

N. Nehring
Councilmember Date

Clerk's Action:

Proposed Ordinance No. _____

Assigned to: _____ Date: _____

STANDING COMMITTEE RECOMMENDATION FORM

On _____, the Committee considered the Ordinance by ___ Consensus /
___ Yeas and ___ Nays and made the following recommendation:

_____ Move to Council to schedule public hearing on: _____

_____ Other _____

Regular Agenda _____ **Administrative Matters** _____

Public Hearing Date _____ **at** _____

N. Nehring
Committee Chair

From: Andrew W. Levins <Alevins@vnf.com>
Sent: Friday, April 12, 2024 4:06 PM
To: Contact Council
Cc: bart.ricketts@lewisbuilds.com
Subject: Written Comment Regarding Comprehensive Plan Docket XXI item SW10
Attachments: 2024 0412 Lewis Comment Letter.pdf

Dear members of the Snohomish County Council,

On behalf of Lease Crutcher Lewis, a general contracting business with property and operations located in Snohomish County, please find our written comments regarding Docket XXI item SW10 initiated by CS Real Estate Development, attached to this message.

Warmly,

Andrew W. Levins | Land Use Planner



1191 Second Avenue, Suite 1800
Seattle, WA 98101-2996

alevins@vnf.com | vnf.com | D: 206.802.3845 | C: 661.342.8767

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April 12, 2024

Snohomish County Council
3000 Rockefeller
8th floor Drewel Building
Everett, WA 98201

Re: Comprehensive Plan 2024 Docket Item SW10

Dear Councilmembers:

Van Ness Feldman has been retained by Lease Crutcher Lewis (“**Lewis**”) to provide comment on Docket Item SW10 initiated by CS Real Estate (the “**SW10 Proposal**”). The SW10 Proposal includes the redesignation of property located at the intersection of 183rd Street SE and SR 527 (the “**Property**”), from its current zoning as Light Industrial (“**LI**”) and designation as Urban Industrial (“**UI**”) by the Snohomish County Future Land Use Map, to Urban Center (“**UC**”). Lewis owns an operations yard immediately adjacent to the Property and only recently learned of this proposed redesignation; thus, this is Lewis’ first opportunity to comment on the SW10 Proposal. Lewis opposes the SW10 Proposal based on the following:

- (1) The SW10 Proposal conflicts with various goals and policies of the Snohomish County General Policy Plan (“**GPP**”) and Countywide Planning Policies (“**CPPs**”);
- (2) Redesignation of the Property to UC zoning would increase land use incompatibilities between established industrial lands and new residential uses;
- (3) The SW10 Proposal is inconsistent with the CPP’s stance on industrial land preservation and residential infill redevelopment; and
- (4) The distribution of industrial lands available for development is inadequate to serve the industrial needs of the County.

Background

Lease Crutcher Lewis is a general contractor that has been operating since 1886. As an employee-owned construction contracting business with a strong and longstanding industry presence in Snohomish County and beyond, it is vital for Lewis to maintain operational proximity between its contractor yards and its customers, who benefit from the efficiency and cost savings associated with having employees, equipment, and materials located near work sites. Construction is a key

component of this region's economy and generates a ripple effect as an economic catalyst: the construction industry provides high-quality jobs, improves local infrastructure, helps meet housing needs, and contributes to the ever-critical diversification and resiliency of the economy as a whole. Lewis has a storied past in the built history of the northwest and a significant presence in its current chapter: from constructing the first main terminal building at SeaTac Airport, to the recent completion of the Rainier Square Tower in Downtown Seattle, Lewis has played an ongoing role in the northwest's growing economic prosperity.

Lewis has maintained a yard facility operation in south Snohomish County for over 30 years. In 2023 alone, Lewis generated approximately \$7.3 million in revenue, with \$1.3 million in purchases, from its Snohomish County yard operation. Moreover, this yard site has enabled Lewis to complete a long list of projects in Snohomish County including various projects for Boeing at their Everett facilities, confidential client projects in the North Creek and Canyon Park area, three large school projects including Edmonds-Woodway and Meadowdale High Schools, over a dozen healthcare projects at Providence and Kaiser (formerly Group Health Cooperative), and over 70 projects in Bothell that total in excess of \$150 million. In addition to these past projects, Lewis has upcoming projects starting in 2024 for a confidential client in Arlington that we expect to complete sometime in 2026. Lewis employs eight full-time employees at this yard operations facility and roughly 23% of its current employees (numbering over 500) reside in Snohomish County. Lewis's yard facility supports all company projects in the Puget Sound region with equipment, materials, and tools to fuel its business. Lewis plans to continue its presence in Snohomish County, as a contributor to the local economy. Lewis recently invested in the yard operations site with the installation of a \$1.4 million water and sewer line extension and new, underground electrical service.

Despite its positive local impact, regional economic significance, and long presence in south Snohomish County, Lewis is increasingly experiencing difficulties that can be traced back to broad land use decisions made at the highest County levels. Snohomish County's economy is changing; like many counties in western Washington, a transition has occurred away from industrial-oriented industries to a service-sector economy, as acknowledged by the GPP. Nevertheless, the GPP acknowledges that these industrial sectors are foundational elements of the County economy. These economic shifts have necessitated a reassessment of how land uses are distributed and prioritized, which the County has, for the most part, successfully achieved in unincorporated areas with its urban center model. However, the current method of application for this model, and the GPP, do not provide adequate provisions or protections for light industrial users, such as Lewis, who require access to properties suitable for lower-intensity industrial uses, that allow them to provide essential services to our local community and Snohomish County residents. Small-to-medium scale Light Industrial zones are critical to both businesses, such as Lewis, that provide an essential commercial service to the region, and to the many residents and businesses who rely on Lewis' local services made available through the provision of Snohomish County's industrial lands.

The SW10 Proposal would rezone fourteen acres of LI-zoned property to Urban Center, despite the Property being largely surrounded by industrial uses – specifically Lewis's 2-acre contractor yard, as well as LI-zoned properties that support approximately 20 light industrial operations. This proposed rezone would disallow future industrial development on the Property, impeding surrounding industrial properties from growing or expanding their businesses. Lewis, for example,

has made significant investments to installing a new sewer and electrical to the operation site in anticipation of a new building. Lewis also needs additional space to expand – plans that could be endangered and complicated by the SW10 Proposal.

The Comprehensive Plan GPPs and CPPs Support Retaining Light Industrial Zoning and Rejecting the SW10 Proposal

The Snohomish County Code (“SCC”) requires rezones to be consistent with the comprehensive plan, yet this proposed rezone directly conflicts with clear language set forth in the GPPs and CPPs. *See* SCC 30.42A.100. For the reasons set forth below, Lewis requests that the County Council decline to approve the SW10 Proposal and retain the current UI comprehensive plan designation and LI zoning for the Property.

1. Preservation of light industrial uses is the approach best aligned with the goals and policies of the GPP.

As the price of unincorporated lands continues to rise within Urban Growth Areas (“UGA”), the preservation of existing light industrial land use designations is critical so that the sector of the economy is preserved. The Economic Development chapter of the GPP says as much in its introduction, stating:

“...traditional industrial and commercial development represent a substantial part of the economic future of Snohomish County... Finding ways to provide for and encourage this development...and avoiding pricing industrial and commercial development out of this market, is an important challenge.”

Accordingly, the GPP provides various strategies for industrial preservation in the form of goals and policies. These strategies are intended to help maintain the viability of existing industrial areas by encouraging redevelopment and discouraging incompatible land uses adjacencies. On the County role in preserving and encouraging the redevelopment of industrial uses, Economic Development Policy 3.D.5 states that:

“Snohomish County shall prioritize the redevelopment of existing industrial areas and investigate potential incentives that may make redevelopment a greater financial opportunity.”

Outside of the Economic Development chapter, this sentiment for industrial preservation is again echoed by Land Use Objective 2.C, which establishes the County goal to:

“Encourage intensification and revitalization of existing and planned commercial and industrial areas.”

The Property identified in the SW10 Proposal is one such opportunity to redevelop and intensify an existing underutilized industrial site; however, the proposed redesignation does not take advantage of this opportunity and is inconsistent with the stated preference of the GPP to provide opportunities for industrial job creation through the expansion of existing industrial areas, described in both LU Objective 2.C and ED Policy 3.D.5.

