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Docket Olympic View Water & Sewer District [Ordinance 21-056](#) (ECAF 21-0632)

Hearing Date: Wednesday, October 6, 2021 @ 6:30 p.m.

Council Staff: Ryan Countryman

DPA: Brian Dorsey

PDS Staff: Terri Strandberg

Click on exhibit number to view document

EXHIBIT	RECORD TYPE	TO	FROM/BY	DATE	DATE IN	DESCRIPTION	# OF PAGES
2.0 Planning Commission							
2.0003	Staff Report	Planning Commission	Terri Strandberg, PDS Staff	05/07/21	08/24/21	Staff Report: Docket XX CFP1-Olympic View Water and Sewer District	9
2.0013	Letter	Council	Planning Commission	07/09/21	08/24/21	Planning Commission's recommendation w/attached June 22, 2021 minutes	11
3.1 ECAF and Materials							
3.1.1	ECAF	Council	Executive/PDS		08/24/21	Transmitting Executive Recommended Ordinance	1
3.1.2	Ordinance	Council	Executive		08/24/21	Introduced Ordinance	15
3.1.3	Map	Council	Executive		08/24/21	Public Wastewater Systems Map	1

EXHIBIT	RECORD TYPE	TO	FROM/BY	DATE	DATE IN	DESCRIPTION	# OF PAGES
3.1.4	Addendum	Council	Executive		08/24/21	Addendum No. 22 to the Final Environmental Impact Statement to the Snohomish County GMA Comprehensive Plan 2015 Update	7
3.1.5	Staff Report	Planning Commission	Terri Strandberg, PDS Staff	07/29/21	08/24/21	Staff Report: Docket XX CFP1-Olympic View Water and Sewer District	9
3.1.6	Analysis	Council	PDS	08/19/21	08/24/21	Analysis of Building and Land Use Regulation Effects on Housing and Jobs	1
3.1.7	Analysis	Council	PDS	08/13/21	08/24/21	Capital Facility Development Cost Analysis Summary	1
3.1.8	Introduction	Council	Nate Nehring		08/25/21	Introduction Slip	1
3.2 Council Planning Committee Materials							
3.2.1	Staff Report	Council	Ryan Countryman, Council Staff		09/07/21	Council Staff Report	7
3.2.2	PowerPoint	Council	Steve Skorney Piona, PDS Staff		09/07/21	Presentation provided at Planning Committee 09/07/21	25 slides

EXHIBIT	RECORD TYPE	TO	FROM/BY	DATE	DATE IN	DESCRIPTION	# OF PAGES
3.3 Correspondence, Comments, Testimony							
3.4 Staff Reports and Submissions							
3.5 Public Participation							
3.5.1	Notice	Herald	Council Staff	09/17/21	09/17/21	Notice of Introduction and Public Hearing	2
3.5.2	List	Various	Council Staff		09/22/21	List of names Public Hearing Notice sent to	1
3.6 Council Deliberations							

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Project Name **Docket XX CFP1 - Olympic View Water and Sewer District**

Part 1 - DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES

Exhibit #	Record Type	Date	Received From	Exhibit Description
1.0001	Public Participation	5/21/2021	Staff	Parties of Record
1.0002	Public Participation	5/21/2021	Staff	Email: NOTICE_ Olympic View Water and Sewer District docket application
1.0003	Public Participation	6/9/2021	Staff	Email: NOTICE2_ Olympic View Water and Sewer District docket application
1.0004	Docket Application	9/9/2019	Lynn Danielson, OVWSD	Docket Application
1.0005	Docket Application	9/9/2019	Lynn Danielson, OVWSD	Final OVWSP sewer plan amendment #2 9/9/2019
1.0006	Docket Application	1/22/2021	Lynn Danielson, OVWSD	Final OVWSP sewer plan amendment #2 1/22/2020
1.0007	Docket Application	9/9/2019	Lynn Danielson, OVWSD	SEPA DNS for sewer system plan amendment
1.0008	Docket Application	9/9/2019	Eilean Davis, PACE Engineering	Letter of transmittal of sewer plan amendment
1.0009	Communications	10/29/2019	Lynn Danielson, OVWSD	Email acknowledging and approving extension of RCW 56.17 timelines
1.0010				Email verifying that the current sewer plan amendment is substantively the same as an amendment previously reviewed by the county in 2015-2016. Includes revised language related to franchise agreements.
	Communications	3/11/2021	Dave Barnes, OVWSD	
1.0011	Communications	11/3/2015	Gary Idleburg	Preliminary comments on OVWSD amendment #2
1.0012	Communications	5/2/2016	Gary Idleburg	Memo to Council finding that sewer amend #2 is consistent w/ the county's comp plan
1.0013	Communications	11/13/2015	Steve Toy	Email: sewer plan amend #2 is consistent with county growth forecasts
1.0014	Communications	3/12/2021	Brook Chesterfield	Email: sewer plan amend #2 has been reviewed for franchise agreement.
1.0015	Communications	1/29/2020	Rachel McCrea, Ecology	Letter to OVWSD from Ecology approving sewer plan amend #2.
1.0016	Communications	4/7/2021	Eilean Davis, PACE Engineering	Email transmitting revisions to sewer plan amend #2
1.0017	Communications	4/7/2021	Eilean Davis, PACE Engineering	Attachment to email: Pages 1and2 from OVWSD_Sewer Plan Amend_Rev_6Apr2021
1.0018	Communications	4/7/2021	Eilean Davis, PACE Engineering	Attachment to email: Pages 19and20 from OVWSD_Sewer Plan Amend_Rev_6Apr2021
1.0019	Communications	4/7/2021	Eilean Davis, PACE Engineering	Attachment to email: OVWSD_Figure 4 LandUse
1.0020	Communications	4/7/2021	Eilean Davis, PACE Engineering	Attachment to email: OVWSD_Figure 5 Zoning
1.0021	Staff Research	8/28/2019	Staff	Map: OVWSD District Map
1.0022	Staff Research	8/29/2019	Staff	Map: Figure 2 District detail revised
1.0023	Staff Research	5/25/2021	Staff	Map: Figure 7 CFP Wastewater Inventoy
1.0024	Staff Research	5/25/2021	Staff	Map: Map layer from MapPortal
1.0025	Staff Research	5/25/2021	Staff	Presentation slides for CFP1 (Powerpoint)
1.0026	Staff Research	6/1/2016	Legislative history	Snohomish County Council Motion 16-135
1.0027	Staff Research	7/24/2017	Legislative history	Snohomish County Council Motion 17-250
1.0028	Staff Research	1/31/2018	Legislative history	Snohomish County Council Motion 18-003

