

1 Adopted:
2 Effective:

3
4 SNOHOMISH COUNTY COUNCIL
5 SNOHOMISH COUNTY, WASHINGTON

6
7 ORDINANCE NO. 24- 026

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, AMENDING THE OFFICIAL ZONING MAP TO
12 IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP, AND REVISING THE
13 DARRINGTON URBAN GROWTH AREA
14 (DR1 – TOWN OF DARRINGTON)

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

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

26
27 WHEREAS, the Department of Planning and Development Services (PDS)
28 compiled a list of non-county initiated amendments and revisions received by the
29 October 31, 2020, deadline for Docket XXI applications and evaluated these proposed
30 amendments, including the DR1 – Town of Darrington amendments, for consistency
31 with the initial docket review criteria in SCC 30.74.030(1) and 30.74.040; 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 DR1 – Town of Darrington, to be included on Final Docket XXI
36 and authorized the County Executive, through PDS, to further process the proposed
37 major docket amendments consistent with chapters 30.73 and 30.74 SCC, including
38 environmental review under the State Environmental Policy Act (SEPA), for final
39 consideration in 2024; and

40
41 WHEREAS, the Snohomish County Planning Commission (“Planning
42 Commission”) was briefed on the DR1 – Town of Darrington amendments on
43 September 12, 2023; and

1 WHEREAS, pursuant to chapter 30.74 SCC, PDS completed a final review and
2 evaluation of the DR1 – Town of Darrington amendments and forwarded a
3 recommendation to deny the amendments to the Planning Commission; and
4

5 WHEREAS, the Planning Commission held a public hearing on October 24,
6 2023, to receive public testimony on the DR1 – Town of Darrington amendments; and
7

8 WHEREAS, after the conclusion of its public hearing, the Planning Commission
9 deliberated on November 14 and 15, 2023, and voted to recommend that the Town of
10 Darrington work with the County to revise the amendments so that they could be
11 approved, as shown in its recommendation letter dated January 16, 2024; and
12

13 WHEREAS, subsequent to the deliberations by the Planning Commission, the
14 DR1 – Town of Darrington amendments were revised to address all of the
15 inconsistencies identified in the PDS recommendation; and
16

17 WHEREAS, on _____, 2024, the County Council held a public
18 hearing, after proper notice, to receive public testimony and consider the entire record
19 related to the DR1 – Town of Darrington amendments contained in this ordinance; and
20

21 WHEREAS, following the public hearing, the County Council deliberated on the
22 amendments contained in this ordinance;
23

24 NOW, THEREFORE, BE IT ORDAINED:
25

26 Section 1. The County Council adopts the following findings to support this
27 ordinance:
28

- 29 A. The foregoing recitals are adopted as findings as if set forth in full herein.
30
- 31 B. In its staff report to the Planning Commission dated September 11, 2023, PDS
32 concluded the amendments originally proposed by the Town of Darrington did not
33 meet the criteria found in SCC 30.74.060 and, therefore, recommended the
34 amendments be denied. The Planning Commission recommended the County work
35 with the Town of Darrington to revise the proposal so that it could meet the
36 applicable criteria. The proposal was revised, with confirmation from the Town of
37 Darrington, to resolve all the inconsistencies identified in the PDS staff report. PDS
38 prepared a supplemental staff report to the County Council dated March 26, 2024.
39 That staff report describes how the revised proposal resolves the inconsistencies
40 originally identified by PDS. Based on the information contained in the supplemental
41 staff report, PDS concludes the revised proposal meets the criteria in SCC
42 30.74.060 and recommends its approval.
43

1 C. The DR1 – Town of Darrington docket proposal, as revised following Planning
2 Commission deliberations, consists of Future Land Use (FLU) Map amendments
3 and official zoning map amendments that remove 262 acres from the Town of
4 Darrington Urban Growth Area (Darrington UGA) and add 131.6 acres to the
5 Darrington UGA.

6
7 The 262-acre Removal Area is in the western part of the Darrington UGA. The
8 amendments to the FLU Map redesignate land from Urban Low Density Residential-
9 3 (ULDR-3), Urban Industrial (UI), and Public/Institutional Use (P/IU) to Rural
10 Residential-Rural Diversification (RR-RD), Commercial Forest-Forest Transition
11 Area (CF-FTA), and Rural Industrial (RI). Amendments to the official zoning map
12 rezone the area from Heavy Industrial (HI) and R-12,500 to Rural Diversification
13 (RD), Forestry (F), and RI.

14
15 The 125.4-acre Addition Area 1 is to the north of the current Darrington UGA. The
16 amendments to the FLU Map redesignate land from Low Density Rural Residential
17 (LDRR), RI, and RR-RD with the Rural Urban Transition Area (RUTA) overlay to
18 P/IU, UI, and ULDR-3. Amendments to the official zoning map rezone the area from
19 F, RD, and RI to R-12,500 and HI.

