

1 Adopted: December 4, 2024  
2 Effective: December 22, 2024, except UGA expansions and related zoning effective as provided in  
3 Section 8 of this ordinance

4 SNOHOMISH COUNTY COUNCIL  
5 SNOHOMISH COUNTY, WASHINGTON

6  
7 AMENDED ORDINANCE NO. 24-029

8  
9 RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE  
10 MAP AND MUNICIPAL URBAN GROWTH AREA MAP AMENDMENTS TO THE  
11 SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN,  
12 AMENDING THE OFFICIAL ZONING MAP TO IMPLEMENT CHANGES TO THE  
13 FUTURE LAND USE MAP, AND REVISING THE SOUTHWEST URBAN GROWTH  
14 AREA  
15 (SW17 – TOWN OF WOODWAY)

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

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

27  
28 WHEREAS, the Department of Planning and Development Services (PDS)  
29 compiled a list of non-county initiated amendments and revisions received by the  
30 October 31, 2020, deadline for Docket XXI applications and evaluated these proposed  
31 amendments, including the SW17 – Town of Woodway amendments, for consistency  
32 with the initial docket review criteria in SCC 30.74.030(1) and 30.74.040; and

33  
34 WHEREAS, on March 9, 2022, the County Council approved, by Amended  
35 Motion No. 21-147, a list of proposed non-county initiated comprehensive plan  
36 amendments, including SW17 – Town of Woodway, to be included on Final Docket XXI  
37 and authorized the County Executive, through PDS, to further process the proposed  
38 major docket amendments consistent with chapters 30.73 and 30.74 SCC, including  
39 environmental review under the State Environmental Policy Act (SEPA), for final  
40 consideration in 2024; and

1 WHEREAS, the Snohomish County Planning Commission (“Planning  
2 Commission”) was briefed on the SW17 – Town of Woodway amendments on  
3 September 12, 2023; and  
4

5 WHEREAS, pursuant to chapter 30.74 SCC, PDS completed a final review and  
6 evaluation of the SW17 – Town of Woodway amendments and forwarded a  
7 recommendation to approve the amendments to the Planning Commission; and  
8

9 WHEREAS, the Planning Commission held a public hearing on October 24,  
10 2023, to receive public testimony on the SW17 – Town of Woodway amendments; and  
11

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

17 WHEREAS, on August 19, 2024; September 11, 2024; October 2, 2024; and December  
18 4, 2024, the County Council held a public hearing, after proper notice, to receive public  
19 testimony and consider the entire record related to the SW17 – Town of Woodway  
20 amendments contained in this ordinance; and  
21

22 WHEREAS, following the public hearing, the County Council deliberated on the  
23 amendments contained in this ordinance;  
24

25 NOW, THEREFORE, BE IT ORDAINED:  
26

27 Section 1. The County Council adopts the following findings to support this  
28 ordinance:  
29

- 30 A. The foregoing recitals are adopted as findings as if set forth in full herein.  
31  
32 B. The SW17 docket consists of map amendments to expand the western boundary of  
33 the Southwest Urban Growth Area (UGA) and Woodway Municipal Urban Growth  
34 Area (MUGA) to: 1) add the 1,607 acres of Town of Woodway’s remaining  
35 incorporated area which lies within Puget Sound; and 2) add the 2.99 acres of deep  
36 water pier at Point Wells, designate the pier as Urban Village on the GMACP Future  
37 Land Use (FLU) Map, and zone the pier as Planned Community Business (PCB).  
38 There are no policy or code amendments as part of the SW17 docket amendments.  
39  
40 C. The SW17 amendments were analyzed for consistency with RCW 36.70A.130(1)(d),  
41 which requires that comprehensive plan amendments be consistent with the GMA.  
42 The SW17 amendments are consistent with the GMA including RCW 36.70A.110(1)