1.0029	Staff Research	10/15/2020	Legislative history	Washington State Supreme Court Opinion #97599-0
1.0030	Staff Research	5/24/2021	Legislative history	Email: Brian Dorsey transmittal of Order on Remand
1.0031	Staff Research	5/21/2021	Legislative history	Washington State Superior Court - King County Order on Remand #16-2-15331-3 SEA
1.0032	Staff Research	5/7/2021	Terri Strandberg	Staff report to Planning Commission
1.0033	Communications	6/9/2021	Terri Strandberg	Email to Planning Commission - clarification about "replacement" vs "assumption"
1.0034	Notice	5/28/2021	Commerce	Affadavit of receipt of notice from Commerce
1.0035	SEPA	6/7/2021	Staff	Addendum #22 - for amendment to CFP
1.0036	Communications	1/29/2020	Rachel McRae, Ecology	Attachment to final sewer plan amendment - signed title page

****Contact the Clerk of the Council for Part 1 Exhibits - 425-388-3494 or contact.council@snoco.org***

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Project Name

Docket XX CFP1 - Olympic View Water and Sewer District

Part 2 - PLANNING COMMISSION

Exhibit #	Record Type	Date	Received From	Exhibit Description
2.0001	Public Participation	5/25/2021	Planning Commission	Planning Commission Agenda (Briefing)
2.0002	Public Participation	5/25/2021	The Herald	Affidavit of Agenda publication in The Herald (Briefing)
2.0003	Legislative Record	5/25/2021	PDS Staff	Staff Report (Breifing)
2.0004	Public Participation	5/25/2021	PDS Staff	Presentation (Briefing)
2.0005	Public Participation	5/25/2021	Planning Commission	Planning Commission Written Meeting Minutes (Briefing)
2.0006	Public Participation	5/25/2021	Planning Commission	Planning Commission Audioof Meeting (Briefing)
2.0007	Public Participation	6/22/2021	Planning Commission	Planning Commission Agenda (Hearing)
2.0008	Public Participation	6/22/2021	The Herald	Affidavit of Agenda publication in The Herald (Hearing)
2.0009	Public Participation	6/22/2021	Brett Vinson	Public Testimony
2.0010	Public Participation	6/22/2021	PDS Staff	Presentation (Hearing)
2.0011	Public Participation	6/22/2021	Planning Commission	Planning Commission Written Meeting Minutes (Hearing)
2.0012	Public Participation	6/22/2021	Planning Commission	Planning Commission Meeting Recording (Hearing)
2.0013	Public Participation	7/9/2021	Planning Commission	Planning Commission Recommendation Letter

****Contact the Clerk of the Council for Part 2 Exhibits - 425-388-3494 or contact.council@snoco.org***

1 Adopted:
2 Effective:

3
4 SNOHOMISH COUNTY COUNCIL
5 SNOHOMISH COUNTY, WASHINGTON

6
7 ORDINANCE NO. 21-056

8
9 RELATING TO THE GROWTH MANAGEMENT ACT, AMENDING THE
10 SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN
11 (GMACP) CAPITAL FACILITIES PLAN TO UPDATE SEWER INVENTORY
12 INFORMATION RELATED TO OLYMPIC VIEW WATER AND SEWER DISTRICT
13 (CFP1 – OLYMPIC VIEW WATER AND SEWER DISTRICT)
14

15 WHEREAS, the GMA requires Snohomish County (“County”) to prepare a capital
16 facilities plan (CFP) (RCW 36.70A.070) as an element of the County’s Growth
17 Management Act Comprehensive Plan (GMACP) that addresses future demand for
18 water and wastewater services and plans for provision of services to meet this future
19 demand; and

20
21 WHEREAS, RCW 36.70A.070(4) requires the CFP to contain an inventory of
22 existing capital facilities owned by public entities showing the location and capacities of
23 the capital facilities together with the proposed locations and capacities of expanded or
24 new capital facilities; and

25
26 WHEREAS, the County is not a provider of water or wastewater services and
27 therefore relies on the capital facilities planning of external service providers to address
28 planning for the provision of water and wastewater services necessary to support
29 development as contemplated under the land use element of the GMACP in the
30 unincorporated areas as provided in WAC 365-196-415(4) and addressed in Section II
31 of the CFP; and

32
33 WHEREAS, for purposes of the inventory of existing and proposed capital
34 facilities of such external service providers the CFP contains Capital Facilities Plan
35 Maps in Appendix B which purport to identify the service area boundaries of those
36 public facilities provided by non-county agencies for purposes of identifying which
37 external service provider is being relied upon by the County to provide the designated
38 service within a particular area for purposes of the CFP and incorporating by reference
39 the capital facilities plan of such entity; and
40