20
21 The 6.2-acre Addition Area 2 is to the south of the current Darrington UGA. The
22 amendments to the FLU Map redesignate the land from Rural Residential-5 (RR-5)
23 to ULDR-3. Amendments to the official zoning map rezone the area from RD to R-
24 12,500.

25
26 D. The DR1 amendments were analyzed for consistency with RCW 36.70A.130(1)(d),
27 which requires that comprehensive plan amendments be consistent with the GMA.
28 The amendments are consistent with RCW 36.70A.130(2)(a), which requires that
29 comprehensive plan amendments be considered no more frequently than once
30 every year. The non-county initiated amendments are scheduled for final
31 consideration by the County Council according to the requirements in chapter 30.74
32 SCC and are considered together with county-initiated comprehensive plan
33 amendments for final action no more frequently than once per year. The
34 amendments are consistent with RCW 36.70A.070, which requires internal
35 consistency within a comprehensive plan because the amendments maintain
36 internal consistency between the GMACP FLU Map and the area-wide zoning map.
37 The amendments are consistent with RCW 36.70A.110(8) as there are no areas
38 within the 100-year floodplain in the two UGA addition areas. The amendments are
39 consistent with RCW 36.70A.201(1) & (7) and RCW 36.70A.100 as development
40 capacity is not increased in a regional geography not served by high-capacity transit.
41 The amendments are consistent with RCW 36.70A.100 and 36.70A.210, which
42 require that a comprehensive plan be consistent with the Puget Sound Regional
43 Council (PSRC) Multicounty Planning Policies (MPPs) and the Snohomish County

1 Countywide Planning Policies (CPPs). The amendments are consistent with the
2 MPPs and the CPPs as analyzed and described in the additional findings below.

3
4 E. The DR1 amendments are consistent with RCW 36.70.130(3)(c).

- 5
6 1. The amendments are consistent with RCW 36.70.130(3)(c)(i) as the total surface
7 area of the UGA will decrease by 130.4 acres.
- 8
9 2. The amendments are consistent with RCW 36.70.130(3)(c)(ii) as the UGA
10 addition areas do not include designated resource lands of long-term commercial
11 significance.
- 12
13 3. The amendments are consistent with RCW 36.70.130(3)(c)(iii) as only 11.9% of
14 the UGA addition areas is comprised of critical areas.
- 15
16 4. The amendments are consistent with RCW 36.70.130(3)(c)(iv) as the areas
17 added to the UGA are either characterized by existing urban and urban-
18 compatible uses, or suitable for urban development, with a large portion of the
19 addition area occupied by an existing lumber mill that straddles the existing UGA
20 boundary and a park that will remain a park in the UGA.
- 21
22 5. The amendments are consistent with RCW 36.70.130(3)(c)(v) as the proposal is
23 consistent with the Transportation Element and Capital Facilities and Utilities
24 Element, except that sanitary sewer service is not available in the Darrington
25 UGA.
- 26
27 6. The amendments are consistent with RCW 36.70.130(3)(c)(vi) as the
28 amendments reduce the development capacity within the Darrington UGA and
29 the composite countywide UGA has a UGA sizing safety factor of additional
30 capacity compared to growth targets of just 6.5% for population, 4.2% for
31 housing, and 5.5% for employment capacity as documented in the 2024 UGA
32 Land Capacity Analysis.
- 33
34 7. The amendments are consistent with RCW 36.70.130(3)(c)(vii) as the areas
35 removed from the UGA do not include urban growth or urban densities.
- 36
37 8. The amendments are consistent with RCW 36.70.130(3)(c)(viii) as the revised
38 urban growth area is contiguous, does not include holes or gaps, and will not
39 increase pressures to urbanize rural or natural resource lands, with physical
40 features forming the majority of the boundary of the addition area not adjacent to
41 the existing parkland and the addition takes in the existing urban use in the form
42 an existing lumber mill that straddles the existing UGA boundary.
- 43

1 F. The DR1 amendments are consistent with the MPPs, including RGS-4, RGS-6, and
2 RGS-12 as the amendments do not increase development capacity in a regional
3 geography not served by high-capacity transit.
4

5 G. The DR1 amendments are consistent with the CPPs, including DP-3, by amending
6 the FLU Map and the official zoning map to adjust the Darrington UGA to remove
7 one area of the UGA and expand it in other areas, as there will be no development
8 capacity increase as a result of the amendments. Residential capacity will decrease
9 by five persons, however, the resulting UGA is sufficient to accommodate the
10 adopted initial 2044 target. Employment capacity will decrease by 150 jobs,
11 however, there will remain a UGA employment capacity surplus of 60 within the
12 unincorporated Darrington UGA.
13