Another strategy for light industrial preservation established by the GPP is to ensure that adjacent land uses are not developed in a manner that would cause development pressure or land use conflicts on industrial businesses. Policy ED 3.A.6 provides that land use conflicts with existing industrial areas should be avoided by preventing development of incompatible adjacent uses, stating:

“Snohomish County shall support existing industry by planning for compatible adjacent land uses.”

Unfortunately, Lewis and other industrial businesses in the area find themselves surrounded by increasingly dense residential uses, and face potential complaints from neighbors whose development conflicts with the intent of Policy ED 3.A.6. If approved, the SW10 Proposal will continue this trend and increase land use incompatibilities in the adjacent portions of the Mill Creek UGA. It would also result in the loss of a contiguous area that currently comprises one of the largest readily re-developable light industrial areas in the vicinity. These outcomes are inconsistent with the goals and policies of the GPP and only serve to further marginalize existing light industrial businesses in the UGA that find themselves under development pressures from surrounding residential neighborhoods. An approach that is better aligned with the legislatively adopted and approved goals and policies of the GPP is to preserve the existing light industrial designations that are the subject of docket item SW10 and to deny the Proposal.

2. The SW10 from Light Industrial to Urban Center would be inconsistent with the CPP’s stance on industrial preservation.

As highlighted by County staff in the December 2, 2021 Docket XXI Initial Review and Evaluation of Proposed Amendments (“**Staff Report**”), Lewis agrees the proposed rezone should be considered in light of CPP DP-42. CPP DP-42 states:

“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.”*

However, the plain language of CPP DP-42 supports rejection of the proposed redesignation of the Property to UC zoning. The LI-zoned parcels in question are surrounded by similarly designated LI-zoned properties to the north, east, and south, with many of the surrounding parcels containing long-standing industrial uses, businesses, and community members who provide jobs and services for our local Snohomish community. By approving a redesignation to UC, the County would act inconsistent with the stated goal of conserving designated industrial lands and preserving them for future industry and industrial employment. The SW10 Proposal *does not* protect industrial land from incompatible uses and development, *does not* discourage the development of industrial

lands by non-industrial uses, and *does not* discourage the conversion of industrial land to other designations. Approving the SW10 Proposal would directly conflict with CPP DP-42 by encouraging the encroachment of incompatible uses on adjacent industrial lands, encouraging the development of non-industrial uses on existing industrial lands, and converting industrial lands to other land use designations that preclude industrial businesses, such as Lewis, that operate on Light Industrial lands.

The Staff Report states: “[t]he proposed redesignation and rezone to Urban Center is an appropriate land use designation and zone as the site is currently being converted to a non-industrial use as a private high school making the site unsuitable for future industrial uses,” and that the “education facility would be compatible with future uses allowed in an urban center.”

These assertions are inconsistent with the Snohomish County Code, which allows preschools, kindergarten through twelfth grade, and colleges as a permitted use on Light Industrial lands within the County.¹ The SCC does not support a determination that the Property should be rezoned to Urban Center given that all school facilities are permitted outright and subject to identical development standards in both the LI and UC zones. These assertions are especially misplaced given that industrial operations – specifically Lewis’s contractor yard – has been adjacent to the Property for decades, and CS Real Estate previously confirmed with Lewis that they have no concern about the compatibility with the potential high school.

Furthermore, since the Planning Commission evaluated the SW10 Proposal, the future status of this private high school has come under serious question. Construction appears to have stalled for the past six months, following years of delays that previously resulted in cancellations of permit applications. This may be due to the financial viability of the Property’s owners, which is highly questionable due to the recent administrative dissolution of CS2 Real Estate, the entity that owns the vast majority of land that would be rezoned, and the ongoing bankruptcy proceedings and FBI investigation into its agent iCap Pacific NW Management for running an alleged Ponzi scheme in connection with its real estate developments.^{2,3} The future of this private high school development seems highly uncertain.

In addition to the mischaracterization of CPP DP-42, the Staff Report on docket item SW10 does not cite any of the several CPP or GPP goals and policies regarding industrial land use preservation that are readily available and cited in this comment letter. In addition to those GPPs referenced above, the County CPPs that focus on the community’s long-term economic stability and success likewise emphasize the current LI-zoning must remain. CPP ED-9, which focuses on protecting Snohomish County’s economic base, states:

¹ SCC 30.22.100, *Urban Zone Categories Use Matrix*.

² Heidi Grover, *Bellevue Real Estate Firm Ran a Ponzi Scheme, Say Bankruptcy Filings*, THE SEATTLE TIMES (Fed. 28, 2024), <https://www.seattletimes.com/business/real-estate/bellevue-real-estate-firm-ran-a-ponzi-scheme-say-bankruptcy-filings/>.

³ Heidi Grover, *FBI is Investigating Eastside Real Estate Firm iCap, Lawyers Say*, THE SEATTLE TIMES (Mar. 26, 2024), <https://www.seattletimes.com/business/real-estate/fbi-is-investigating-eastside-real-estate-firm-icap-lawyers-say/>.

“As appropriate, the County and Cities should adopt plans, policies, and regulations that preserve designated industrial, commercial, agricultural, and resource land base for long-term regional economic benefit.”

The County has worked hard to meet the requirements of CPP ED-9 by developing plans and policies, including the GPPs, which emphasize the need and priority of preserving industrial lands. The GPPs identify the preservation and revitalization of industrial uses on industrial-zoned land as a key to economic success and stability, in concert with the above CPP, which highlights Snohomish County’s focus on ensuring existing industrial-zoned lands are preserved to support the County’s economic diversity and strength. In doing so, the County looks toward the “long-term regional economic benefit,” rather than short-term economic gains. Retaining LI zoning on the Property will not only comply with the guidance and requirements set forth in its planning documents but also will help ensure the County maintains the ability to support light industrial growth and its corresponding economic benefits. Indeed, neighboring LI uses have identified economic growth opportunities for their businesses and local community by developing light industrial uses on the LI-zoned parcels.

In light of the dearth of information previously before the Snohomish County Planning Commission regarding the SW10 Proposal in connection with the adopted goals and policies supporting industrial preservation, it is reasonable to imagine that the Planning Commission may not have recommended the SW10 Proposal for the final docket had this been previously brought to their attention.

3. The GPP provides alternative solutions to resolving the housing capacity shortfall in the Mill Creek UGA that do not require redesignation of Light Industrial lands.

The Staff Report expresses support of the SW10 Proposal largely due to the increase in housing capacity for the Mill Creek UGA that would result from conversion to UC zoning. However, increasing housing capacity in the Mill Creek UGA need not come on the back of converting much-needed Light Industrial lands to multifamily. The GPP provides for several solutions that would result in the intensification of residential areas within the Mill Creek UGA. One such solution would be the strategic redesignation of existing residential zones pursuant to Objective LU 2.A, which states:

“Increase residential densities within UGAs by concentrating and intensifying development in appropriate locations, particularly within designated centers and along identified transit emphasis corridors.”

This approach is also consistent with LU 2.B.2, which states:

“The county shall encourage, and may require, higher minimum densities within designated urban centers, urban villages, and along connecting transit emphasis corridors to support planned transit service.”

The Multicounty Planning Policies further support this approach, stating in MPP RGS-6 that the County should:

“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.”

GPP Objectives such as LU 2.A call for the intensification of residential uses in “appropriate locations.” As described in the various sections of this comment letter, existing Light Industrial zones are not an appropriate location for dense residential development, which would instead have a high tendency to create land use conflicts. The GPP supports alternative actions, such as the upzoning of existing residential development, that could allow the Mill Creek UGA to overcome its housing capacity shortfall while preserving light industrial uses that have long existed in the area.

4. In practice, the GPP does not provide the protections necessary to preserve adequate capacity for medium-scale urban industrial land development.

