



**Snohomish County**

**Planning and Development  
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**MEMORANDUM**

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

**Dave Somers**  
*County Executive*

**FROM:** Dave Somers, County Executive

**DATE:** September 10, 2024

**SUBJECT:** 2024 Comprehensive Plan Update County Council Recommended UGA Expansions – proposed amendments to Ordinance Nos. 24-030, 24-031, 24-032, and 24-033

The purpose of this memorandum is to express concerns regarding expansions of the Urban Growth Areas (UGAs) being considered by the Snohomish County Council that differ from the Executive recommendations. These concerns are in response to potential amendments identified on the September 11, 2024, agenda for the continued hearing on Ordinance Nos. 24-030, 24-031, 24-032, and 24-033 to add additional UGA expansions as part of the 2024 Update of the Snohomish County Growth Management Act (GMA) Comprehensive Plan. The UGA expansions addressed in this memorandum are:

1. A larger Southwest UGA expansion to the full extent of what was studied as the Council Motion No. 22-090 proposal in Alternative 3 in the Environmental Impact Statement (EIS);
2. The Maltby UGA expansion as proposed under Council Motion No. 22-098;
3. The expansion of the Marysville UGA to include the area in the MV2 – Northpoint Development proposal from Final Docket XXI and associated policy amendments; and
4. The expansion of the Monroe UGA to include the area in the MON2 – Davis-Johnson proposal from Final Docket XXI.

The concerns with each of the proposals are detailed below. The goals of voicing these concerns are preventing urban sprawl and inefficient public infrastructure investments, avoiding unnecessary and irreversible impacts to the environment, and avoiding the high likelihood of costly legal challenges for actions that do not meet relevant statutes or regional and local policy criteria. These include Revised Code of Washington (RCW) 36.70A – GMA, the Puget Sound Regional Council VISION 2050 Multicounty Planning Policies (MPPs), the Snohomish County Countywide Planning Policies (CPPs), and policies in the County GMA Comprehensive Plan (GMACP).

The Executive opposes a larger expansion of the Southwest UGA than was included in the Executive Recommended Plan. The Executive opposes the Council Motion No. 22-098 expansion of the Maltby UGA. The Executive opposes the MV2 expansion of the Marysville UGA and deletion of policy requirements in the GMACP to retain Rural Residential-10 designation for that area. The Executive also wants to ensure that the concerns expressed in the staff recommendation regarding the MON2 proposal are fully weighed alongside testimony in support of that proposal provided by the public and the City of Monroe as the County Council makes a decision on that proposal.

### **Southwest UGA Expansion**

The County Council is considering an amendment to proposed Ordinance No. 24-030 that would revise the recommended eastern expansion of the Southwest UGA to include an additional 411 acres of land for Urban Low Density Residential (ULDR) and Public/Institutional Use (P/IU) future land uses. These lands were studied as part of the Motion No. 22-090 UGA expansion proposal in Alternative 3 of the EIS for the 2024 Update.

This larger expansion of the Southwest UGA is an example of the type of urban sprawl that the GMA was designed to prevent and is unnecessary to accommodate projected growth through 2044. There would be irreversible impacts to the natural environment once the area's current designation as rural residential land is removed and it is developed at urban densities. There is a high likelihood that it would face legal challenge based on public testimony that has been received from members of the public and organizations. Meanwhile, it is not supported by GMA, the MPPs, CPPS, and GMACP policies.

This larger Southwest UGA expansion is not necessary to accommodate projected growth as required under GMA in RCW 36.70A.110(2). The UGA Land Capacity Analysis for the Executive Recommended Plan, forwarded with Executive Amendment Sheet 4 to Ordinance No. 24-033 and dated August 7, 2024, documents that there is sufficient capacity in the composite UGA, including cities and towns and unincorporated UGAs, to accommodate the recommended population, housing, and employment targets with a UGA sizing safety factor of 5.8% for population growth.

The proposal does not further Goal 12 Public Facilities and Services, or Goal 14 Climate Change of the GMA (RCW 36.70A.020(12) and (14)). In particular, the northern part of the proposal, identified as the Sunset Road area in the EIS and approximately 215 acres generally east of Sunset Road, with 156<sup>th</sup> St SE near the north boundary and 174<sup>th</sup> St SE near the south, would allow a significant amount of new growth under this proposal. UGA expansion in this area would create capacity for an additional 2,325 population. This growth would be planned for an area without nearby commercial services, and no existing or planned bus service. This would put more traffic on roads that are already heavily congested, including 35<sup>th</sup> Ave SE which is designated at ultimate capacity. With more vehicles traveling further distances, there would be significant additional greenhouse gas emissions. Furthermore, the northern portion lies near the headwaters of Little Bear Creek. The County and many organizations have invested considerably in projects designed to improve water quality and fish habitat in Little Bear Creek, and further development jeopardizes these investments.