14 H. The DR-1 amendments are consistent with the Snohomish County GMACP,
15 including LU Policy 1.A.14 (proposed to be renumbered as LU 1.A.11) by proposing
16 an adjustment of the Darrington UGA that is consistent with the GMA and CPP DP-
17 3.
18

19 I. Procedural requirements.
20

- 21 1. State Environmental Policy Act (SEPA) requirements with respect to this non-
22 project action have been satisfied through the completion of a Draft
23 Environmental Impact Statement (EIS) issued on September 6, 2023, and a
24 Final EIS issued on _____, 2024.
25
- 26 2. The amendments are a Type 3 legislative action pursuant to SCC 30.73.010.
27
- 28 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance
29 was transmitted to the Washington State Department of Commerce for
30 distribution to state agencies on _____, 2024.
31
- 32 4. The public participation process used in the adoption of this ordinance
33 complied with all applicable requirements of the GMA and the SCC.
34 Notification was provided in accordance with SCC 30.73.050.
35
- 36 5. The Washington State Attorney General last issued an advisory
37 memorandum, as required by RCW 36.70A.370, in September of 2018
38 entitled “Advisory Memorandum: Avoiding Unconstitutional Takings of Private
39 Property” to help local governments avoid the unconstitutional taking of
40 private property. The process outlined in the State Attorney General’s 2018
41 advisory memorandum was used by Snohomish County in objectively
42 evaluating the amendments in this ordinance.
43

1 Section 2. The County Council makes the following conclusions:
2

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

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

23 Section 4. Map 1 (Future Land Use) of the GMACP Land Use Element, last
24 amended by Ordinance No. _____ on _____, is amended as
25 indicated in Exhibits A, B, and C to this ordinance, which are attached hereto and
26 incorporated by reference into this ordinance.
27

28 Section 5. The official zoning maps maintained pursuant to SCC 30.21.030 shall
29 be revised to reflect the zoning changes adopted by the County Council as indicated in
30 Exhibits D, E, and F to this ordinance, which are attached hereto and incorporated by
31 reference into this ordinance.
32

33 Section 6. The County Council directs the code reviser to update SCC 30.10.060
34 pursuant to SCC 1.02.020(3).
35

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

1 the effective date of this ordinance shall be in full force and effect for that individual
2 section, sentence, clause, or phrase as if this ordinance had never been adopted.

3
4 PASSED this _____ day of _____, 2024.
5

6 SNOHOMISH COUNTY COUNCIL
7 Snohomish County, Washington
8

9 _____
10 Council Chair

11
12 ATTEST:

13
14 _____
15

- 16
- 17 () APPROVED
- 18 () EMERGENCY
- 19 () VETOED

20 DATE: _____
21

22 _____
23 County Executive

24 ATTEST:

25
26 _____
27

28
29 Approved as to form only:

30
31  _____ 3/21/24
32 Deputy Prosecuting Attorney

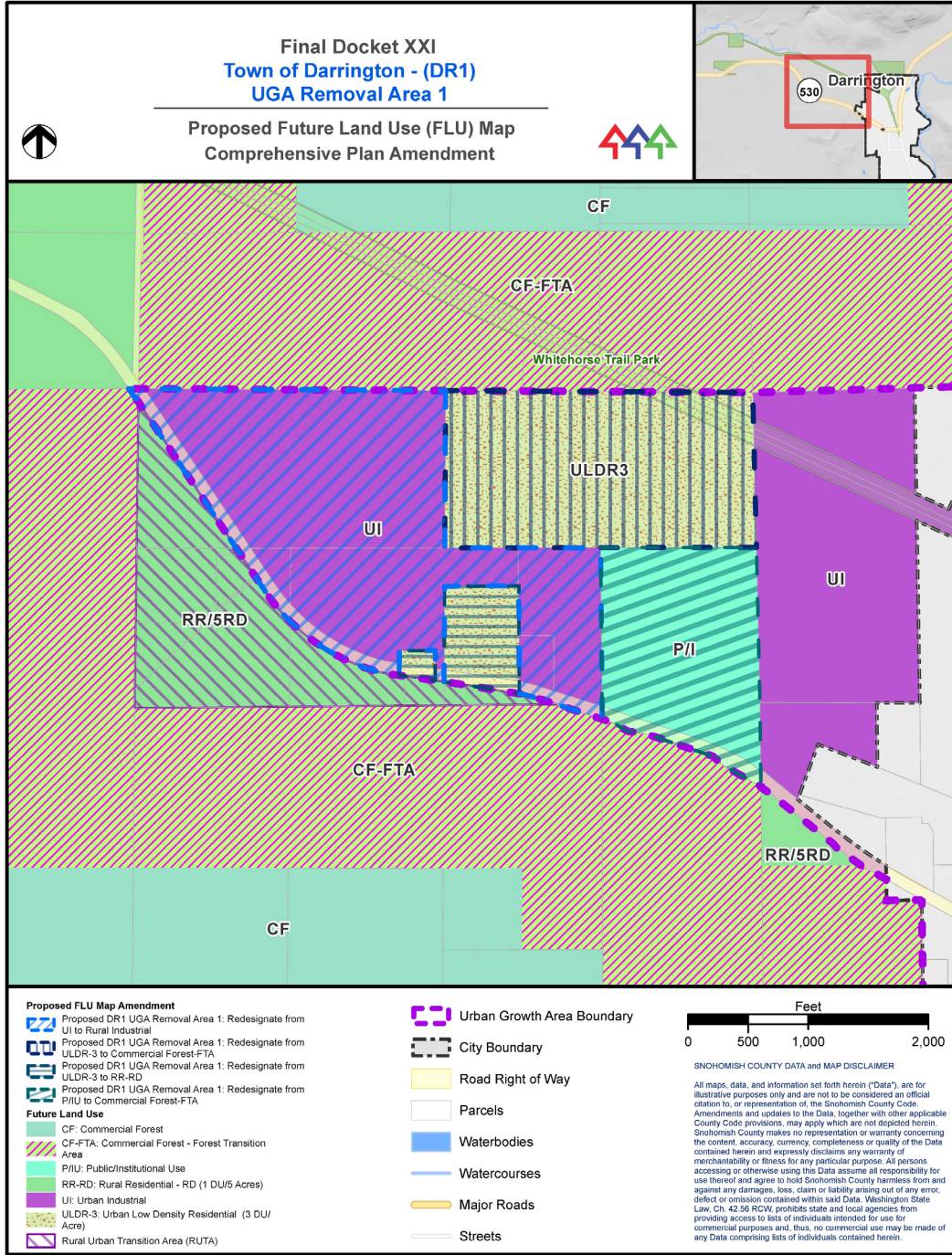
Exhibit A

Ordinance No. 24-026

Final Docket XXI

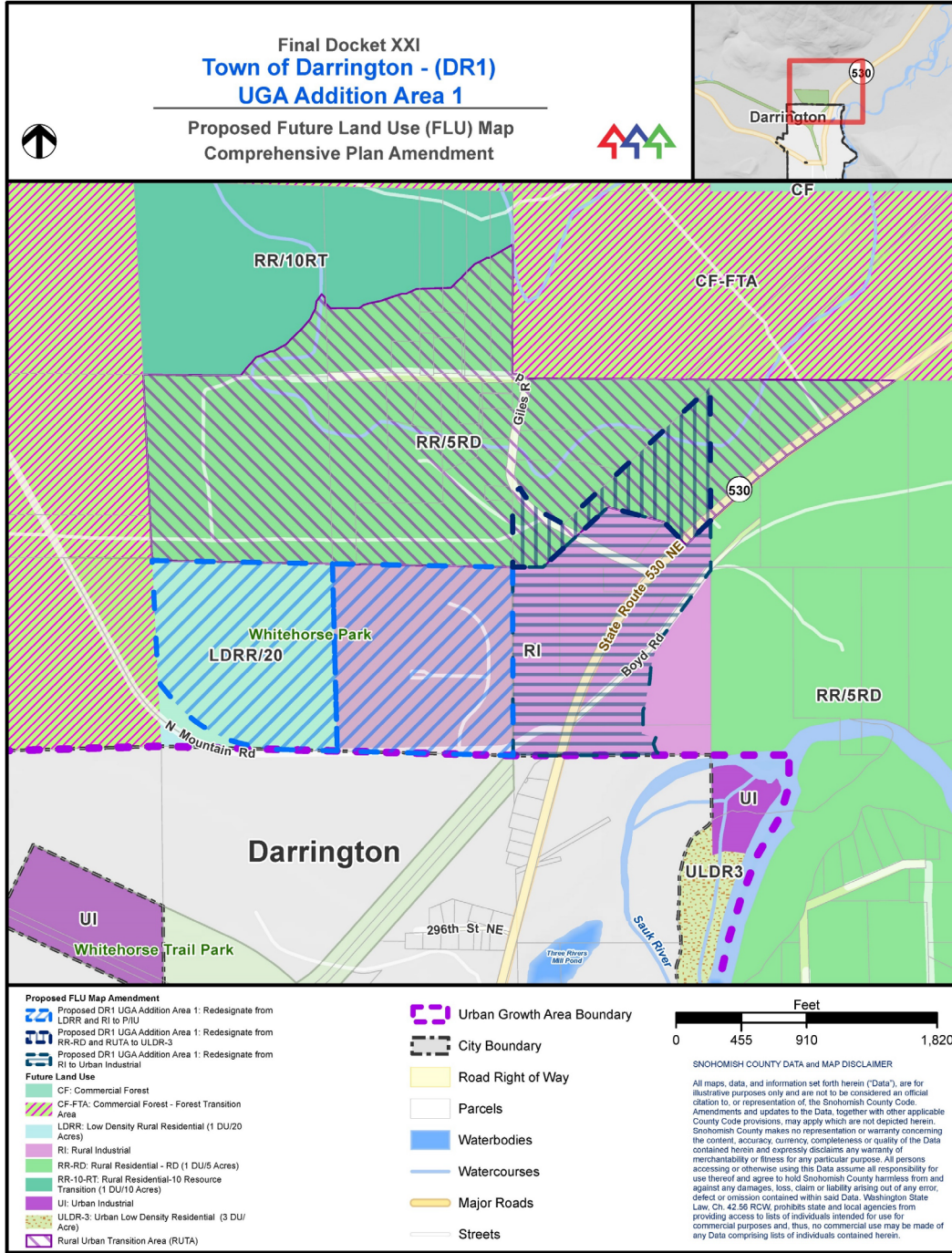
DR1 – Town of Darrington

Amendments to the FLU Map of the GMACP – Removal Area



ORDINANCE NO. 24-____
RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE 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 DARRINGTON URBAN GROWTH AREA (DR1 – TOWN OF DARRINGTON)

Exhibit B
Ordinance No. 24-026
Final Docket XXI
DR1 – Town of Darrington
Amendments to the FLU Map of the GMACP – Addition Area 1



ORDINANCE NO. 24-____
 RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE 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 DARRINGTON URBAN GROWTH AREA (DR1 – TOWN OF DARRINGTON)