The County has correctly directed future development to UGAs, where urban levels of services and densities are appropriate, and adopted goals and policies that are intended to protect industrial lands, minimize land use conflicts, and allow future development to occur within UGAs at the intensities needed to satisfy economic and population growth over time, all consistent with the requirements of the Growth Management Act. The inevitable result of this process is increasing development densities and corresponding values for lands in the UGA, which constrains light industrial development that necessarily operates at lower intensities than some industrial uses appropriate for Manufacturing Industrial Centers (“MIC”). Indeed, the GPP anticipates this outcome, stating:

“...traditional industrial and commercial development represent a substantial part of the economic future of Snohomish County. This type of development requires substantially greater infrastructure availability and faces substantial scrutiny by the community due to its real or potential impacts on the environment. Finding ways to provide for and encourage this development while maintaining the quality of the environment, minimizing the impact on infrastructure, and avoiding pricing industrial and commercial development out of this market, is an important challenge.” [Emphasis added].

Over time, the constriction of available unincorporated Light Industrial lands inflates real estate markets and prices out lower-intensity industrial-dependent businesses, forcing their relocation to increasingly remote areas, or even across County lines. Inevitably, this trend increases the cost of doing business, which in turn must be passed to the public in the form of higher construction (or other industrial service sector) costs.

The GPP’s current strategy for siting future industrial development emphasizes large MICs in the County. Currently, there is only a single MIC located near Paine Field. Though likely a viable strategy for much of the industrial growth that is expected to occur in the County during the current planning period, the MIC approach does not address the need of the southeast UGA in Snohomish County for lower-intensity LI uses that must occur in urban designations and leaves the vast majority of the County geographically isolated from light industrial uses. Perhaps the best example of why MICs are not appropriate locations for smaller industrial businesses such as Lewis is GPP Policy LU 3.E.2, which states:

“The Manufacturing and Industrial Centers shall be sized to allow a minimum of 20,000 jobs. Development regulations should allow an employment density of at least 20 employees per employment acre for new growth.” [Emphasis added].

Though most types of light industrial businesses could theoretically operate within a MIC, in practice these areas will operate at a scale and intensity that is impossible or uneconomical for many, including Lewis, to achieve. The MIC allows and encourages high-intensity, concentrated manufacturing and industrial users in a single location within the County. Businesses operating at this scale inevitably outcompete small-to-medium sized industry in the real estate market, thereby reducing opportunities for growth in this sector.

While the County has a clear and effective strategy for siting future concentrated industrial development, the GPP does not have an equivalent strategy for the expansion of lower-intensity industrial uses that would be priced out of a MIC. Furthermore, this strategy does not address the countywide need for proximity to these uses. This reality emphasizes the importance of pursuing consistency with other goals and policies in the GPP that prioritize the preservation of lands that can support industrial businesses of all sizes, and is reflected in Policy ED 3.A.2, which provides that “...[t]he vitality of the economy calls for large sites as well as parcels suitable for the large number of small businesses within the county.”

Conclusion

Industrial lands and businesses play a critical role in our Snohomish community – a fact emphasized again and again through the County’s adopted plans and policies. The CPPs do not support rezoning these industrial lands to Urban Center, rather, the clear language of CPP DP-42 dictates Snohomish County should preserve industrial zones wherever possible and prevent stripping industrial lands of their industrial zoning. In this instance, the County has no clear need to rezone the property. The properties remain suitable for industrial uses and are indeed largely surrounded by longstanding light industrial uses. Furthermore, rezoning the property would likely result in encroachment by incompatible uses on the adjacent LI-zoned property operated by Lewis, in direct conflict with CPP DP-42.a. The SW10 Proposal conflicts with these plans and policies, and for the aforementioned reasons, should not move forward.

Sincerely,

Van Ness Feldman, LLP



Ray Liaw
Partner

cc: Bart Ricketts, CEO
Lease Crutcher Lewis

From: Titcomb, Sarah
Sent: Wednesday, April 17, 2024 1:49 PM
To: Hickey, Lisa
Subject: FW: Sno Cy '24 Docket Request SW-10

Follow Up Flag: Follow up
Flag Status: Completed

Good Afternoon,

Below is a new public comment related to the 2024 Update.

Best,
Sarah

Sarah Titcomb | *Principal Planner*

[Snohomish County Planning and Development Services](#) | Long Range Planning Division
3000 Rockefeller Avenue M/S 604 | Everett, WA 98201
425-262-2128 | Sarah.Titcomb@snoco.org
she/her/hers

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From: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Sent: Wednesday, April 17, 2024 1:44 PM
To: Sybil Tetteh <sybil.tetteh@millcreekwa.gov>
Cc: Titcomb, Sarah <Sarah.Titcomb@co.snohomish.wa.us>
Subject: RE: Sno Cy '24 Docket Request SW-10

Hi Sybil,

David forwarded me your email and voice message to respond. The SW10 – CS Real Estate Development, LLC docket proposal is part of Final Docket XXI public requests for comprehensive plan and code amendments being considered for possible adoption in 2024. It was studied under Alternative 3 in the draft environmental impact statement (DEIS) for the 2024 Update of the County’s comprehensive plan. That DEIS was issued last fall. The Snohomish County Planning Commission held a public hearing last October, and in November voted to recommend approval of the SW10 docket request. Subsequently, the County Executive has forwarded that recommendation to the Snohomish County Council. The proposed change is to redesignate and rezone 14 acres south of 183rd St SE, on the west side of SR 527, from Urban Industrial future land use designation with LI zoning to Urban Center designation and zoning. The material linked below provides additional information:

[2024-0422 - Proposed Ordinance 24-027 \(legistar.com\)](#)

At this point, the County Council process is the best way to provide comment or testimony on Final Docket XXI and the 2024 Update of the County comprehensive plan. We anticipate there being a series of briefings at Council committee meetings, and there is an opportunity for Public Comment at each of those briefings. Also, you can provide testimony at

the County Council's public hearing on the 2024 Update. A tentative schedule calls for action by the County Council in late summer, but the deadline for action is December 31, 2024. The schedule for those briefings and hearings is at the discretion of the County Council and it will be best to track the Council agendas at <https://snohomishcountywa.gov/172/County-Council>.

The April 30th Planning and Community Development Committee Special Meeting or May 7th Planning and Community Development Committee meeting may be good opportunities to provide comment during the Public Comment period. In addition, you may provide written comment at any time to the Council at Contact.Council@co.snohomish.wa.us.

Sincerely,

Frank Slusser | Senior Planner
[Snohomish County Planning and Development Services](#) | Long Range Planning
3000 Rockefeller Avenue M/S 604 | Everett, WA 98201
425-262-2944 | frank.slusser@snoco.org

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From: Killingstad, David <david.killingstad@snoco.org>
Sent: Wednesday, April 17, 2024 11:15 AM
To: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Subject: FW: Sno Cy '24 Dockett Request SW-10

Please respond.

From: Sybil Tetteh <sybil.tetteh@millcreekwa.gov>
Sent: Wednesday, April 17, 2024 11:12 AM
To: Killingstad, David <david.killingstad@snoco.org>
Subject: RE: Sno Cy '24 Dockett Request SW-10



CAUTION. This email originated from outside of this organization. Please exercise caution with links and attachments.

Good morning David,
I left you a message regard the proposed land use changes to the south of Mill Creek. What is the timeline for adoption and if Mill Creek can submit comments to the proposed changes.

Regards,



Sybil Tetteh
Senior Planner
PW & DS Department - City of Mill Creek
[Sybil.tetteh@millcreekwa.gov](mailto:sybil.tetteh@millcreekwa.gov)
P: 425-921-5744
[Facebook](#) | [X](#) | [Instagram](#)

Check out the new Resident Portal at millcreekwa.gov/resident

From: Mike Todd <mike.todd@millcreekwa.gov>
Sent: Tuesday, April 2, 2024 3:40 PM
To: Sybil Tetteh <sybil.tetteh@millcreekwa.gov>; Justin Horn <justin.horn@millcreekwa.gov>
Cc: Mike Todd <mike.todd@millcreekwa.gov>; White, Clay <Clay.White@kimley-horn.com>
Subject: FW: Sno Cy '24 Docket Request SW-10

Sybil and Justin:

Mayor Holtzclaw noticed this and passed it along. I don't know if the County is required to send us notices for docketed items within our UGA. Did we get anything you know of?

Regardless, let's all take a look to see how we feel about this and decide what comments we should make. Clay, if you have advice, it is welcome.

Thanks.