1 WHEREAS, the geographic region situated in the southwest corner of the County
2 commonly referred to as “Point Wells” was previously designated upon the Capital
3 Facilities Plan Maps, Figure 7, as being within the service area boundary of the Ronald
4 Wastewater District (“Ronald”), a special purpose district subject to Title 57 RCW, for
5 purposes of the provision of wastewater services based upon a previously-approved
6 amendment to the Comprehensive Sewer Plan for Ronald under chapter 57.16 RCW
7 which purported to plan for the provision of sewer service to the Point Wells area; and
8

9 WHEREAS, the Point Wells area is also within the corporate boundaries of the
10 Olympic View Water and Sewer District (“Olympic View”), a special purpose district
11 subject to Title 57 RCW, which also claimed the right to provide wastewater services to
12 the Point Wells area and submitted its own proposed Amendment No. 2 to the Olympic
13 View Comprehensive Sewer Plan under chapter 57.16 RCW for the purpose of planning
14 for the provision of wastewater services to the area; and
15

16 WHEREAS, on June 1, 2016, the Snohomish County Council (“County Council”)
17 approved Motion No. 16-135 approving Amendment No. 2 to Olympic View’s
18 Comprehensive Sewer Plan; and
19

20 WHEREAS, Ronald appealed the County’s approval of Olympic View’s
21 Amendment No. 2 to the Growth Management Hearings Board (“Board”) under Case
22 No. 16-3-0004c, arguing in part that approval of Olympic View’s proposed amendment
23 to serve the Point Wells area under chapter 57.16 RCW created an internal
24 inconsistency with the County’s CFP which identified Ronald as the presumed service
25 provider for the Point Wells area for purposes of capital facilities planning under the
26 CFP; and
27

28 WHEREAS, the Board issued a Final Decision and Order dated January 25,
29 2017, concluding that the County’s approval of Olympic View’s proposed amendment to
30 plan for the provision of wastewater services to the Point Wells area constituted a *de*
31 *facto* amendment of the GMACP and created an internal inconsistency with the CFP
32 which the Board concluded incorporated by reference Ronald’s Comprehensive Sewer
33 Plan and relied upon Ronald as the service provider for the Point Wells area to meet
34 GMA planning requirements; and
35

36 WHEREAS, in compliance with the Board’s Order the County Council approved
37 Motion No. 18-179 repealing Motion No. 16-135; and
38

39 WHEREAS, subsequent litigation between Ronald and Olympic View culminated
40 in a ruling by the Washington State Supreme Court in the matter of *Ronald Wastewater*
41 *District v. Olympic View Water and Sewer District*, 196 Wn.2d 353 (2020), holding as

1 follows: "Ronald's geographic boundary does not include Point Wells and does not
2 extend into Snohomish County. Point Wells remains within the geographic boundaries
3 of Olympic and Snohomish County;" and
4

5 WHEREAS, the foregoing decision of the Court invalidates the County's ability to
6 rely upon Ronald as the designated wastewater service provider to the Point Wells area
7 in the CFP and renders void that portion of Ronald's Comprehensive Sewer Plan
8 purporting to provide for future wastewater service to the Point Wells area for purposes
9 of meeting GMA planning requirements; and
10

11 WHEREAS, the foregoing Court decision dictates that Olympic View be
12 recognized as the authorized wastewater service provider for the Point Wells area
13 under the CFP; and
14

15 WHEREAS, Olympic View resubmitted its proposed Amendment No. 2 to the
16 Olympic View Comprehensive Sewer Plan to plan for the provision of wastewater
17 services to the Point Wells area, which amendment has been approved by Motion No.
18 21-_____; and
19

20 WHEREAS, water and sewer districts are required under Title 57 RCW to
21 prepare comprehensive CFPs addressing an inventory of existing facilities, forecast of
22 demand for future services and facilities, the locations where new facilities will be
23 needed as determined by the County's land use plan, and a capital funding plan
24 identifying costs, timelines and financing for development of new facilities to meet this
25 future demand; and
26

27 WHEREAS, the required contents for these external agency "external functional
28 plans" under Title 57 RCW are consistent with the requirements in RCW 36.70A.030
29 and WAC 365-196-415 related to the contents of the County's CFP; and
30

31 WHEREAS, RCW 57.16.010 authorizes the County to review and approve the
32 external functional plans prepared by water and wastewater agencies and verify that
33 these external functional plans are consistent with the County's GMACP, including the
34 CFP; and
35

36 WHEREAS, after determining that the external functional plans are consistent
37 with the growth forecasts and land use plans in the County's GMACP, and the external
38 functional plans document that capacity is available to meet future needs, the County
39 may rely on these external plans to conclude that adequate services are available to
40 support the County's GMACP; and
41

1 WHEREAS, the GMA authorizes the County to update the GMACP once per
2 year (RCW 36.70A.130); and

3
4 WHEREAS, Title 57 RCW requires that water and wastewater agencies update
5 their external functional plans before ordering any improvements or submitting to vote
6 any proposition for incurring any indebtedness, and allows the County 90 days from the
7 date of submittal to the County Council for review and action; and

8
9 WHEREAS, the timelines for adoption of updates or amendments to
10 comprehensive plans under chapter 36.70A RCW and external functional plans under
11 chapter 57.16 RCW may not necessarily coincide; and

12
13 WHEREAS, RCW 36.70A.130 and .470 direct counties planning under the
14 Growth Management Act (GMA) to adopt procedures for interested persons to propose
15 amendments and revisions to the GMACP or development regulations; and

16
17 WHEREAS, the County Council adopted chapter 30.74 of the Snohomish County
18 Code (SCC), "Growth Management Act Public Participation Program Docketing," to
19 comply with the requirements of RCW 36.70A.130 and .470; and