This larger Southwest UGA expansion does not further the policies in the MPPs in VISION 2050. Importantly, MPP RGS-5 states, "Ensure long-term stability and sustainability of the urban growth area consistent with the regional vision." The Regional Growth Strategy in VISION 2050 envisions that there will only be minor adjustments to UGA boundaries. A 789-acre UGA expansion for urban development

can no longer be considered a minor UGA adjustment, and a smaller UGA expansion is sufficient to accommodate the projected growth.

Since the larger expansion area is not necessary to accommodate growth, it also does not meet the CPP DP-2 requirements for a UGA expansion.

For these reasons, the Executive opposes a larger expansion of the Southwest UGA to the full extent of Motion No. 22-090 and instead recommends the smaller Southwest UGA expansion that is included in the Executive Recommended Plan.

### **Maltby UGA Expansion**

The County Council is considering amendments to proposed Ordinance Nos. 24-031 and 24-032 to expand the Maltby UGA by approximately 255 acres plus additional right-of-way. Most of this expansion area would be for P/IU uses, with some Urban Industrial uses, including an area of 10.7 acres to the southeast of the UGA that is also the subject of the MALT1 – Vangemert proposal as part of Final Docket XXI. The expansion would also take in the intersection of SR 524 and SR 9 for Urban Commercial use. This proposal was studied as the Motion No. 22-098 UGA expansion proposal in Alternative 3 of the EIS for the 2024 Update.

This expansion of the Maltby UGA is unnecessary to accommodate projected growth through 2044. There would be irreversible impacts to the natural environment and the rural community in the proximity once it is developed with urban uses. There is the likelihood that it would face legal challenge. Meanwhile, it is not supported by GMA, the MPPs, CPPs, and GMACP policies.

The proposal does not further Goal 10 Natural Environment of the GMA (RCW 36.70A.020(10)). The EIS documents that a tributary to Little Bear Creek runs through the northern part of this UGA expansion area. Redesignation of some properties in this part of the proposed UGA expansion area for Urban Industrial and Urban Commercial uses would result in more intensive development that could impact surface water quality and fish habitat in the area. Cutthroat Creek is a fish bearing stream and sockeye salmon, coho salmon, and cutthroat trout are believed to use the stream.

The Maltby UGA expansion is not necessary to accommodate projected growth as required under GMA in RCW 36.70A.110(2). This proposal is primarily for employment uses and public uses, with an estimated additional capacity of 671 jobs. The public uses in the expansion area do not require expansion of the UGA. The UGA Land Capacity Analysis for the Executive Recommended Plan, forwarded with Executive Amendment Sheet 4 to Ordinance 24-033 and dated August 7, 2024, documents that the existing Maltby UGA has an additional employment capacity of 4,936 jobs, compared to a growth target of 1,013 additional jobs, through 2044. The composite countywide UGA as proposed in the Executive Recommended Plan has a surplus of employment capacity of 7,322 jobs, a good share of which is provided in the existing Maltby UGA. Under RCW 36.70A.130(3), UGA expansions that are part of the 2024 Update and are not necessary to accommodate projected growth require a UGA swap consistent with the provisions of RCW 36.70A.130(3)(c).

Note that the Urban Commercial future land use designation with Planned Community Business zoning proposed at the intersection of SR 524 and SR 9, a neighborhood known as Turner Corner, also allows multifamily residential construction. The EIS assumed that if added to the UGA, only a small amount of

the development in that proximity would be multifamily construction, with a conservative additional capacity estimate of 86 population. Even a small amount of new apartment construction could transform this existing rural business area dramatically.

The proposal does not further Goal 12 Public Facilities and Services of the GMA (RCW 36.70A.020(12)). The proposal would put more traffic on roads that are already heavily congested, including Snohomish-Woodinville Rd which is designated at ultimate capacity, and SR 9 and SR 522 which are already at capacity. Furthermore, the desire to include property owned by Northshore School District into the UGA is laudable, although not needed as state law allows sanitary sewer connections outside of UGAs for schools ([RCW 26.70A.213](#)). In addition, county code and state law require safe walking routes to schools whether inside or outside UGAs.

The Maltby UGA expansion proposal is inconsistent with the MPPs in VISION 2050. MPP RGS-12 states, “Avoid increasing development capacity inconsistent with the Regional Growth Strategy in regional geographies not served by high-capacity transit.” The Maltby UGA is part of the Unincorporated Urban Areas regional geography, not served by high-capacity transit.