Mike



Mike Todd
Director, Public Works and
Development Services
Mike.Todd@millcreekwa.gov
O: 425-921-5708 C: 425-439-6555
[Facebook](#) | [Instagram](#)

From: Brian Holtzclaw <brian.holtzclaw@millcreekwa.gov>
Sent: Tuesday, April 2, 2024 2:59 PM
To: Martin Yamamoto <martin.yamamoto@millcreekwa.gov>; Mike Todd <mike.todd@millcreekwa.gov>
Cc: Laurel Brock <laurel.brock@millcreekwa.gov>; Stephanie Vignal <stephanie.vignal@millcreekwa.gov>
Subject: Sno Cy '24 Docket Request SW-10

This is being recommended by the Planning Commission and County Exec for approval as part of the County's comp plan update. It would redesignate a significant portion of property along the west SR 527 both north and south of 180th from Urban Industrial to Urban Center.

[2024-0422 - Proposed Ordinance 24-027 \(legistar.com\)](#)

Not this this is necessarily bad. I just hadn't been paying attention to this docket request re property just south of the city.

Best regards,



Brian Holtzclaw
Mayor
City of Mill Creek
brian.holtzclaw@millcreekwa.gov
P: 425-478-7453 (cell)
[Facebook](#) | [Twitter](#) | [Instagram](#)

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From: Titcomb, Sarah
Sent: Monday, May 13, 2024 9:25 AM
To: Hickey, Lisa
Subject: FW: Docket Item SW10 Mill Creek UGA Housing/Employment Projections

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning,

Below is additional 2024 Update public correspondence.

Best,
Sarah

Sarah Titcomb | *Principal Planner*

[Snohomish County Planning and Development Services](#) | Long Range Planning Division
3000 Rockefeller Avenue M/S 604 | Everett, WA 98201
425-262-2128 | Sarah.Titcomb@snoco.org
she/her/hers

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From: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Sent: Friday, May 10, 2024 4:42 PM
To: Andrew W. Levins <Alevins@vnf.com>
Cc: Titcomb, Sarah <Sarah.Titcomb@co.snohomish.wa.us>
Subject: RE: Docket Item SW10 Mill Creek UGA Housing/Employment Projections

Hi Andrew,

It may be helpful to review the UGA Land Capacity Analysis that was forwarded with the main Snohomish County 2024 Comprehensive Plan ordinance. It can be found as Exhibit V to the ordinance (starts page 1748), which is linked below:

<https://snohomish.legistar.com/View.ashx?M=F&ID=12811714&GUID=1FE97732-0BED-4979-BEC6-8B52E8C35C97>

Note that the SW10 proposal is located within the Mill Creek Municipal Urban Growth Area.

Sincerely,

Frank Slusser | *Senior Planner*

[Snohomish County Planning and Development Services](#) | Long Range Planning
3000 Rockefeller Avenue M/S 604 | Everett, WA 98201
425-262-2944 | frank.slusser@snoco.org

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From: Andrew W. Levins <Alevins@vnf.com>
Sent: Thursday, May 9, 2024 8:54 AM
To: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Subject: Docket Item SW10 Mill Creek UGA Housing/Employment Projections



CAUTION. This email originated from outside of this organization. Please exercise caution with links and attachments.

Hi Frank,

My colleague had mentioned that when Lease Crutcher Lewis spoke in opposition to SW10, County Staff had mentioned that this would result in a housing capacity shortfall within the UGA. We went looking through past presentations and reports on the matter but were unable to find the figures in our research that Staff mentioned in the last meeting. Would you mind forwarding me the analysis (or even just the summary) so we can better understand?

Thanks so much,

Andrew W. Levins | Land Use Planner



1191 Second Avenue, Suite 1800

Seattle, WA 98101-2996

alevins@vnf.com | vnf.com | D: 206.802.3845 | C: 661.342.8767

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From: Thaddaeus J. Gregory <tgregory@vnf.com>
Sent: Monday, May 20, 2024 11:20 PM
To: Contact Council
Cc: Bart Ricketts
Subject: Written Comment Regarding Ordinance 24-027 - Comprehensive Plan 2024 Docket Item SW10
Attachments: Lewis Comment Letter to Snohomish County Council - 5.21 Meeting(1312894.1).pdf

Dear members of the Snohomish County Council,

On behalf of Lease Crutcher Lewis, a general contracting business with industrial property and operations located in Snohomish County, attached to this email please find our written comments regarding Ordinance 24-027, Comprehensive Plan 2024 Docket Item SW10, initiated by CS Real Estate Development.

Sincerely,
Thaddaeus

Thaddaeus J. Gregory | Associate
(Pronouns: he/him/his)



1191 Second Avenue, Suite 1800
Seattle, WA 98101-2996

O: (206) 623-9372 D: (206) 455-2119 | tgregory@vnf.com | vnf.com

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May 20, 2024

Snohomish County Council
3000 Rockefeller
8th Floor Drewel Building
Everett, WA 98201

Re: **Ordinance 24-027 – Comprehensive Plan 2024 Docket Item SW10**

Dear Councilmembers,

We are supplementing our prior letter on behalf of Lease Crutcher Lewis, urging you to reject Ordinance 24-027, relating to Comprehensive Plan Docket Item SW10, (the “**SW10 Proposal**”), which would eliminate fourteen acres of industrial zoning on properties adjacent to and surrounded by other industrial uses. Preserving industrial zoning and the jobs and businesses it supports is critical for Snohomish County’s future and consistent with the County’s existing planning documents, including the Countywide Planning Policies (“**CPPs**”) and General Planning Policies (“**GPPs**”).

At the April 30th, 2024 Snohomish County Planning and Community Development Committee meeting, the Committee heard more about the SW10 Proposal and its potential to increase housing unit availability in the Mill Creek Municipal Urban Growth Area (“**MUGA**”). In particular, County planning staff suggested that rejecting the SW10 Proposal would require identification of additional housing units to accommodate the 20-year growth allocation. Since the last Committee meeting, we have identified a wide variety of parcels within the Mill Creek MUGA that are more appropriate to upzone to increase housing unit availability and are generally: (1) already zoned for residential uses; (2) do not require eliminating industrial zones which should be protected pursuant to the CPPs and GPPs; and (3) situated adjacent to or nearby other higher intensity uses or zones. Attached to this letter as Attachment A, please find a list of parcels that would be appropriate for upzone and strong choices to replace eliminating critical industrial zoning in Snohomish County.

As the Planning and Community Development Committee and full Council considers upzoning the properties provided in Attachment A and protecting the County’s crucial industrial zoned-land base, we also ask the committee and Council to reflect on the CPPs which should guide the County’s decision-making process. CPP DP-42 guides the Council to:

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.*

Similarly, CPP ED-9 pushes the County to, as appropriate, “*adopt plans, policies, and regulations that preserve designated industrial...land base for long-term regional economic benefit.*” As these CPPs demonstrate, Council should look to protect – not eliminate – industrial lands, especially where other options are available.

Given the availability of other parcels to upzone, the County has no clear need to rezone the parcels considered under the SW10 Proposal. Consistent with the guidance documents the County relies upon when making planning decisions, we respectfully request that you **do not advance Ordinance 24-027**, the SW10 Proposal, and that you **do not eliminate critical industrial zoning.**

Sincerely,

Van Ness Feldman, LLP



Thaddaeus Gregory
Associate

Attachment A

Tables of Potential Upzones in Mill Creek MUGA

Tables of Potential Upzones in Mill Creek MUGA

Parcel/Address	Existing Zoning	Existing FLU	Revised Zoning	Revised FLU	Acreage	Total Acreage
27050900201900	R-9,600	ULDR	LDMR	UMDR	7.61	14.44
27050900205200	R-9,600	ULDR	LDMR	UMDR	2.36	
27050900202400	R-9,600	ULDR	LDMR	UMDR	2.42	
27050900202300	R-9,600	ULDR	LDMR	UMDR	2.05	
00744900000100	R-9,600	ULDR	LDMR	UMDR	1.82	14.51
00744900000101	R-9,600	ULDR	LDMR	UMDR	7.82	
27051700202200	R-9,600	ULDR	LDMR	UMDR	2.88	
27051700202201	R-9,600	ULDR	LDMR	UMDR	1.99	
						28.95 Acres of ULDR converted to UMDR

