

1 Adopted:

2 Effective:

3 SNOHOMISH COUNTY COUNCIL

4 Snohomish County, Washington

5
6 ORDINANCE NO. 25-081

7
8 RELATING TO GROWTH MANAGEMENT; AMENDING THE SNOHOMISH COUNTY OFFICIAL
9 ZONING MAP TO MORE FULLY IMPLEMENT THE URBAN MEDIUM DENSITY RESIDENTIAL
10 DESIGNATION ON THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT
11 COMPREHENSIVE PLAN FUTURE LAND USE MAP IN THE ESPERANCE AREA
12

13 WHEREAS, on December 4, 2024, the Snohomish County Council ("County Council") adopted the
14 Snohomish County Growth Management Act Comprehensive Plan (GMACP) including the Future Land
15 Use (FLU) Map through Amended Ordinance No. 24-033 pursuant to RCW 36.70A.130; and
16

17 WHEREAS, counties and cities that are required to plan under the Growth Management Act
18 (GMA), chapter 36.70A RCW, must ensure their comprehensive plans and zoning are consistent; and
19

20 WHEREAS, the Snohomish County Official Zoning Map ("zoning map") is generally consistent
21 with the FLU Map; and
22

23 WHEREAS, the Urban Medium Density Residential (UMDR) designation on the FLU Map allows
24 for a range of implementing zones, with the highest density implementing zone being Low Density
25 Multiple Residential (LDMR); and
26

27 WHEREAS, if that zone is not in place in that FLU designation, developers are allowed to and
28 normally will apply for site-specific quasi-judicial rezones as part of the permitting process in advance of,
29 or concurrent with, applications for new housing development in order to develop at the planned
30 density, an extra and redundant step in the permitting process that increases time and costs for new
31 housing construction that would not be necessary if those zones were in place; and
32

33 WHEREAS, state, regional, countywide, and County laws and policies support streamlining the
34 permitting process to be more efficient and predictable and minimize additional costs in order to
35 address housing supply and affordability; and
36

37 WHEREAS, on April 22, 2025, the Snohomish County Planning Commission ("Planning
38 Commission") was briefed by Snohomish County Planning and Development Services (PDS) staff about
39 the zoning map amendments contained in the original Ordinance No. 25-051, which at that time
40 included the Esperance area now at issue in this ordinance; and
41

42 WHEREAS, the Planning Commission held a public hearing on May 27, 2025, to receive public
43 testimony concerning those zoning map amendments; and

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URBAN MEDIUM DENSITY RESIDENTIAL DESIGNATION ON THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN
FUTURE LAND USE MAP IN THE ESPERANCE AREA

1
2 WHEREAS, the notice of the Planning Commission public hearing was mailed to 35,526
3 addresses, including those taxpayers of record and site addresses potentially affected by the zoning map
4 amendments and those within 500 feet of a zoning map amendment, and published in the Everett
5 Herald; and
6

7 WHEREAS, at the conclusion of the Planning Commission's public hearing, the Planning
8 Commission deliberated on the zoning map amendments and voted to recommend approval of the
9 zoning map amendments, as shown in its recommendation letter dated July 1, 2025; and
10

11 WHEREAS, prior to original Ordinance No. 25-051 being presented to the County Council, two
12 properties proposed to be rezoned to LDMR under that proposal were rezoned to LDMR as site-specific
13 rezones and Exhibit A to this ordinance reflects one of those site-specific rezones, which occurred in the
14 Esperance area; and
15

16 WHEREAS, on October 1, 2025, the County Council held a public hearing after proper notice, and
17 considered public comment and the entire record related to the zoning map amendments contained in
18 the original Ordinance No. 25-051 and deliberated on the zoning map amendments contained therein;
19 and
20

21 WHEREAS, after much discussion and consideration, the County Council sent the original
22 Ordinance No. 25-051 back to the Planning and Community Development Committee wherein it was
23 reintroduced and discussed on October 7, 2025; and
24

25 WHEREAS, Council requested that a substitute ordinance be drafted to exclude the area known
26 as Esperance from the areawide rezone and then be sent back to Council for consideration; and
27

28 WHEREAS, proposed Substitute Ordinance No. 25-051 excludes Esperance from the areawide
29 rezone as proposed in the original Ordinance No. 25-051; and
30

31 WHEREAS, Councilmembers also requested that a new ordinance be drafted specific to rezone
32 the Esperance area only; and
33