20
21 WHEREAS, on September 9, 2019, Olympic View submitted a docket application
22 to the County which consisted of a limited update to Olympic View's sewer
23 comprehensive plan including an amendment to Olympic View's service area boundary.
24 This application was assigned as CFP1; and

25 WHEREAS, the Department of Planning and Development Services (PDS)
26 compiled the list of non-county initiated amendments and revisions received by the
27 October 31, 2019, deadline as minor docket amendments, including the Olympic View
28 Water and Sewer District (CFP1) proposal, and evaluated the proposals for consistency
29 with the initial docket review criteria in SCC 30.74.030(1) and 30.74.040; and

30
31 WHEREAS, on July 22, 2020, the County Council approved, by Amended Motion
32 No. 20-116, a list of non-county-initiated comprehensive plan amendments, including
33 CFP1 – Olympic View Water and Sewer District , that will be included on Final Docket
34 XX and authorized the County Executive, through PDS, to further process the proposed
35 minor docket amendments consistent with chapters 30.73 and 30.74 SCC, including
36 environmental review under the State Environmental Policy Act (SEPA), for final
37 consideration in 2021; and

38
39 WHEREAS, County approval of Olympic View's sewer plan amendment under
40 chapter 57.16 RCW requires corresponding amendments to the County's GMACP CFP

1 to accurately reflect the sewer service inventory information required under the GMA;
2 and

3
4 WHEREAS, the County Council will take action on CFP1 under authority of
5 chapter 57.16 RCW to address Olympic View’s sewer plan amendment via Motion No.
6 21-____, and address the corresponding amendments to the county’s CFP under
7 authority of the GMA via this ordinance; and

8
9 WHEREAS, the County Council has determined that consideration of the
10 proposed amendments and revisions to the CFP would promote a County purpose as
11 established under RCW 36.70A.130; and

12
13 WHEREAS, on May 25, 2021, PDS briefed the Snohomish County Planning
14 Commission (“planning commission”) on the CFP1 – Olympic View Water and Sewer
15 District proposal; and

16
17 WHEREAS, on June 22, 2021, the planning commission held a public hearing
18 and received public testimony on the CFP1 – Olympic View Water and Sewer District
19 proposal and recommended adoption, as shown in its recommendation letter of July xx,
20 2021; and

21
22 WHEREAS, on _____, the County Council held a public hearing after proper
23 notice, and considered public comment and the entire record related to the proposed
24 amendments contained in this ordinance; and

25
26 WHEREAS, following the public hearing, the County Council deliberated on the
27 proposed amendments contained in this ordinance;

28
29 NOW, THEREFORE, BE IT ORDAINED:

30
31 Section 1. The County Council adopts the following findings in support of this ordinance:

- 32
33 A. The foregoing recitals are adopted as findings as if set forth fully herein.
34
35 B. This proposal is to amend the GMACP CFP to revise the sewer service inventory
36 in CFP Section 2.3.A and CFP, Appendix B, Map 7.
37
38 C. Procedural requirements.
39
40 1. This ordinance is consistent with state law and chapter 30.73 SCC.
41

- 1 2. The proposal is a Type 3 legislative action pursuant to SCC 30.73.010.
- 2
- 3 3. The environmental impacts of the proposal are within the range of impacts
- 4 analyzed by the draft environmental impact statement (DEIS) and final
- 5 environmental impact statement (FEIS) during the update to the GMACP in
- 6 2015. No new impacts have been identified for this proposal, and State
- 7 Environmental Policy Act (SEPA) requirements for this non-project action
- 8 have been met through issuance of Addendum No. 22 to the FEIS for the
- 9 2015 Update to the GMACP. The FEIS was issued on June 3, 2015, and
- 10 Addendum No. 22 was issued on June 7, 2021.
- 11
- 12 4. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance
- 13 was transmitted to the Washington State Department of Commerce for
- 14 distribution to state agencies on May 28, 2021.
- 15
- 16 5. The public participation process used in the adoption of this ordinance has
- 17 complied with all applicable requirements of the GMA and the SCC.
- 18
- 19 6. The Washington State Attorney General last issued an advisory
- 20 memorandum, as required by RCW 36.70A.370, in September of 2018
- 21 entitled "Advisory Memorandum: Avoiding Unconstitutional Takings of Private
- 22 Property" to help local governments avoid the unconstitutional taking of
- 23 private property. The process outlined in the State Attorney General's 2018
- 24 advisory memorandum was used by Snohomish County in objectively
- 25 evaluating the regulatory changes proposed by this ordinance.

26

27 D. This ordinance is consistent with the record.

28

- 29 1. This ordinance will amend the GMACP CFP to update the sewer service
- 30 inventory.
- 31
- 32 2. The GMA requires that counties, when relying on external public agencies to
- 33 provide services and facilities necessary to support development, review the
- 34 external functional plans of such agencies for the limited purpose of making a
- 35 determination that adequate public facilities and services are available to
- 36 support the County's growth forecasts and land use element.
- 37
- 38 3. These amendments to the GMACP are proposed due to a recent decision by
- 39 the Growth Management Hearings Board indicating that amendments to
- 40 external functional plans could, under certain circumstances, be considered
- 41 *de facto* amendments to the County's GMACP and may result in actions

1 inconsistent with GMA requirements. Such circumstances exist when an
2 amendment to an external functional plan previously adopted or relied upon
3 by the County for the purpose of compliance with GMA requirements creates
4 a conflict with, or an internal inconsistency within the County's GMACP.
5 Examples are when an external functional plan as amended becomes
6 inconsistent with the County's GMA-adopted population targets, or is
7 amended in a manner which creates an internal inconsistency with another
8 adopted external functional plan. In these circumstances, the County may not
9 approve an amendment to an external functional plan until GMA public
10 participation requirements are satisfied and the external functional plan
11 amendment is considered cumulatively with other GMACP amendments
12 pursuant to RCW 36.70A.130.
13