Parcel/Address	Existing Zoning	Existing FLU	Revised Zoning	Revised FLU	Acreage	Total Acreage
27051800107600	R-9,600	ULDR	MR	UHDR	0.2	1.41
27051800107500	R-9,600	ULDR	MR	UHDR	0.18	
27051800107700	R-9,600	ULDR	MR	UHDR	0.22	
27051800107800	R-9,600	ULDR	MR	UHDR	0.68	
						1.41 Acres of ULDR converted to UHDR

Parcel/Address	Existing Zoning	Existing FLU	Revised Zoning	Revised FLU	Acreage	Total Acreage
27051700307700	LDMR	ULDR	MR	UHDR	1.82	1.82
27051800404800	LDMR	ULDR	MR	UHDR	2.58	2.58
27051800105100	LDMR	ULDR	MR	UHDR	1	2.55
27051800105800	LDMR	ULDR	MR	UHDR	1.55	
18910 Bothell-Everett Highway	LDMR	ULDR	MR	UHDR	4.48	10.56
27051800404600	LDMR	ULDR	MR	UHDR	1.38	
27051800404300	LDMR	ULDR	MR	UHDR	4.7	
1526 192nd St. SE	LDMR	ULDR	MR	UHDR	6.82	6.82
2000 192nd St. SE	LDMR	ULDR	MR	UHDR	6.02	6.02
2009 196th St. SE	LDMR	ULDR	MR	UHDR	8.4	8.04
						38.39 Acres of ULDR converted to UHDR

Parcel/Address	Existing Zoning	Existing FLU	Revised Zoning	Revised FLU	Acreage	Total Acreage
00668600001300	R-9,600	ULDR	MR	UMDR	0.59	40.08
00668600001400	R-9,600	ULDR	MR	UMDR	0.55	
00668600001500	R-9,600	ULDR	MR	UMDR	0.6	
00668600001600	R-9,600	ULDR	MR	UMDR	0.74	
00668600000600	R-9,600	ULDR	MR	UMDR	0.43	
00668600000700	R-9,600	ULDR	MR	UMDR	0.38	
00668600000800	R-9,600	ULDR	MR	UMDR	0.39	40.08 Acres of ULDR converted to UMDR
00668600003000	R-9,600	ULDR	MR	UMDR	0.65	
00668600003100	R-9,600	ULDR	MR	UMDR	0.36	
00668600003200	R-9,600	ULDR	MR	UMDR	0.31	
00668600003300	R-9,600	ULDR	MR	UMDR	0.33	
00668600003400	R-9,600	ULDR	MR	UMDR	0.3	
00668600003500	R-9,600	ULDR	MR	UMDR	0.29	
00668600003700	R-9,600	ULDR	MR	UMDR	1.02	
00668600003900	R-9,600	ULDR	MR	UMDR	0.67	
00668600004000	R-9,600	ULDR	MR	UMDR	0.39	
00668600004100	R-9,600	ULDR	MR	UMDR	0.38	
00668600004200	R-9,600	ULDR	MR	UMDR	0.43	
00697400000100	R-9,600	ULDR	MR	UMDR	0.59	
00697400000200	R-9,600	ULDR	MR	UMDR	0.43	
00798800000100	R-9,600	ULDR	MR	UMDR	0.35	
00798800000200	R-9,600	ULDR	MR	UMDR	0.33	
00668600002900	R-9,600	ULDR	MR	UMDR	0.39	
27051700200900	R-9,600	ULDR	MR	UMDR	1	
00654300000600	R-9,600	ULDR	MR	UMDR	0.32	
00654300000700	R-9,600	ULDR	MR	UMDR	0.32	
00654300000800	R-9,600	ULDR	MR	UMDR	0.53	
00654300001300	R-9,600	ULDR	MR	UMDR	0.55	
00654300001400	R-9,600	ULDR	MR	UMDR	0.32	
00733900000200	R-9,600	ULDR	MR	UMDR	0.44	
00668600000200	R-9,600	ULDR	MR	UMDR	0.25	
00668600000400	R-9,600	ULDR	MR	UMDR	0.52	
00668600000500	R-9,600	ULDR	MR	UMDR	0.51	
00733900000100	R-9,600	ULDR	MR	UMDR	0.95	
00733900000400	R-9,600	ULDR	MR	UMDR	0.53	
00654300001200	R-9,600	ULDR	MR	UMDR	0.98	
00733900000300	R-9,600	ULDR	MR	UMDR	0.8	
00654300000900	R-9,600	ULDR	MR	UMDR	0.95	
00654300001500	R-9,600	ULDR	MR	UMDR	0.35	
00668600000100	R-9,600	ULDR	MR	UMDR	0.28	
00654300000300	R-9,600	ULDR	MR	UMDR	0.61	

0065430000400	R-9,600	ULDR	MR	UMDR	0.52
0065430000500	R-9,600	ULDR	MR	UMDR	0.35
0065430000200	R-9,600	ULDR	MR	UMDR	0.69
0065430000100	R-9,600	ULDR	MR	UMDR	1.17
00654300001100	R-9,600	ULDR	MR	UMDR	1.13
00654300001000	R-9,600	ULDR	MR	UMDR	1.16
00668600004300	R-9,600	ULDR	MR	UMDR	0.48
0066100000400	R-9,600	ULDR	MR	UMDR	0.47
0066100000300	R-9,600	ULDR	MR	UMDR	0.5
0066100000200	R-9,600	ULDR	MR	UMDR	0.52
0066100000100	R-9,600	ULDR	MR	UMDR	0.48
00594900001200	R-9,600	ULDR	MR	UMDR	1.53
0066100000700	R-9,600	ULDR	MR	UMDR	0.61
0066100000600	R-9,600	ULDR	MR	UMDR	0.61
0066100000500	R-9,600	ULDR	MR	UMDR	0.61
0065580000100	R-9,600	ULDR	MR	UMDR	0.61
00654300001600	R-9,600	ULDR	MR	UMDR	0.33
00654300001700	R-9,600	ULDR	MR	UMDR	0.33
00654300001800	R-9,600	ULDR	MR	UMDR	0.33
00654300001900	R-9,600	ULDR	MR	UMDR	0.33
0065580000300	R-9,600	ULDR	MR	UMDR	0.6
0065580000400	R-9,600	ULDR	MR	UMDR	0.6
0065580000500	R-9,600	ULDR	MR	UMDR	0.6
00594900001800	R-9,600	ULDR	MR	UMDR	1.6
00654300002400	R-9,600	ULDR	MR	UMDR	0.71
00654300002300	R-9,600	ULDR	MR	UMDR	0.7
00654300002200	R-9,600	ULDR	MR	UMDR	0.7
00654300002100	R-9,600	ULDR	MR	UMDR	0.7

27052100200200	R-7,200	UMDR	MHP	UC	4.85	4.85
----------------	---------	------	-----	----	------	------

4.85 Acres of R-7,200 converted to UC

From: Titcomb, Sarah
Sent: Monday, May 20, 2024 2:23 PM
To: Hickey, Lisa
Subject: FW: Docket Item SW10 Mill Creek UGA Housing/Employment Projections

Follow Up Flag: Follow up
Flag Status: Completed

Good Afternoon,

Below is 2024 Update related public correspondence.

Best,
Sarah

Sarah Titcomb | *Principal Planner*

[Snohomish County Planning and Development Services](#) | Long Range Planning Division
3000 Rockefeller Avenue M/S 604 | Everett, WA 98201
425-262-2128 | Sarah.Titcomb@snoco.org
she/her/hers

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From: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Sent: Monday, May 20, 2024 2:05 PM
To: Andrew W. Levins <Alevins@vnf.com>
Cc: Titcomb, Sarah <Sarah.Titcomb@co.snohomish.wa.us>
Subject: RE: Docket Item SW10 Mill Creek UGA Housing/Employment Projections

Hi Andrew,

Thank you very much for the heads up regarding your intention to submit comments to the County Council. I would enjoy the opportunity to speak regarding possible ideas for other locations to accommodate housing growth in the Mill Creek Municipal Urban Growth area. However, at this point it is really at the County Council's discretion what new information they want to consider so it is more important to submit those comments to the County Council.

I will be available most of this afternoon if you want to call me. Or, if you just want to copy me on those comments that you provide to the Council, that would be fine as well.