1 requirements for the establishment of UGA boundaries by including the entirety of  
2 the incorporated Town of Woodway within the Southwest UGA and including within  
3 the Southwest UGA the entirety of an existing built facility that is partially within the  
4 existing UGA boundary. The amendments are consistent with RCW  
5 36.70A.130(2)(a), which requires that comprehensive plan amendments be  
6 considered no more frequently than once every year. The non-county initiated  
7 amendments are scheduled for final consideration by the County Council according  
8 to the requirements in chapter 30.74 SCC and are considered together with county-  
9 initiated comprehensive plan amendments for final action no more frequently than  
10 once per year. The amendments are consistent with RCW 36.70A.070, which  
11 requires internal consistency within a comprehensive plan because the amendments  
12 maintain internal consistency between the GMACP FLU Map and the official zoning  
13 map. The amendments are consistent with RCW 36.70A.100 and 36.70A.210, which  
14 require that a comprehensive plan be consistent with the Puget Sound Regional  
15 Council (PSRC) Multicounty Planning Policies (MPPs) and the Snohomish County  
16 Countywide Planning Policies (CPPs). The amendments are consistent with the  
17 MPPs and the CPPs as analyzed and described in the September 11, 2023, PDS  
18 staff report to the Planning Commission and in the additional findings below.  
19

- 20 D. The SW17 amendments advance the goals of the GMA in RCW 36.70A.020,  
21 particularly RCW 36.70A.020(11) (Citizen Participation and Coordination), RCW  
22 36.70A.020(12) (Public Services and Facilities), and RCW 36.70A.020(15)  
23 (Shorelines of the State) by adjusting the Southwest UGA boundary to include the  
24 entirety of the incorporated Town of Woodway inside the UGA. Additionally, the  
25 SW17 amendments adjust the boundary of the unincorporated Southwest UGA and  
26 Woodway MUGA to include the entirety of an existing pier, which is built on state  
27 aquatic lands and under lease from the Washington State Department of Natural  
28 Resources, that is partially within the existing UGA boundary, and including the  
29 minimal amount of aquatic lands necessary to facilitate annexation of the pier by  
30 Woodway while excluding aquatic lands in proximity of and west of the pier. This  
31 would facilitate annexation of the pier by the Town of Woodway, resolving split local  
32 jurisdiction of that facility.  
33
- 34 E. The SW17 amendments are consistent with the MPPs, including RC-1, by providing  
35 consistency between the Town of Woodway Comprehensive Plan and the County  
36 GMACP.  
37
- 38 F. The SW17 amendments are consistent with the CPPs, including DP-1, by amending  
39 the GMACP FLU Map, the official zoning map, and the MUGA map to adjust the  
40 Southwest UGA boundary to include the entirety of the incorporated Town of  
41 Woodway inside the UGA and using physical boundaries, the edge of a pier, as the  
42 UGA boundary.

1  
2 G. The SW17 amendments are consistent with the Snohomish County GMACP,  
3 including LU Policy 1.C.4 (renumbered as LU 1.E.1 as part of the 2024 Update), by  
4 adjusting the Southwest UGA boundary to include the entirety of the incorporated  
5 Town of Woodway inside the UGA. Additionally, the SW17 amendments adjust the  
6 boundary of the unincorporated Southwest UGA and Woodway MUGA to include the  
7 entirety of an existing built facility that is partially within the existing UGA boundary.  
8 This would facilitate annexation of the pier by the Town of Woodway, resolving split  
9 local jurisdiction of that facility.

10  
11 H. Procedural requirements.

- 12
- 13 1. State Environmental Policy Act (SEPA) requirements with respect to this non-  
14 project action have been satisfied through the completion of a Draft  
15 Environmental Impact Statement (EIS) issued on September 6, 2023, and a  
16 Final EIS issued on August 27, 2024.
  - 17
  - 18 2. The amendments are a Type 3 legislative action pursuant to SCC 30.73.010.
  - 19
  - 20 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance  
21 was transmitted to the Washington State Department of Commerce for  
22 distribution to state agencies on April 16, 2024.
  - 23
  - 24 4. The public participation process used in the adoption of this ordinance  
25 complied with all applicable requirements of the GMA and the SCC.  
26 Notification was provided in accordance with SCC 30.73.050.
  - 27
  - 28 5. The Washington State Attorney General last issued an advisory  
29 memorandum, as required by RCW 36.70A.370, in September of 2018  
30 entitled "Advisory Memorandum: Avoiding Unconstitutional Takings of Private  
31 Property" to help local governments avoid the unconstitutional taking of  
32 private property. The process outlined in the State Attorney General's 2018  
33 advisory memorandum was used by Snohomish County in objectively  
34 evaluating the amendments in this ordinance.
  - 35

36 I. The ordinance is consistent with the record, including the PDS staff report to the  
37 Planning Commission dated September 11, 2023. In its staff report, PDS concluded  
38 the amendments met the criteria found in SCC 30.74.060 and, therefore,  
39 recommended the amendments be approved.