14 4. External functional plans are intended to implement GMACPs, not amend
15 them. Amendment to an external functional plan relied on by the County for
16 the purpose of compliance with GMA requirements should be approved only
17 when consistent with the County's GMACP, thereby implementing the
18 GMACP.
19

20 5. These amendments seek to coordinate actions under chapters 57.16 and
21 36.70A RCW to prevent an internal inconsistency within the County's GMACP
22 CFP and prevent a *de facto* amendment in violation of the GMA process and
23 timelines for amending the GMACP CFP.
24

25 6. No inconsistencies between the proposed amendments and the GMACP CFP
26 or development regulations have been identified.
27

28 E. This proposal complies with the GMA and was analyzed and found to be consistent
29 with the following GMA statutes and regulations:
30

31 1. GMA Planning Goal 12 (RCW 36.70A.020(12)): "Public facilities and
32 services. Ensure that those public facilities and services necessary to support
33 development shall be adequate to serve the development at the time the
34 development is available for occupancy and use without decreasing current
35 service levels below locally established minimum standards."
36

37 2. RCW 36.70A.070(3), which requires that a comprehensive plan contain a
38 capital facilities element that includes:
39

40 "(a) An inventory of existing capital facilities owned by public entities, showing
41 the locations and capacities of the capital facilities; (b) a forecast of the future

1 needs for such capital facilities; (c) the proposed locations and capacities of
2 expanded or new capital facilities; (d) at least a six-year plan that will finance
3 such capital facilities within projected funding capacities and clearly identifies
4 sources of public money for such purposes; and (e) a requirement to
5 reassess the land use element if probable funding falls short of meeting
6 existing needs and to ensure that the land use element, capital facilities plan
7 element, and financing plan within the capital facilities plan element are
8 coordinated and consistent....”
9

10 3. RCW 36.70A.070(4), which requires that a comprehensive plan contain: “A
11 utilities element consisting of the general location, proposed location, and
12 capacity of all existing and proposed utilities, including, but not limited to,
13 electrical lines, telecommunication lines, and natural gas lines.”
14

15 4. WAC 365-196-415 Capital Facilities Element, subsection (4):
16

17 “Relationship to plans of other service providers or plans adopted by
18 reference. A county or city should not meet their responsibility to prepare a
19 capital facilities element by relying only on assurances of availability from
20 other service providers. When system plans or master plans from other
21 service providers are adopted by reference, counties and cities should do the
22 following:

23 (a) Summarize this information within the capital facilities element;

24 (b) Synthesize the information from the various providers to show that the
25 actions, taken together, provide adequate public facilities; and

26 (c) Conclude that the capital facilities element shows how the area will be
27 provided with adequate public facilities.”
28

29 F. This proposal is consistent with the Puget Sound Regional Council Vision 2050
30 Multicounty Planning Policies (MPPs), in particular, the following goal, policies,
31 and action:
32

33 1. Public Services (PS) Overarching Goal: “The region will support development
34 with adequate public facilities and services in a coordinated, efficient, and
35 cost-effective manner that supports local and regional growth planning
36 objectives.”

37 2. MPP-PS-7: “Obtain urban services from cities or appropriate regional service
38 providers. Encourage cities, counties, and special purpose districts, including
39 sewer, water, and fire districts, to coordinate planning efforts, agree on
40 optimal ways to provide efficient service, and support consolidations that
41 would improve service to the public.”

- 1 3. MPP-PS-10: "Serve new development within the urban growth area with
2 sanitary sewer systems or fit it with dry sewers in anticipation of connection to
3 the sewer system. Alternative technology to sewers should be considered
4 only when it can be shown to produce treatment at standards that are equal
5 to or better than the sewer system and where a long-term maintenance plan
6 is in place."
- 7 4. PS-Action-1: "Utility and Service District Planning: PSRC will work with
8 electrical utilities, water providers, special purpose districts, and other utilities
9 to facilitate coordinated efforts to develop long-range plans that comply with
10 the Growth Management Act and implement VISION 2050."

11
12 G. The proposed amendments are consistent with the Snohomish County
13 Countywide Planning Policies (CPPs). Snohomish County regularly coordinates
14 with service providers and reviews capital facility plans for municipal, district, and
15 association water and wastewater service providers for consistency with the
16 county's GMACP. The following CPPs are particularly relevant to the proposed
17 amendments:

- 18 1. DP-5: "The County and cities shall adopt comprehensive plans and
19 development regulations (RCW 36.70A.040). In Urban Growth Areas
20 (UGAs), such plans and regulations shall:
21 a. Achieve urban uses and densities;
22 b. Provide for urban governmental services and capital facilities
23 sufficient to accommodate the broad range of needs and uses that will
24 accompany the projected urban growth; and
25 c. Permit the urban growth that is projected to occur in the succeeding
26 twenty-year period (RCW 36.70A.110(2))...."
- 27 2. PS-13: "Jurisdictions should adopt capital facilities plans, and coordinate with
28 other service providers, to provide the appropriate level of service to
29 support planned growth and development in Urban Growth Areas."

30
31
32
33 H. The proposed amendments comply with and implement the following Snohomish
34 County GMACP General Policy Plan (GPP) goals, objectives, and policies
35 addressing delivery of adequate services and coordination with external service
36 providers:

- 37 1. Goal UT 1: "Enhance the efficiency and quality of service from
38 utility providers through the review of utility, land use, transportation
39 and natural environment planning documents."