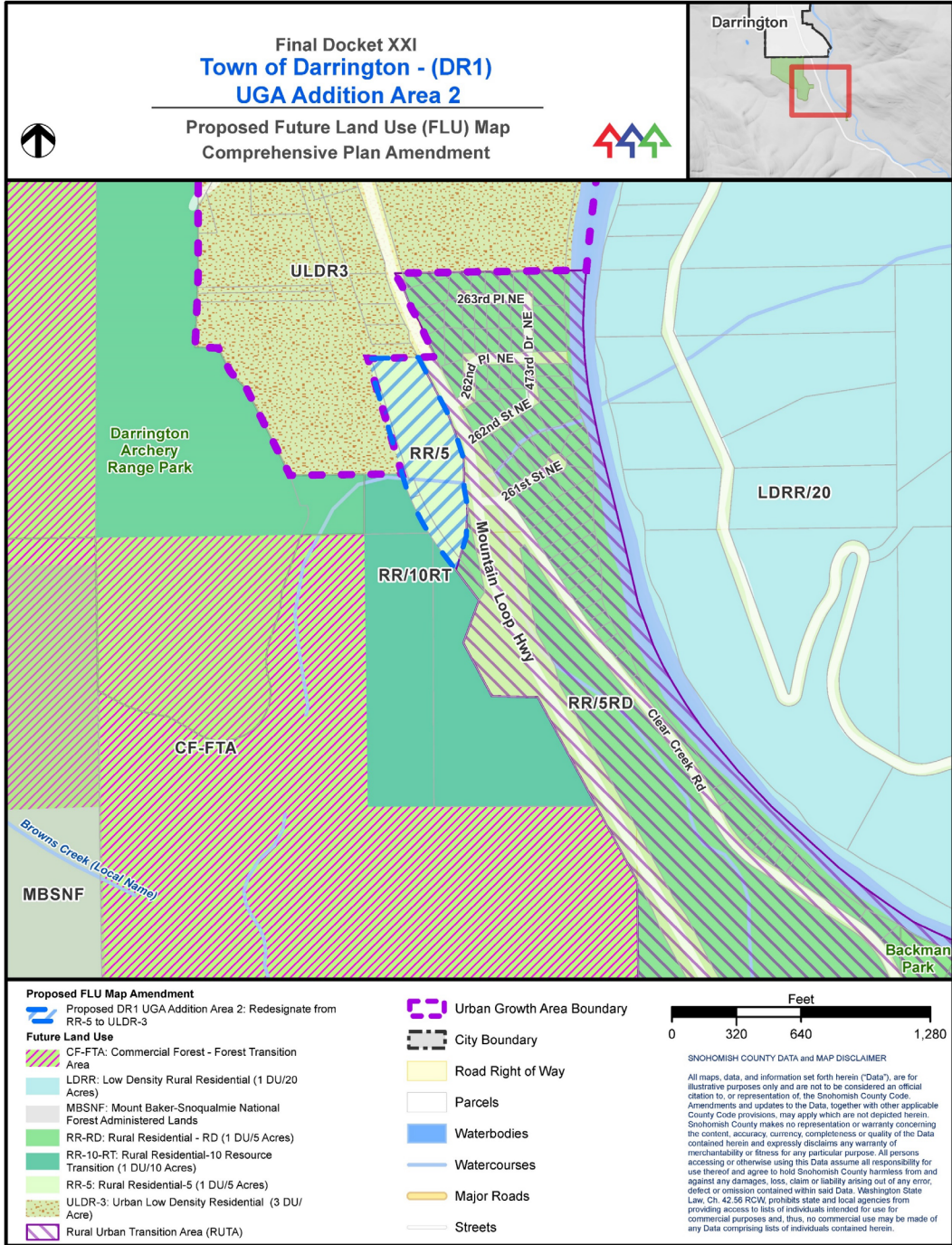
Exhibit C

Ordinance No. 24-026

Final Docket XXI

DR1 – Town of Darrington

Amendments to the FLU Map of the GMACP – Addition Area 2



ORDINANCE NO. 24-____
RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE 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 DARRINGTON URBAN GROWTH AREA (DR1 – TOWN OF DARRINGTON)