40  
41 J. This ordinance is consistent with RCW 36.70A.067, which requires that the initial  
42 effective date of an action that expands an urban growth area designated under

1 RCW 36.70A.110 is after the latest of the following dates: (1) 60 days after the date  
2 of publication of notice of adoption of the comprehensive plan, development  
3 regulation, or amendment to the plan or regulation, implementing the action, as  
4 provided in RCW 36.70A.290(2); or (2) If a petition for review to the growth  
5 management hearings board is timely filed, upon issuance of the board's final order.  
6  
7

8 Section 2. The County Council makes the following conclusions:  
9

- 10 A. The amendments comply with all requirements of Washington State law and county  
11 code.
- 12
- 13 B. The amendments are consistent with the MPPs.
- 14
- 15 C. The amendments are consistent with the CPPs.
- 16
- 17 D. The amendments are consistent with the goals, objectives, and policies of the  
18 GMACP.
- 19
- 20 E. All SEPA requirements with respect to this non-project action have been satisfied.
- 21
- 22 F. The amendments do not result in an unconstitutional taking of private property for a  
23 public purpose and do not violate substantive due process guarantees.  
24

25 Section 3. The County Council bases its findings and conclusions on the entire  
26 record of the Planning Commission and the County Council, including all testimony and  
27 exhibits. Any finding which should be deemed a conclusion, and any conclusion which  
28 should be deemed a finding, is hereby adopted as such.  
29

30 Section 4. Map 1 (Future Land Use) of the GMACP Land Use Element, last  
31 amended by Ordinance No. 24-028 on December 4, 2024, is amended as indicated in  
32 Exhibit A to this ordinance, which is attached hereto and incorporated by reference into  
33 this ordinance.  
34

35 Section 5. Map 3 (Municipal Urban Growth Areas) of the GMACP Land Use  
36 Element, last amended by Ordinance No. 21-054 on October 6, 2021, is amended as  
37 indicated in Exhibit B to this ordinance, which is attached hereto and incorporated by  
38 reference into this ordinance.  
39

40 Section 6. The official zoning map maintained pursuant to SCC 30.21.030 shall  
41 be revised to reflect the zoning change adopted by the County Council as indicated in

1 Exhibit C to this ordinance, which is attached hereto and incorporated by reference into  
2 this ordinance.


3  
4 Section 7. The County Council directs the code reviser to update SCC 30.10.060  
5 pursuant to SCC 1.02.020(3).  
6

7 Section 8. Severability and Savings. If any section, sentence, clause, or phrase  
8 of this ordinance shall be held to be invalid by the Growth Management Hearings Board  
9 (“Board”), or unconstitutional by a court of competent jurisdiction, such invalidity or  
10 unconstitutionality shall not affect the validity or constitutionality of any other section,  
11 sentence, clause, or phrase of this ordinance. Provided, however, that if any section,  
12 sentence, clause, or phrase of this ordinance is held to be invalid by the Board or court  
13 of competent jurisdiction, then the section, sentence, clause, or phrase in effect prior to  
14 the effective date of this ordinance shall be in full force and effect for that individual  
15 section, sentence, clause, or phrase as if this ordinance had never been adopted.  
16

17 Section 9. Consistent with RCW 36.70A.067, the effective date of this ordinance  
18 is after the latest of the following dates: (1) 60 days after the date of publication of notice  
19 of adoption of this ordinance, as provided in RCW 36.70A.290(2); or (2) if a petition for  
20 review to the Growth Management Hearings Board is timely filed, upon issuance of the  
21 Board’s final order affirming the ordinance or a decision by a court of law concluding the  
22 ordinance complies with the GMA.  
23

24 PASSED this 4<sup>th</sup> day of December 2024.

25  
26 SNOHOMISH COUNTY COUNCIL  
27 Snohomish County, Washington  
28

29   
30 \_\_\_\_\_  
31 Council Chair

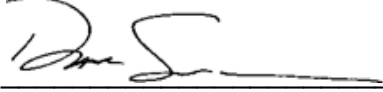
32 ATTEST:

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36 Asst. Clerk of the Council  
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- (X) APPROVED
- ( ) EMERGENCY
- ( ) VETOED

DATE: December 12, 2024

  
 \_\_\_\_\_  
 County Executive

ATTEST:

*Melissa Geraghty*  
 \_\_\_\_\_

Approved as to form only:

\_\_\_\_\_  
 Deputy Prosecuting Attorney

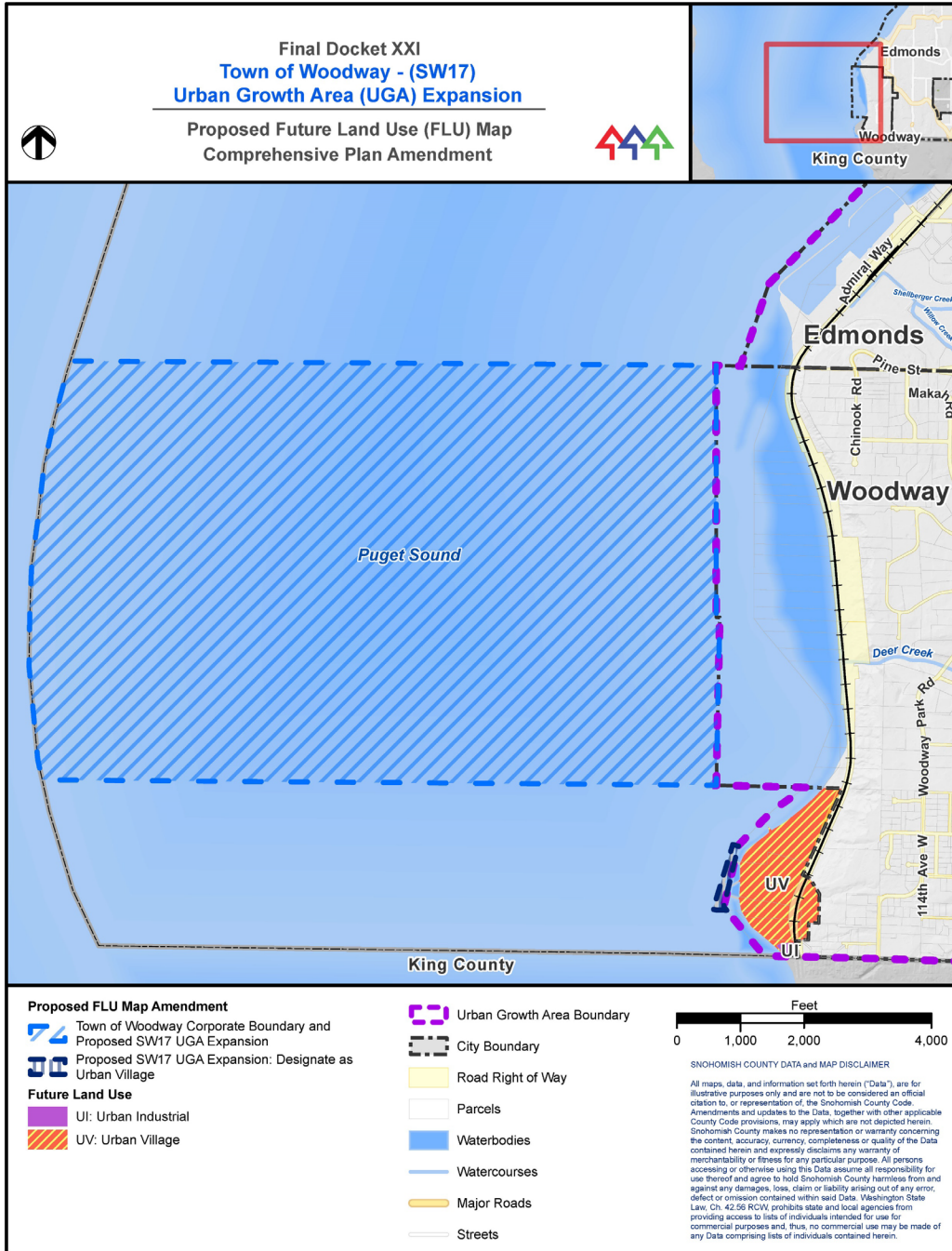
# Exhibit A

## Amended Ordinance No. 24-029

### Final Docket XXI

### SW17 – Town of Woodway

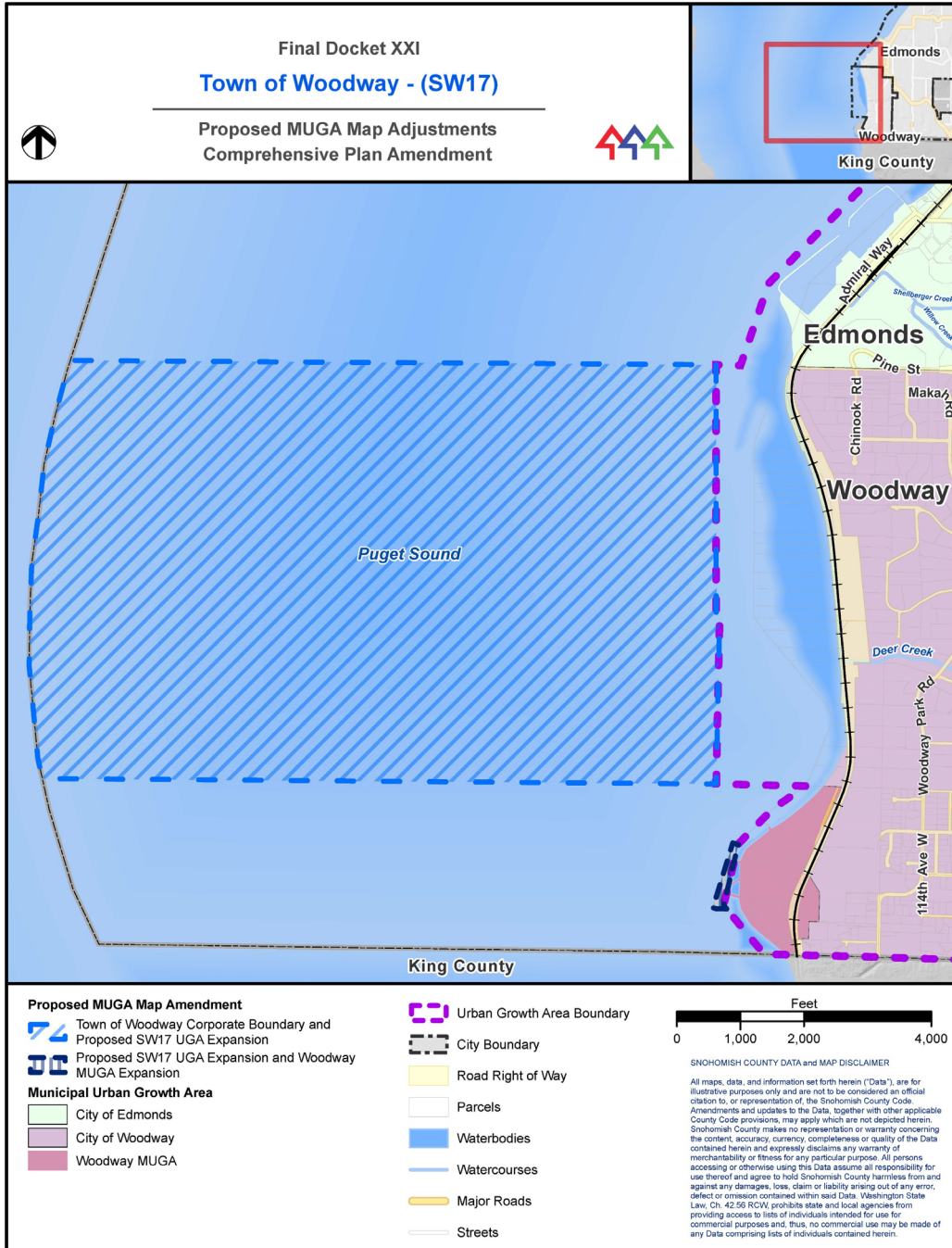
## Amendments to the FLU Map of the GMACP



AMENDED ORDINANCE NO. 24-029  
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)