- 1 2. Objective UT 1.A: "Pursue improved coordinated facility planning
2 processes among the various utility providers serving Snohomish
3 County."
- 4 3. Objective UT 1.B: "Achieve and maintain consistency between utility
5 system expansion plans and planned land use patterns."
- 6 4. Policy UT 1.B.2: "The county shall maintain consistency between
7 district utility plans and the county's comprehensive plan; it shall also
8 endeavor to maintain consistency between city utility plans that serve
9 unincorporated areas and the county's comprehensive plan."
- 10 5. Goal UT 2: "Work with provider agencies of Snohomish County to
11 help ensure the availability of a reliable, high quality water supply
12 for all households and businesses within the county in a manner
13 that is consistent with the comprehensive plan and protection of the
14 natural environment."
- 15 6. Objective UT 2.B: "Assist provider agencies in modifying their
16 system plans as required to support the land use element of the
17 comprehensive plan."
- 18 7. Policy UT 2.B.1: "The county shall notify provider agencies of
19 potential inconsistencies between their system plans and the
20 comprehensive plan, and shall work with them to find acceptable
21 solutions."
- 22 8. Policy UT 3.A.1: "The county shall notify provider agencies of
23 potential inconsistencies between their system plans and the
24 county's comprehensive plan, and shall work with them to find
25 acceptable solutions."
- 26 I. The proposed amendments are consistent with the Snohomish County GMACP
27 CFP, notably the provisions regarding capital facilities necessary to support
28 development in Section 1.1 and the discussion of public wastewater service in
29 Section 2.3. The proposed amendments directly reflect the efficient provision of
30 services necessary to support development as envisioned in the CFP.
- 31 J. The proposed amendments to the CFP are consistent with the record.
- 32 1. This ordinance will amend CFP Section II, 2.3.A *Existing Inventories*, Table
33 1, to update the list of sewer providers in unincorporated Snohomish
34 County.

1 2. This ordinance will amend CFP Appendix B, Map 7 to update the inventory
2 of sewer providers in the unincorporated portion of the southwest urban
3 growth area at Point Wells.

4 K. This ordinance is consistent with the record as set forth in the PDS staff
5 memorandum dated May 7, 2021.

6 Section 2. The County Council makes the following conclusions:
7

8 A. The amendments are consistent with and comply with the procedural and
9 substantive requirements of the GMA.

10 ~~C.B.~~ The amendments are consistent with and comply with the MPP, CPP, and
11 goals, objectives and policies of the GMACP.
12

13 ~~D.C.~~ All SEPA requirements with respect to this non-project action have been
14 satisfied.
15

16 ~~E.D.~~ This proposal does not result in an unconstitutional taking of private
17 property for a public purpose and does not violate substantive due process
18 guarantees.
19

20
21 Section 3. The County Council bases its findings and conclusions on the entire legislative
22 record, including all testimony and exhibits. Any finding which should be deemed a
23 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as
24 such.
25

26 Section 4. Section II, subsection 2.3.A, Table 1 of the CFP, an element of the GMACP,
27 last amended by Ordinance No. 18-058 on November 30, 2018, is amended as
28 indicated in Exhibit A, which is attached hereto and incorporated by reference into this
29 ordinance.
30

31 Section 5. Appendix B, Map 7 of the CFP, an element of the GMACP, last amended by
32 Ordinance No. 20-080 on January 9, 2021, is replaced as indicated in Exhibit B, which
33 is attached hereto and incorporated by reference into this ordinance.
34

35 Section 6. The County Council directs the Code Reviser to update SCC 30.10.060
36 pursuant to SCC 1.02.020(3).
37

38 Section 7. Severability and Savings. If any section, sentence, clause or phrase of this
39 ordinance shall be held to be invalid by the Growth Management Hearings Board, or
40 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality

1 shall not affect the validity or constitutionality of any other section, sentence, clause or
2 phrase of this ordinance. Provided, however, that if any section, sentence, clause or
3 phrase of this ordinance is held to be invalid by the Board or court of competent
4 jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective
5 date of this ordinance shall be in full force and effect for that individual section, sentence,
6 clause or phrase as if this ordinance had never been adopted.

7
8
9 PASSED this ____ day of _____, 2021.

10
11
12 SNOHOMISH COUNTY COUNCIL
13 Snohomish County, Washington

14
15
16
17 _____
18 Council Chair

19
20 ATTEST:

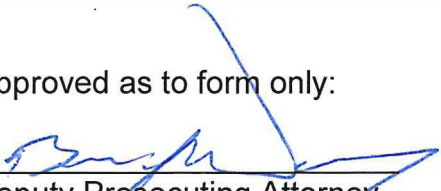
21
22
23 _____
24 Asst. Clerk of the Council

- 25
26 () APPROVED
27 () EMERGENCY
28 () VETOED

29
30 DATE: _____, 2021

31
32
33
34
35 _____
36 Snohomish County Executive

37
38 Approved as to form only:

39
40 
41 Deputy Prosecuting Attorney

Section 2.3 - Public Wastewater Systems

2.3.A Existing Inventories

Wastewater collection and treatment within Snohomish County is a de-centralized public service provided by municipal agencies at a local scale. This is typical of most counties in Washington State. King County is a notable exception.