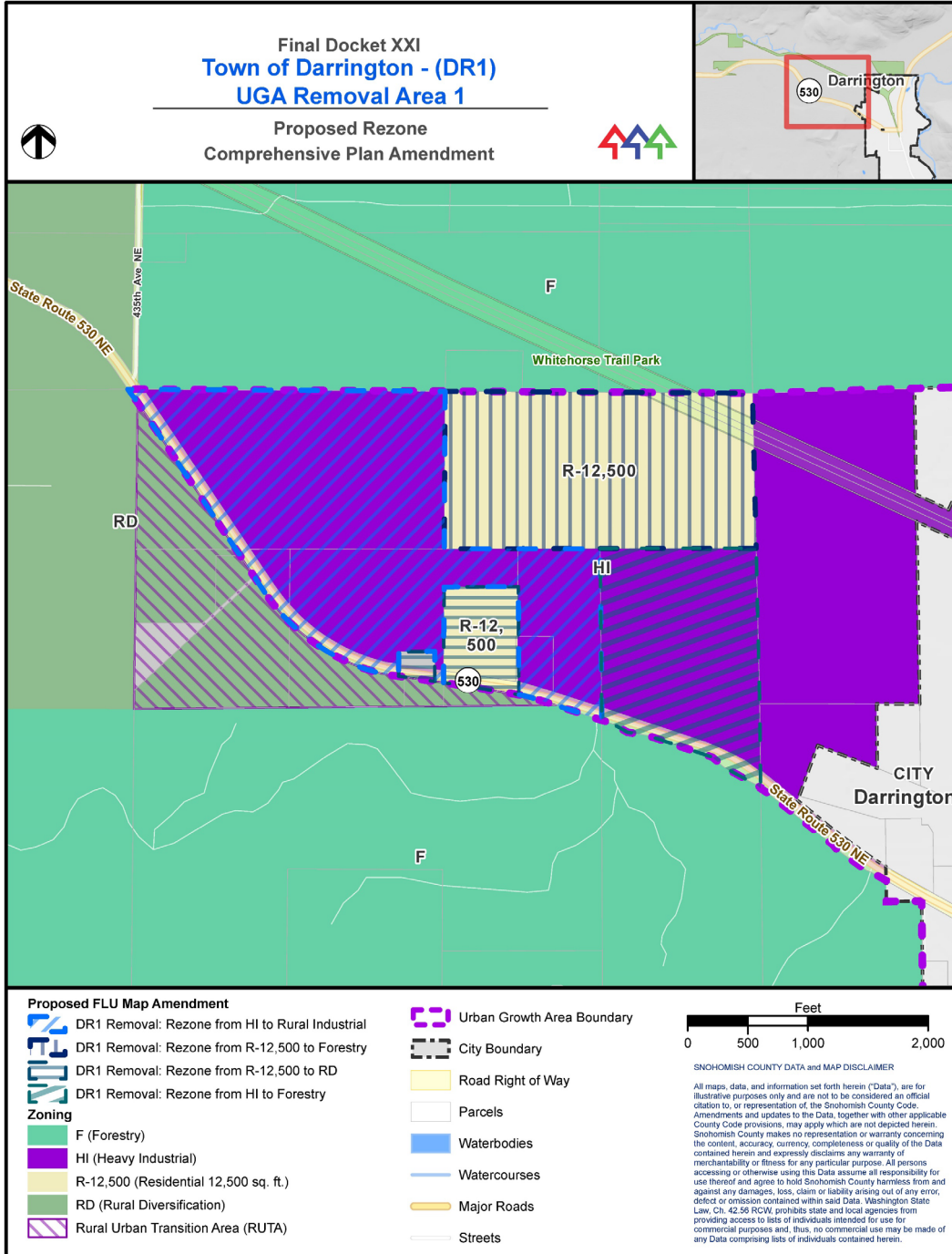
Exhibit D

Ordinance No. 24-026

Final Docket XXI

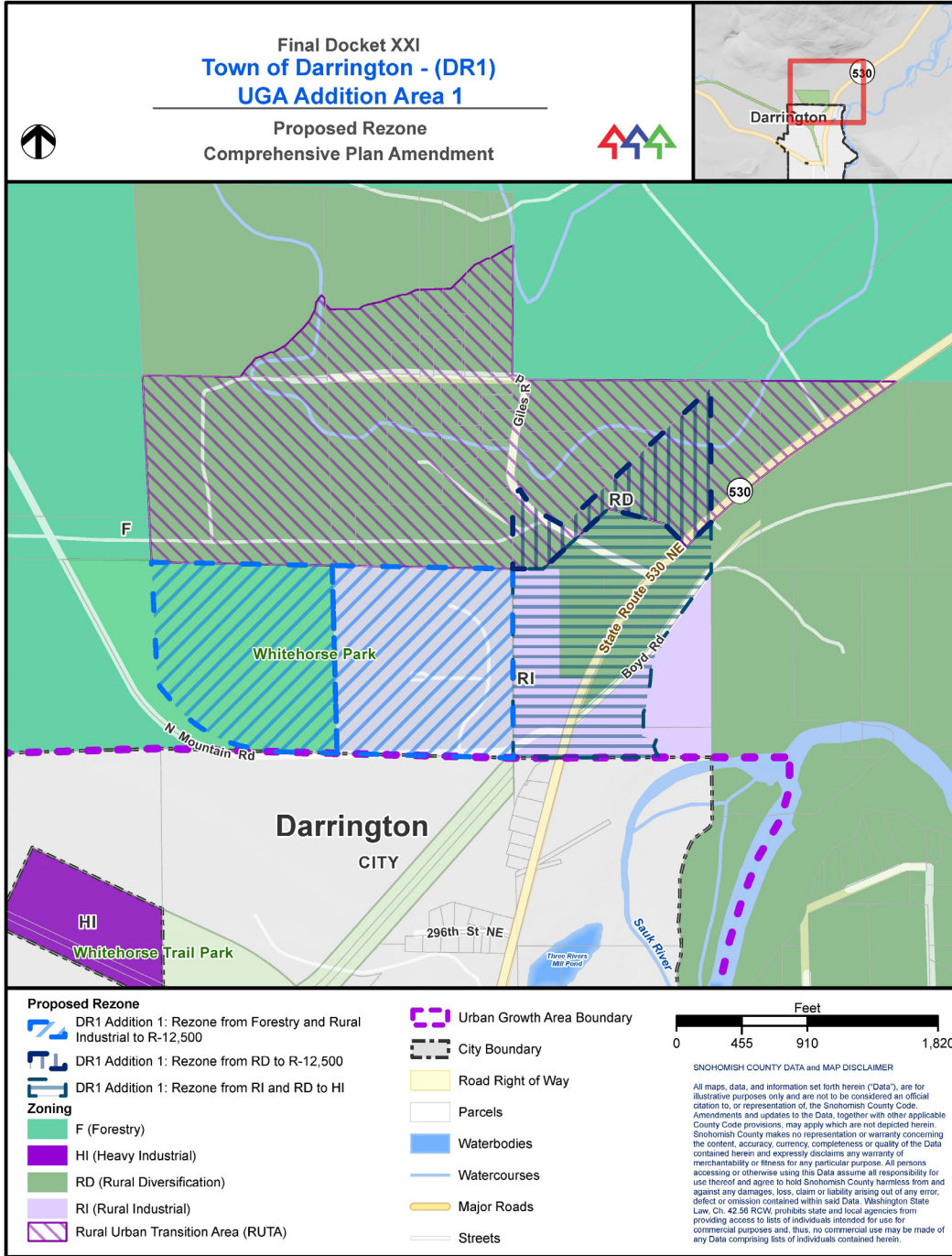
DR1 – Town of Darrington

Amendments to the Official Zoning Maps – Removal Area



ORDINANCE NO. 24-____
 RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE 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 DARRINGTON URBAN GROWTH AREA (DR1 – TOWN OF DARRINGTON)