34 WHEREAS, Esperance is a unique enclave of approximately 450 acres in Snohomish County's
35 Southwest Urban Growth Area and the City of Edmonds Municipal Urban Growth Area; and
36

37 WHEREAS, members of the Esperance community provided public comment on the original
38 Ordinance No. 25-051 during its May 27, 2025, Planning Commission public hearing as well as County
39 Council public hearing on October 1, 2025; and
40

41 WHEREAS, this ordinance proposes the same changes to the Snohomish County Official Zoning
42 Map for the Esperance area that were originally included in the original Ordinance No. 25-051; and
43

1 WHEREAS, at the October 1, 2025, County Council public hearing and the October 7, 2025,
2 Planning and Community Development Committee meeting, Councilmembers expressed a desire for the
3 Esperance area to be annexed into the City of Edmonds and asked the County Planning and
4 Development Services staff to work with the City of Edmonds in coordination; and
5

6 WHEREAS, on _____, 2025, the County Council held a public hearing after proper
7 notice, and considered public comment and the entire record related to the zoning map amendments
8 contained in this Ordinance No. 25-____; and
9

10 WHEREAS, following the public hearing, the County Council deliberated on the zoning map
11 amendments contained herein;
12

13 NOW, THEREFORE, BE IT ORDAINED:
14

15 Section 1. The County Council adopts the following findings in support of this ordinance:
16

- 17 A. The foregoing recitals are adopted as findings as if set forth in full herein.
18
19 B. This ordinance amends the Snohomish County Official Zoning Map to adopt the LDMR zone to more
20 fully implement the UMDR designation on the adopted GMACP FLU Map.
21
22 C. This ordinance maintains and improves consistency with the Snohomish County GMACP as required
23 under RCW 36.70A.040.
24
25 D. In developing the zoning map amendments in this ordinance, the County considered the Growth
26 Management Act (GMA) goals within RCW 36.70A.020. In particular, the proposed amendments are
27 consistent with and promote:
28

29 GMA Goal 1: "Urban growth. Encourage development in urban areas where adequate public
30 facilities and services exist or can be provided in an efficient manner."
31

32 GMA Goal 2: "Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into
33 sprawling, low-density development."
34

35 GMA Goal 7: "Permits. Applications for both state and local government permits should be
36 processed in a timely and fair manner to ensure predictability."
37

38 The zoning map amendments in this ordinance streamline the permitting process by removing a
39 step in the development process to apply for a quasi-judicial rezone prior to new development, as is
40 often necessary in areas where the FLU map has not been fully implemented in the zoning. In
41 addition, the zoning map amendments support planned densities within the UGA where services
42 and facilities exist currently to accommodate higher levels of growth. The zoning map amendments
43 also support infill development to concentrate growth within the UGA, reducing urban sprawl
44 outside of the UGA.

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- 1
2 E. In developing the zoning map amendments in this ordinance, the County considered the following
3 Multicounty Planning Policies (MPPs):
4

5 MPP-RGS-6: "Encourage efficient use of urban land by optimizing the development potential of
6 existing urban lands and increasing density in the urban growth area in locations consistent with
7 the Regional Growth Strategy."
8

9 MPP-H-10: "Encourage jurisdictions to review and streamline development standards and
10 regulations to advance their public benefit, provide flexibility, and minimize additional costs to
11 housing."
12

13 The zoning map amendments in this ordinance streamline the permitting process by removing a
14 step in the development process to apply for a quasi-judicial rezone prior to new development, as is
15 often necessary in areas where the FLU map has not been fully implemented in the zoning. In
16 addition, the zoning map amendments in this ordinance support planned housing densities within
17 the UGA and opportunity for infill development, ensuring land is used efficiently.
18

- 19 F. The map amendments in this ordinance support the Snohomish County Countywide Planning
20 Policies (CPPs):
21

22 HO-4: "The county and cities should implement policies that allow for the development of
23 moderate density housing to help meet future housing needs, diversify the housing stock, and
24 provide more affordable home ownership and rental opportunities. This approach should
25 include code updates to ensure that zoning designations and allowed densities, housing
26 capacity, and other restrictions do not preclude development of moderate density housing."
27

28 The zoning map amendments in this ordinance are consistent with the CPPs as they support the
29 GMACP FLU Map designation of UMDR that plans for moderate densities in urban zones to support
30 development of more housing, and greater variety of housing, to accommodate future housing
31 needs and availability of more affordable home ownership and rental opportunities.
32

- 33 G. The zoning map amendments in this ordinance more fully implement and ensure consistency with
34 the following policies from the Land Use and Housing Elements of the GMACP:
35

36 "*Urban Medium Density Residential (UMDR)*. This designation allows a variety of housing types,
37 including detached homes on small lots, townhouses, and apartments in medium density
38 developments. Implementing zones: MHP, LDMR, PRD-LDMR, Townhouse, R-7,200, PRD-7,200
39 and WFB."
40

41 HO 3.A.2: "Development standards and building permit requirements shall be reviewed on a
42 continual basis to ensure clarity and consistency while providing for a timely, fair, and
43 predictable application processing outcome."