Sincerely,

Frank Slusser | *Senior Planner*

[Snohomish County Planning and Development Services](#) | Long Range Planning
3000 Rockefeller Avenue M/S 604 | Everett, WA 98201
425-262-2944 | frank.slusser@snoco.org

From: Andrew W. Levins <Alevins@vnf.com>
Sent: Friday, May 17, 2024 3:42 PM
To: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Cc: Titcomb, Sarah <Sarah.Titcomb@co.snohomish.wa.us>
Subject: Re: Docket Item SW10 Mill Creek UGA Housing/Employment Projections



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Hi Frank,

I'm emailing to follow up on a voicemail I just left you. At the last meeting my colleague Thaddaeus was able to attend and comment at, there was some discussion between Staff and Council regarding how the redesignation proposed by SW10 resolves a housing capacity shortfall within the UGA. I'm emailing to inquire as to whether Staff has had any opportunity for further analysis for other potential parcels, as we have done some preliminary research and believe we have found some parcels in the MUGA that could be suitable receptors for additional density as an alternative approach to resolving the MUGA housing capacity shortfall.

We are planning to present this information in a comment letter in advance of next Tuesday's meeting. I wanted to reach out to give the opportunity to discuss this research prior to our submittal of a comment letter. Let me know if that is of interest to you.

Thanks so much,

Andrew W. Levins | Land Use Planner

alevins@vnf.com | vnf.com | D: 206.802.3845 | C: 661.342.8767

From: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Sent: Friday, May 10, 2024 4:42 PM
To: Andrew W. Levins <Alevins@vnf.com>
Cc: Titcomb, Sarah <Sarah.Titcomb@co.snohomish.wa.us>
Subject: RE: Docket Item SW10 Mill Creek UGA Housing/Employment Projections

Caution: External Email

Hi Andrew,

It may be helpful to review the UGA Land Capacity Analysis that was forwarded with the main Snohomish County 2024 Comprehensive Plan ordinance. It can be found as Exhibit V to the ordinance (starts page 1748), which is linked below:

<https://snohomish.legistar.com/View.ashx?M=F&ID=12811714&GUID=1FE97732-0BED-4979-BEC6-8B52E8C35C97>

Note that the SW10 proposal is located within the Mill Creek Municipal Urban Growth Area.

Sincerely,

Frank Slusser | *Senior Planner*

[Snohomish County Planning and Development Services](#) | Long Range Planning

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

425-262-2944 | frank.slusser@snoco.org

NOTICE: All emails, and attachments, sent to and from Snohomish County are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56)

From: Andrew W. Levins <Alevins@vnf.com>

Sent: Thursday, May 9, 2024 8:54 AM

To: Slusser, Frank <frank.slusser@co.snohomish.wa.us>

Subject: Docket Item SW10 Mill Creek UGA Housing/Employment Projections



CAUTION. This email originated from outside of this organization. Please exercise caution with links and attachments.

Hi Frank,

My colleague had mentioned that when Lease Crutcher Lewis spoke in opposition to SW10, County Staff had mentioned that this would result in a housing capacity shortfall within the UGA. We went looking through past presentations and reports on the matter but were unable to find the figures in our research that Staff mentioned in the last meeting. Would you mind forwarding me the analysis (or even just the summary) so we can better understand?

Thanks so much,

Andrew W. Levins | **Land Use Planner**



1191 Second Avenue, Suite 1800

Seattle, WA 98101-2996

This communication may contain information and/or metadata that is legally privileged, confidential or exempt from disclosure. If you are not the intended recipient, please do not read or review the content and/or metadata and do not disseminate, distribute or copy this communication. Anyone who receives this message in error should notify the sender immediately by telephone (202-298-1800) or by return e-mail and delete it from their computer.

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From: Dunn, Megan
Sent: Tuesday, May 21, 2024 2:54 PM
To: Thaddaeus J. Gregory; Contact Council
Cc: Bart Ricketts
Subject: RE: Written Comment Regarding Ordinance 24-027 - Comprehensive Plan 2024 Docket Item SW10

Thank you for sharing comments on the 2024 Comprehensive Plan Update. County Planning Department staff will respond to any specific questions you may have asked.

We moved forward this morning to keep a number of options on the table and I received confirmation that we could swap the housing with another area to keep the parcel you are concerned about commercially zoned.

I appreciate hearing from you and will take your comments into consideration as we move forward with this process and final adoption by the end of the year. This is an important year as we conduct a 10 year update this policy document, which includes critical new goals for urban tree canopy requirements, climate change resilience, transit-oriented communities, transportation planning, and sustainable growth. Hearing from our community is very important, thank you again for taking the time to share your thoughts.

Best,

Megan Dunn | *Snohomish County Councilmember, District 2*
O: (425) 388-3494 | megan.dunn@snoco.org
Pronouns: she/her/hers

NOTICE: All emails and attachments sent to and from Snohomish County are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56).

From: Thaddaeus J. Gregory <tgregory@vnf.com>
Sent: Monday, May 20, 2024 11:20 PM
To: Contact Council <Contact.Council@co.snohomish.wa.us>
Cc: Bart Ricketts <Bart.Ricketts@lewisbuilds.com>
Subject: Written Comment Regarding Ordinance 24-027 - Comprehensive Plan 2024 Docket Item SW10

Dear members of the Snohomish County Council,

On behalf of Lease Crutcher Lewis, a general contracting business with industrial property and operations located in Snohomish County, attached to this email please find our written comments regarding Ordinance 24-027, Comprehensive Plan 2024 Docket Item SW10, initiated by CS Real Estate Development.

Sincerely,
Thaddaeus

Thaddaeus J. Gregory | **Associate**
(Pronouns: he/him/his)



1191 Second Avenue, Suite 1800
Seattle, WA 98101-2996

O: (206) 623-9372 D: (206) 455-2119 | tgregory@vnf.com | vnf.com

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From: Titcomb, Sarah
Sent: Wednesday, May 29, 2024 10:12 AM
To: Hickey, Lisa
Subject: FW: Docket Item SW10 Mill Creek UGA Housing/Employment Projections

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning,

Below is more public correspondence on the 2024 Comprehensive Plan Update.

Best,
Sarah

Sarah Titcomb | *Principal Planner*

[Snohomish County Planning and Development Services](#) | Long Range Planning Division
 3000 Rockefeller Avenue M/S 604 | Everett, WA 98201
 425-262-2128 | Sarah.Titcomb@snoco.org
 she/her/hers

NOTICE: All emails, and attachments, sent to and from Snohomish County are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56)

From: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Sent: Tuesday, May 28, 2024 4:36 PM
To: Andrew W. Levins <Alevins@vnf.com>
Cc: Titcomb, Sarah <Sarah.Titcomb@co.snohomish.wa.us>
Subject: RE: Docket Item SW10 Mill Creek UGA Housing/Employment Projections

Hi Andrew,

At the last Council briefing on the 2024 Update, there was a quick discussion of one possibility of re-allocating a portion of the growth targets from the Mill Creek MUGA to other unincorporated parts of the Southwest UGA that have surplus housing capacity. That could be an approach to address the capacity shortfall in the Mill Creek MUGA if SW10 is not approved. There has not been any additional capacity analysis that documents whether that approach would fully resolve the capacity shortfall that could exist if SW10 is not approved.

Sincerely,

Frank Slusser | *Senior Planner*

[Snohomish County Planning and Development Services](#) | Long Range Planning
 3000 Rockefeller Avenue M/S 604 | Everett, WA 98201
 425-262-2944 | frank.slusser@snoco.org

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From: Andrew W. Levins <Alevins@vnf.com>
Sent: Tuesday, May 28, 2024 3:09 PM
To: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Cc: Titcomb, Sarah <Sarah.Titcomb@co.snohomish.wa.us>
Subject: Re: Docket Item SW10 Mill Creek UGA Housing/Employment Projections

Hi Frank,

At the last meeting where a representative of Lease Crutcher Lewis spoke regarding docket item SW10, County Staff indicated that some analysis was performed regarding population and employment forecasts that achieved the needed increase in housing capacity in the Mill Creek MUGA without the SW10 parcel redesignation. The existence of this analysis was also touched upon in an email from Councilmember Dunn.