Exhibit E
Ordinance No. 24-026
Final Docket XXI
DR1 – Town of Darrington
Amendments to the Official Zoning Maps – Addition Area 1



ORDINANCE NO. 24-____
 RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE 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 DARRINGTON URBAN GROWTH AREA (DR1 – TOWN OF DARRINGTON)

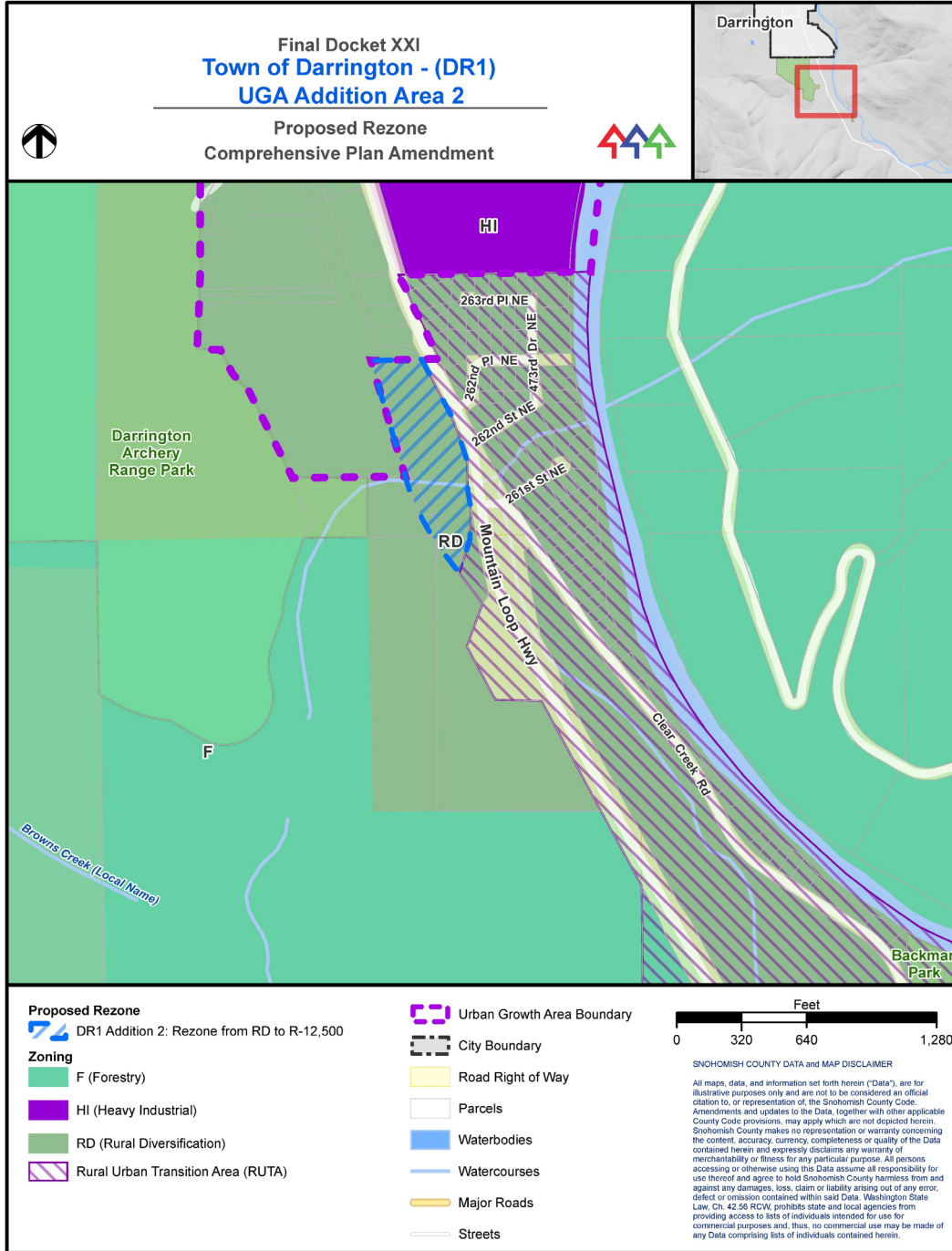
Exhibit F

Ordinance No. 24-026

Final Docket XXI

DR1 – Town of Darrington

Amendments to the Official Zoning Maps – Addition Area 2



ORDINANCE NO. 24-____
RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE 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 DARRINGTON URBAN GROWTH AREA (DR1 – TOWN OF DARRINGTON)