1
2 The zoning map amendments in this ordinance more fully implement the UMDR FLU designation
3 adopted on the GMACP FLU Map. The zoning map amendments in this ordinance streamline the
4 permitting process by removing a step in the development process to apply for a quasi-judicial
5 rezone prior to new development, as is often necessary in areas where the FLU map has not been
6 fully implemented in the zoning.

7
8 H. Procedural requirements.

- 9
10 1. The zoning map amendments in this ordinance are a Type 3 legislative action under SCC
11 30.73.010 and 30.73.020.
12
13 2. As required by RCW 30.70A.106(1), a notice of intent to adopt the proposed zoning
14 amendments was transmitted to the Washington State Department of Commerce for
15 distribution to state agencies on May 5, 2025.
16
17 3. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with respect to this
18 non-project action were satisfied through analysis in the Environmental Impact Statement (EIS)
19 for the Snohomish County 2024 Comprehensive Plan Update and an addendum to that EIS
20 issued to that effect on May 5, 2025.
21
22 4. The public participation process for the proposed zoning amendments has complied with all
23 applicable requirements of the GMA and SCC.
24
25 5. As required by RCW 36.70A.370, the Washington State Attorney General last issued an advisory
26 memorandum in October 2024 titled “Advisory Memorandum and Recommended Process for
27 Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of
28 Private Property” to help local governments avoid unconstitutional takings of private property.
29 The process outlined in the State Attorney General’s 2024 advisory memorandum was used by
30 the County in objectively evaluating the regulatory changes in this proposal.
31

32 I. The zoning map amendments in this ordinance are consistent with the record:

- 33
34 1. This ordinance amends the Snohomish County Official Zoning Map to adopt the LDMR zone over
35 approximately 450 acres within the Southwest County Urban Growth Area to more fully
36 implement the UMDR designation on the adopted GMACP FLU Map.
37
38 2. The zoning map amendments are consistent with the record as set forth in the PDS Staff Report
39 dated April 4, 2025.
40

41 Section 2. The County Council makes the following conclusions:
42

- 1 A. The amendments proposed by this ordinance are consistent with all applicable federal, state, and
2 local laws and regulations.
3
4 B. The amendments proposed by this ordinance are consistent with the goals, objectives, and policies
5 of the MPPs, CPPs, and the Snohomish County GMACP.
6
7 C. The County has complied with all SEPA requirements in respect to this non-project action.
8
9 D. The public participation process used in the adoption of this ordinance complies with all applicable
10 requirements of the GMA and title 30 SCC.
11
12 E. The amendments proposed by this ordinance do not result in an unconstitutional taking of private
13 property for a public purpose.
14

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

19 Section 4. The Snohomish County Official Zoning Map maintained pursuant to SCC 30.21.030
20 shall be revised to reflect the zoning map amendments adopted by the County Council as indicated in
21 Exhibit A to this ordinance, which is attached hereto and incorporated by reference into this ordinance.
22

23 Section 5. Severability and Savings. If any section, sentence, clause or phrase of this ordinance
24 shall be held to be invalid by the Growth Management Hearings Board (Board), or unconstitutional by a
25 court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
26 constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however,
27 that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or
28 court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the
29 effective date of this ordinance shall be in full force and effect for that individual section, sentence,
30 clause or phrase as if this ordinance had never been adopted.
31
32

33 PASSED this _____ day of _____, 20__.

34
35 SNOHOMISH COUNCIL
36 Snohomish, Washington
37
38

39 _____
40 Council Chair

41 ATTEST:
42
43

1 _____
2 Deputy Clerk of the Council
3

4 () APPROVED
5 () EMERGENCY
6 () VETOED

DATE:

7
8
9 _____
10 County Executive

11 ATTEST:
12
13 _____
14

15 Approved as to form only:

16  November 19, 2025
17 _____
18 Deputy Prosecuting Attorney
19
20
21
22
23
24