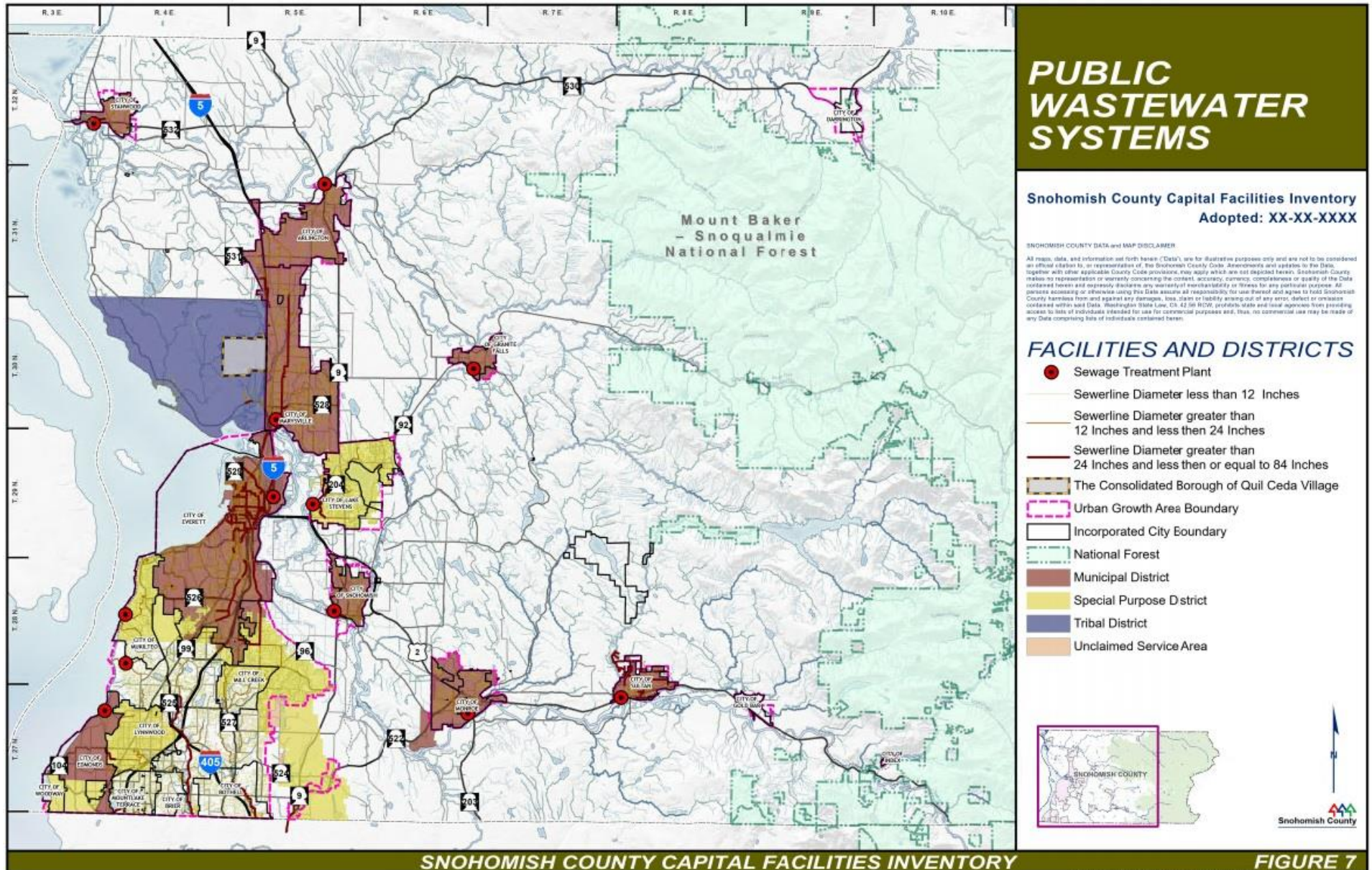
There are twenty-three agencies within Snohomish County that provide wastewater collection (sanitary sewer) facilities and service. Sixteen of those are cities, one is the Tulalip Tribes, and the remaining six are special service districts. Many of these agencies provide service to customers in unincorporated urban growth areas, either directly as the sewer system operator or indirectly through contracts for treatment. Most of the remaining agencies are cities that do not currently provide service to unincorporated customers but who must plan their systems to serve future development within their city's UGA. These agencies are all important facility providers for future growth in the UGAs. These agencies are listed in Table 1, which also provides information about the treatment plants.

Fourteen of the 23 provider agencies provide wastewater treatment through the operation of their own plant. The other nine agencies contract for treatment services with nearby or "downstream" treatment plant operators. Another important provider of treatment for Snohomish County is the King County Wastewater Treatment Division. Its Brightwater plant which opened in 2012 receives wastewater flows from south Snohomish County, primarily from customers of the Alderwood and Cross Valley Water Districts and some from the city of Bothell. Snohomish County first prepared a technical support document in 1993-94 that accompanies and supports the GMA Comprehensive Plan entitled *The Countywide Utility Inventory Report for Snohomish County*. It describes the major public utility systems in the county, including the wastewater systems. That report draws upon and summarizes the information available from the comprehensive sewer system plans and from surveys and discussions with staff of the agencies. That report has been substantially updated to reflect the many plans that have been prepared and adopted by the provider agencies over the past seven years. Copies of that inventory report can be obtained from Snohomish County Planning and Development Services. Detailed information about projected future needs for a particular system can be obtained from the comprehensive system plan for each provider agency, a copy of which is retained in the Planning Library, or directly from the provider agency.