Since the Maltby UGA expansion is not necessary to accommodate growth, it also does not meet the CPP DP-2 requirements for a UGA expansion.

The proposal is also not consistent with policies in the GMACP as proposed in the Executive Recommended Plan. The Transportation Element would need to be amended to account for projects to serve this UGA expansion. Also, as documented in the staff report on the “2024 Update Future Land Use, Zoning, and Municipal Urban Growth Area Map Alternatives” to Planning Commission dated September 11, 2023, the Snohomish County Code (SCC) 30.22.130(88) currently only allows schools and churches on land with the P/IU designation in new UGA expansion areas, whereas this would bring other types of P/IU properties into the UGA. Amendments to the SCC would be necessary to allow utilities and other public uses to build or remodel properties in this area.

For these reasons, the Executive opposes the Motion No. 22-098 expansion of the Maltby UGA.

### **Marysville UGA Expansion**

The County Council is considering amendments to proposed Ordinance Nos. 24-031 and 24-032 to expand the Marysville UGA by approximately 183 acres for Urban Industrial use as requested in the MV2 – Northpoint Development Final Docket XXI request. The MV2 proposal also includes amendments to the GMACP to delete Objective LU 6.D and Policy LU 6.D.1 which require a Rural Residential-10 future land use designation for this area and an additional adjacent area of over one thousand acres in recognition of the unique soils in this area that support specialty agriculture.

The evaluation and recommendation to deny this proposal are set forth in the staff report to the Planning Commission dated September 11, 2023, regarding the MV2 proposal. In short, the primary concerns include:

- The Marysville UGA expansion is not necessary to accommodate projected growth as required under GMA in RCW 36.70A.110(2);

- The proposal does not further Goal 9 Open Space and Recreation or Goal 10 Natural Environment of the GMA as the proposal would bring Urban Industrial development into the proximity of the middle fork of Quilceda Creek to the south, and Olaf Strad Creek, a channeled stream which bisects the site, both of which contain fish habitat that would be impacted by the proposal;
- The proposal is not supportive of Goal 12 of the GMA by putting additional traffic onto congested roads and intersections, including 51<sup>st</sup> Ave NE and 152<sup>nd</sup> St NE, SR 531 and 67<sup>th</sup> Ave NE, 67<sup>th</sup> Ave NE and 132<sup>nd</sup> St NE, State Route 531, and 67<sup>th</sup> Ave NE;
- The proposal would increase growth capacity in the Unincorporated Urban Areas regional geography, an area not served by high-capacity transit, and is therefore not supported by MPP RGS-12 of the VISION 2050; and
- The proposal is inconsistent with existing Objective LU 6.D and Policy LU 6.D.1 which require the area to remain designated Rural Residential-10, and the proposed deletion would encourage higher amounts of growth in the rural area when the Regional Growth Strategy in VISION 2050 calls for reducing growth in the rural area.

For these reasons, the Executive opposes the MV2 expansion of the Maryville UGA and the deletions of Objective LU 6.D and Policy LU 6.D.1 of the GMACP.

### **Monroe UGA Expansion**

The County Council is considering amendments to proposed Ordinance Nos. 24-031 and 24-032 to expand the Monroe UGA by approximately 22 acres as requested in the MON2 – Davis-Johnson Final Docket XXI request.

The Executive also wants to ensure that the concerns expressed in the staff report to the Planning Commission dated September 11, 2023, regarding the MON2 proposal are fully weighed alongside testimony in support of that proposal provided by the public and the City of Monroe as the County Council makes a decision on that proposal. In short, the primary concerns include:

- The expansion of the Monroe UGA is not necessary to accommodate projected growth as required under GMA in RCW 36.70A.110(2)., and
- The proposal would increase growth capacity in the Unincorporated Urban Areas regional geography, an area not served by high-capacity transit, and is therefore not supported by MPP RGS-12 of the VISION 2050.

### **Conclusion**

The Executive opposes a larger expansion of the Southwest UGA than was included in the Executive Recommended Plan. The Executive opposes the Council Motion No. 22-098 expansion of the Maltby UGA. The Executive opposes the MV2 expansion of the Marysville UGA and deletion of policy requirements in the GMACP to retain Rural Residential-10 designation for that area. The Executive also wants to ensure that the concerns expressed in the staff recommendation regarding the MON2 proposal are fully weighed alongside testimony in support of that proposal provided by the public and the City of Monroe as the County Council makes a decision on that proposal.

cc:

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