We have looked through the EIS and the appendices available online but have not been able to locate a population/employment forecast that does not incorporate the SW10 parcel. I did not find it in the proposed ordinance file you suggested the other day. Would you be able to point me to where that file is hosted, or perhaps send me a copy?

Best Regards,

Andrew W. Levins | Land Use Planner

alevins@vnf.com | vnf.com | D: 206.802.3845 | C: 661.342.8767

From: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Sent: Monday, May 20, 2024 2:05 PM
To: Andrew W. Levins <Alevins@vnf.com>
Cc: Titcomb, Sarah <Sarah.Titcomb@co.snohomish.wa.us>
Subject: RE: Docket Item SW10 Mill Creek UGA Housing/Employment Projections

Caution: External Email

Hi Andrew,

Thank you very much for the heads up regarding your intention to submit comments to the County Council. I would enjoy the opportunity to speak regarding possible ideas for other locations to accommodate housing growth in the Mill Creek Municipal Urban Growth area. However, at this point it is really at the County Council's discretion what new information they want to consider so it is more important to submit those comments to the County Council.

I will be available most of this afternoon if you want to call me. Or, if you just want to copy me on those comments that you provide to the Council, that would be fine as well.

Sincerely,

Frank Slusser | *Senior Planner*
[Snohomish County Planning and Development Services](#) | Long Range Planning

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201
425-262-2944 | frank.slusser@snoco.org

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From: Andrew W. Levins <Alevins@vnf.com>
Sent: Friday, May 17, 2024 3:42 PM
To: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Cc: Titcomb, Sarah <Sarah.Titcomb@co.snohomish.wa.us>
Subject: Re: Docket Item SW10 Mill Creek UGA Housing/Employment Projections



CAUTION. This email originated from outside of this organization. Please exercise caution with links and attachments.

Hi Frank,

I'm emailing to follow up on a voicemail I just left you. At the last meeting my colleague Thaddaeus was able to attend and comment at, there was some discussion between Staff and Council regarding how the redesignation proposed by SW10 resolves a housing capacity shortfall within the UGA. I'm emailing to inquire as to whether Staff has had any opportunity for further analysis for other potential parcels, as we have done some preliminary research and believe we have found some parcels in the MUGA that could be suitable receptors for additional density as an alternative approach to resolving the MUGA housing capacity shortfall.

We are planning to present this information in a comment letter in advance of next Tuesday's meeting. I wanted to reach out to give the opportunity to discuss this research prior to our submittal of a comment letter. Let me know if that is of interest to you.

Thanks so much,

Andrew W. Levins | Land Use Planner

alevins@vnf.com | vnf.com | D: 206.802.3845 | C: 661.342.8767

From: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Sent: Friday, May 10, 2024 4:42 PM
To: Andrew W. Levins <Alevins@vnf.com>
Cc: Titcomb, Sarah <Sarah.Titcomb@co.snohomish.wa.us>
Subject: RE: Docket Item SW10 Mill Creek UGA Housing/Employment Projections

Caution: External Email

Hi Andrew,

It may be helpful to review the UGA Land Capacity Analysis that was forwarded with the main Snohomish County 2024 Comprehensive Plan ordinance. It can be found as Exhibit V to the ordinance (starts page 1748), which is linked below:

<https://snohomish.legistar.com/View.ashx?M=F&ID=12811714&GUID=1FE97732-0BED-4979-BEC6-8B52E8C35C97>

Note that the SW10 proposal is located within the Mill Creek Municipal Urban Growth Area.

Sincerely,

Frank Slusser | *Senior Planner*

[Snohomish County Planning and Development Services](#) | Long Range Planning

3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

425-262-2944 | frank.slusser@snoco.org

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From: Andrew W. Levins <Alevins@vnf.com>

Sent: Thursday, May 9, 2024 8:54 AM

To: Slusser, Frank <frank.slusser@co.snohomish.wa.us>

Subject: Docket Item SW10 Mill Creek UGA Housing/Employment Projections



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Hi Frank,

My colleague had mentioned that when Lease Crutcher Lewis spoke in opposition to SW10, County Staff had mentioned that this would result in a housing capacity shortfall within the UGA. We went looking through past presentations and reports on the matter but were unable to find the figures in our research that Staff mentioned in the last meeting. Would you mind forwarding me the analysis (or even just the summary) so we can better understand?

Thanks so much,

Andrew W. Levins | **Land Use Planner**



1191 Second Avenue, Suite 1800

Seattle, WA 98101-2996

alevins@vnf.com | vnf.com | D: 206.802.3845 | C: 661.342.8767

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From: Titcomb, Sarah
Sent: Tuesday, July 30, 2024 8:31 AM
To: Hickey, Lisa
Subject: FW: 18414 Bothell Everett Highway

Good Morning,

Below is correspondence related to the 2024 Comprehensive Plan update.

Best,
Sarah

Sarah Titcomb | *Principal Planner*

[Snohomish County Planning and Development Services](#) | Long Range Planning Division
3000 Rockefeller Avenue M/S 604 | Everett, WA 98201
425-262-2128 | Sarah.Titcomb@snoco.org
she/her/hers

NOTICE: All emails, and attachments, sent to and from Snohomish County are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56)

From: Slusser, Frank <frank.slusser@co.snohomish.wa.us>
Sent: Monday, July 29, 2024 4:58 PM
To: Benjamin Seeger <bseeger@dermody.com>; Phil Wood <PWood@dermody.com>; Karsen Keever <kkeever@dermody.com>
Cc: Titcomb, Sarah <Sarah.Titcomb@co.snohomish.wa.us>
Subject: RE: 18414 Bothell Everett Highway

Hi Ben, Phil, and Karsen,

Glad we had a chance to talk this afternoon. As we discussed, the property identified in the email below is part of the SW10 – CS Real Estate public docket proposal that is being considered as part of Final Docket XXI and the 2024 Update of the Snohomish County 2024 Update. This proposal would redesignate and rezone approximately 14 acres plus right-of-way from Urban Industrial to Urban Center. The Planning Commission recommended approval of the SW10 proposal and it is included in the Executive Recommendation.

At this point, the County Council process is the best way to provide comment or testimony on the SW10 proposal. The County Council has set a public hearing for August 19, 2024, at 6 PM. My understanding is that the hearing will be held in the Jackson Board Room - 8th Floor Robert J. Drewel Building and remotely. More information will be available soon on the County website. You can find more information about the County Council process here:

<https://snohomishcountywa.gov/172/County-Council>

Sincerely,

Frank Slusser | *Senior Planner*

[Snohomish County Planning and Development Services](#) | Long Range Planning
3000 Rockefeller Avenue M/S 604 | Everett, WA 98201

NOTICE: All emails, and attachments, sent to and from Snohomish County are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56)

From: Benjamin Seeger <bseeger@dermody.com>

Sent: Monday, July 29, 2024 9:42 AM

To: Slusser, Frank <frank.slusser@co.snohomish.wa.us>

Cc: Phil Wood <PWood@dermody.com>; Karsen Keever <kkeever@dermody.com>; Benjamin Seeger <bseeger@dermody.com>

Subject: 18414 Bothell Everett Highway



CAUTION. This email originated from outside of this organization. Please exercise caution with links and attachments.

Hi Frank,

We are looking at potentially purchasing a vacant land site located at 18414 Bothell Everett Highway (outlined below) for development. We believe the site is currently zoned Light Industrial and is currently in the process of a rezone.

Do you have time today to discuss the County's view on the use at the site and the current rezone? We are currently available between 12-1pm, and 2:30-4pm. Let me know if you have any availability during those times.



Ben Seeger

Partner, Northwest

Dermody Properties | www.dermody.com

M: (253) 261-6421

Confidentiality Notice: The information contained in this email and any documents, files or previous email message attached to it is intended only for the use of the intended recipient and may be confidential and/or privileged. If you are not the intended recipient or person responsible for delivering it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of any of the information contained herein is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by return email, and destroy the email, and any and all copies thereof, including any attachment(s), without reading them or saving them in any manner. Thank you.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

NOTICE OF INTRODUCTION OF ORDINANCE
AND
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Snohomish County Council will hold a public hearing on Monday, August 19, 2024, at the hour of 6:00 p.m. and continuing thereafter as necessary, in the Henry M. Jackson Room, 8th Floor, Robert J. Drewel Building, 3000 Rockefeller, Everett, Washington, in conjunction with a remote meeting platform via the following Zoom link, to consider proposed Ordinance No. 24-027, titled: RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN AND AMENDING THE OFFICIAL ZONING MAP TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP (SW10 – CS REAL ESTATE DEVELOPMENT). At the hearing, the Council may also consider alternatives and amendments to the proposed ordinance.