**Exhibit B**  
**Amended Ordinance No. 24-029**  
**Final Docket XXI**  
**SW17 – Town of Woodway**  
**Amendments to the MUGA Map of the GMACP**



AMENDED ORDINANCE NO. 24-029  
 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)

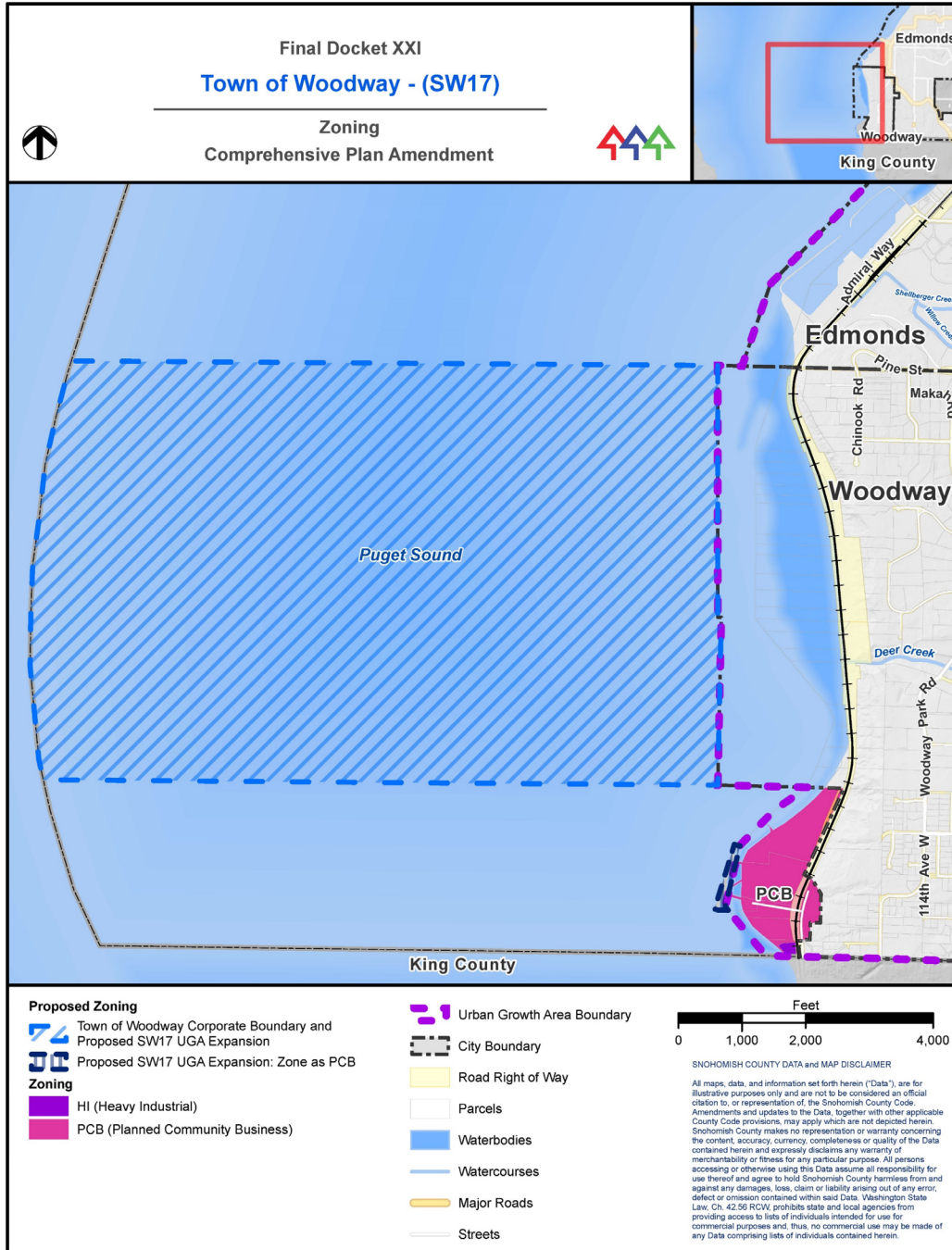
# Exhibit C

## Amended Ordinance No. 24-029

### Final Docket XXI

### SW17 – Town of Woodway

### Amendments to the Official Zoning Map



AMENDED ORDINANCE NO. 24-029  
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)