Zoom Webinar Information:

Join online at <https://zoom.us/j/94846850772>
or by telephone call 1-253-215-8782 or 1-301-715-8592

Background: This ordinance is part of the 2024 Comprehensive Plan Update and Final Docket XXI. Pursuant to RCW 36.70A.130 and .470, interested persons may propose amendments and revisions to the Snohomish County Growth Management Act Comprehensive Plan (GMACP) or development regulations. The SW10 – CS Real Estate docket ordinance amends the Future Land Use (FLU) Map of the GMACP by redesignating 14 acres in the Southwest Urban Growth Area (SWUGA) from Urban Industrial (UI) to Urban Center (UC) with a concurrent rezone from Light Industrial (LI) to Urban Center (UC). The SW10 – CS Real Estate Development site is located approximately 0.5 miles southeast of the City of Mill Creek on the west side of Bothell Everett Highway (SR 527). 183rd St SE is directly north, and 192nd St SE is to the south.

A summary of the proposed ordinance is as follows:

PROPOSED ORDINANCE NO. 24-027

Sections 1-3. Adopts recitals, findings of fact, and conclusions, and states that the Council bases its findings and conclusions on the entire record of the Planning Commission and the County Council.

Section 4. Adopts Exhibit A, amending Map 1 (Future Land Use) of the GMACP, to redesignate 14 acres in the Southwest Urban Growth Area from Urban Industrial to Urban Center.

Section 5. Directs that the official zoning map maintained pursuant to SCC 30.21.030 shall be revised and updated as shown in Exhibit B, which rezones 14 acres in the Southwest Urban Growth Area from Light Industrial to Urban Center.

Section 6. Directs the code reviser to update SCC 30.10.060 pursuant to SCC 1.02.020(3).

Section 7. Provides a standard severability and savings clause.

=====

State Environmental Policy Act: Requirements with respect to this non-project action have been satisfied through the completion of a Draft Environmental Impact Statement (EIS) issued on September 6, 2023, and a Final EIS to be issued at least seven days prior to final action on the ordinance. Copies of all applicable SEPA documents are available at the office of the County Council.

Where to Get Copies of the Proposed Ordinance: Copies of the full ordinance and other documentation are available upon request by calling the County Council Office at (425) 388-3494, 1-(800) 562-4367x3494, TDD (425) 388-3700 or by e-mailing contact.council@snoco.org.

Website Access: This ordinance and other documents can be accessed through the Council websites at: <https://snohomish.legistar.com/Calendar.aspx> or <http://www.snohomishcountywa.gov/2134/County-Hearings-Calendar>.

Range of Possible Actions the County Council May Take on This Proposal: At the conclusion of its public hearing(s), the County Council may make one of the following decisions regarding the proposed actions: (1) adopt the proposed ordinance; (2) adopt an amended version of the proposed ordinance; (3) decline to adopt the proposed ordinance; (4) adopt such other proposals or modification of such proposals as were considered by the County Council at its own hearing; or (5) take any other action permitted by law.

Public Testimony: Anyone interested may testify concerning the above-described matter at the time and place indicated above or by remote participation in the meeting. The County Council may continue the hearing to another date to allow additional public testimony thereafter, if deemed necessary. Written testimony is encouraged and may be sent to the office of the Snohomish County Council at 3000 Rockefeller Ave M/S 609, Everett, WA 98201; faxed to (425) 388-3496 or e-mailing contact.council@snoco.org. Submitting public comments 24 hours prior to the hearing will ensure that comments are provided to the Council and appropriate staff in advance of the hearing.

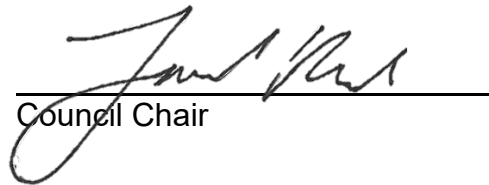
Party of Record: You may become a party of record on this matter by sending a written request to the Clerk of the County Council at the above address, testifying at the public hearing, or entering your name and address on a register provided for that purpose at the public hearing.

Americans with Disabilities Act Notice: Accommodations for persons with disabilities will be provided upon request. Please make arrangements one week prior to the hearing by calling Lisa Hickey at (425) 388-3494, 1(800) 562-4367 X3494, or TDD #1-800-877-8339, or by e-mailing lisa.hickey@snoco.org.

QUESTIONS: For additional information or specific questions on the proposed ordinance please call Frank Slusser in the Department of Planning and Development Services at 425-262-2944.

DATED this 2nd day of August 2024.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Asst. Clerk of the Council

PUBLISH: August 7, 2024

Send Affidavit to: County Council
Send Invoice to: Planning #107010

Everett Daily Herald

Affidavit of Publication

State of Washington }

County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH1000406 ORD 24-027 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 08/07/2024 and ending on 08/07/2024 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$172.05.

[Signature]

Subscribed and sworn before me on this

7th day of August,

2024.

[Signature]



Notary Public in and for the State of Washington.

Snohomish County Planning | 14107010
LISA HICKEY

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington
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AND

NOTICE OF PUBLIC HEARING

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QUESTIONS: For additional information or specific questions on the proposed ordinance please call Frank Stusser in the Department of Planning and Development Services at 425-262-2944.

DATED this 2nd day of August 2024.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington
/s/Jared Mead
Council Chair

ATTEST:
/s/Lisa Hickey
Asst. Clerk of the Council
107010
Published: August 7, 2024.

EDH1000406

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

NOTICE OF ENACTMENT

NOTICE IS HEREBY GIVEN, that on December 4, 2024, the Snohomish County Council adopted Ordinance No. 24-027, which shall be effective December 22, 2024. This notice complies with RCW 36.70A.290.

A summary of the ordinance is as follows:

ORDINANCE NO. 24-027

RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN AND AMENDING THE OFFICIAL ZONING MAP TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP (SW10 – CS REAL ESTATE DEVELOPMENT)

Sections 1-3. Adopts recitals, findings of fact, and conclusions, and states that the Council bases its findings and conclusions on the entire record of the Planning Commission and the County Council.

Section 4. Adopts Exhibit A, amending Map 1 (Future Land Use) of the Growth Management Act Comprehensive Plan (GMACP), to redesignate 14 acres in the Southwest Urban Growth Area from Urban Industrial to Urban Center.

Section 5. Directs that the official zoning map maintained pursuant to SCC 30.21.030 shall be revised and updated as shown in Exhibit B, which rezones 14 acres in the Southwest Urban Growth Area from Light Industrial to Urban Center.

Section 6. Directs the code reviser to update SCC 30.10.060 pursuant to SCC 1.02.020(3).

Section 7. Provides a standard severability and savings clause.

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State Environmental Policy Act: Requirements with respect to this non-project action have been satisfied through the completion of a Draft Environmental Impact Statement (EIS) issued on September 6, 2023, and a Final EIS issued on August 27, 2024. Copies of all applicable SEPA documents are available at the office of the County Council.

Where to Get Copies of the Ordinance: Copies of the full ordinance and other documentation are available upon request by calling the County Council Office at (425) 388-3494, 1-(800) 562-4367x3494, TDD (425) 388-3700 or by e-mailing contact.council@snoco.org.

Website Access: This ordinance and other documents can be accessed through the Council websites at: <https://snohomish.legistar.com/Calendar.aspx>

DATED this 27th day of January 2025.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

/s/Lisa Hickey
Asst. Clerk of the Council

PUBLISH: January 29, 2025

Send Affidavit to: County Council
Send Invoice to: Planning #107010

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH1008404 NOE ORD NO 24-027 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 01/29/2025 and ending on 01/29/2025 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$79.05. [Signature]

Subscribed and sworn before me on this 29th day of January, 2025.

[Signature: Randie Pospical]



Notary Public in and for the State of Washington.
Snohomish County Planning & Development | 14107010
LISA HICKEY

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