**TABLE 1
WASTEWATER SYSTEMS AND TREATMENT PLANTS
SERVING UNINCORPORATED SNOHOMISH COUNTY**

Provider Agency	Most Recent Sanitary Sewer Comprehensive Plan	Treatment Plant's Rated	Other Cities/Systems Served (in whole or part) by WWTP	Treatment Provided by	
		Capacity (MGD) ¹		Own Plant	Other Plant (System)
SOUTHWEST COUNTY					
Alderwood W.W.D.	2017	3.0	---	X	King Co.
City of Bothell	2012 (CFP)	N/A	Served by King Co.		---
City of Edmonds	2010	11.8	Woodway, Olympic View W.D., Mountlake Terrace	X	Lynnwood
City of Everett	2013	31.3	Alderwood W.W.D., Mukilteo W.W.D., Silver Lake W.W.D.	X	---
City of Lynnwood	2012	7.4	---	X	Edmonds
Mukilteo W.D.	2012	N/A	N/A		Everett
Olympic View W.D.	2007	N/A	N/A		Edmonds
((Ronald W.D.	2010	N/A	---		King Co.))
Silver Lake W.D.	2011	N/A	---		Everett, King Co.
King County	2003	Brightwater	Alderwood W.W.D., Cross Valley W.D., Lynnwood, Bothell, Mountlake Terrace, Brier	X	
NORTH COUNTY					
Arlington D.P.W.	2008	4.67	Marysville	X	Marysville
Granite Falls D.P.W.	2013	0.6	---	X	---
Marysville D.P.W.	2011	12.7	Tulalip (East), city of Arlington	X	---
Stanwood D.P.W.	2010	0.7	---	X	---
Tulalip Tribes	2004	0.3	---	X	Marysville
EAST COUNTY					
Cross Valley W.D.	2010	N/A	N/A		King Co.
Lake Stevens S. D.	2016	2.4	Lake Stevens	X	---
Lake Stevens D.P.W.		N/A	N/A		Lake Stevens S.D.
Monroe D.P.W.	1999	1.7	---	X	---
Snohomish D.P.W.	2011 (update)	2.8	---	X	---
Sultan D.P.W.	2010	0.72	---	X	---

FOOTNOTE 1: Generally, the average day of the maximum month, per the NPDES permit. MGD=million gallons/day.





Snohomish County

**Planning and Development
Services**

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 2.0003

FILE ORD21-056

3000 Rockefeller Ave., M/S 604
Everett, WA 98201-4046
(425) 388-3311
www.snoco.org

TO: Snohomish County Planning Commission

FROM: Terri Strandberg, Principal Planner

DATE: May 7, 2021

Dave Somers
County Executive

**SUBJECT: Staff Report: Docket XX
CFP1 – Olympic View Water and Sewer District**

The purpose of this staff report is to provide an overview of the docket request submitted by Olympic View Water and Sewer District (OVWSD). The docket request is an amendment to the county’s Capital Facilities Plan (CFP) to address a wastewater service area boundary change proposed in OVWSD’s comprehensive sewer plan, Amendment 2. OVWSD has also requested county action under RCW 57.16 to approve Amendment 2 to the District’s 2007 comprehensive sewer plan addressing non-GMA planning requirements.

BACKGROUND

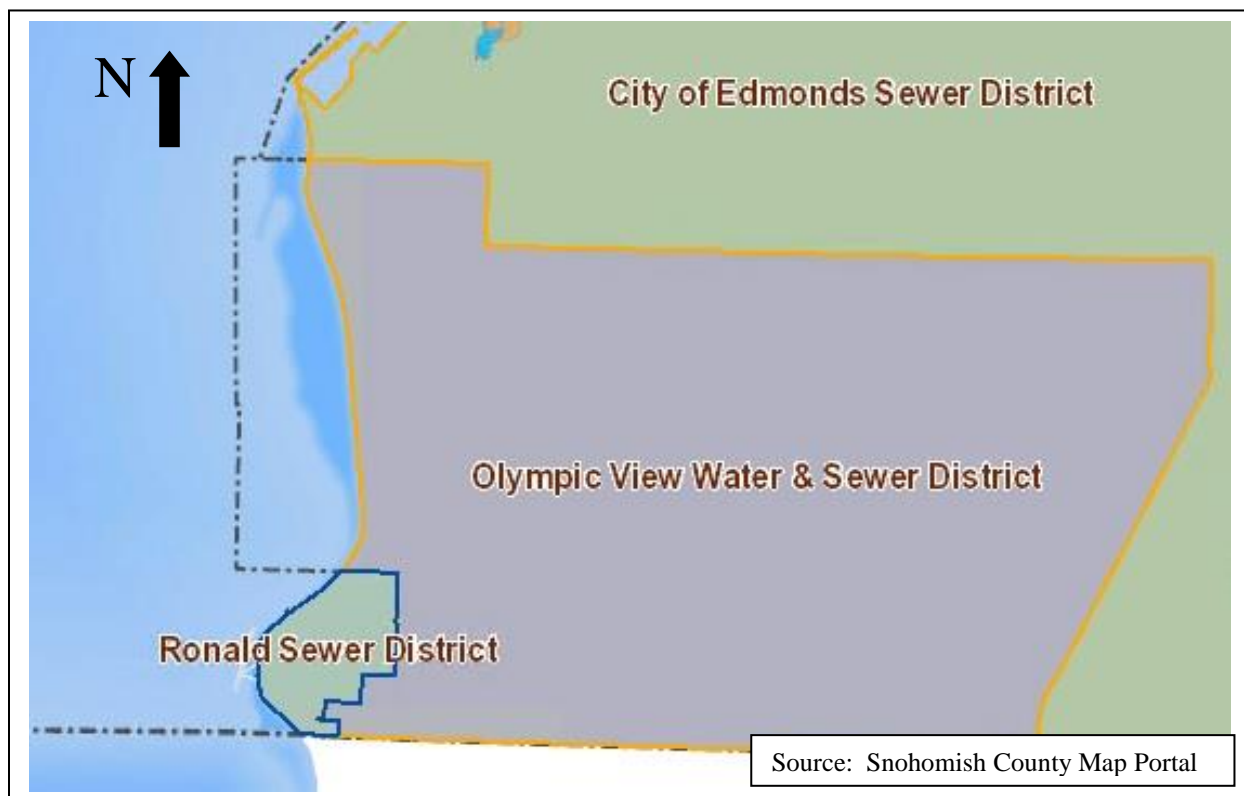
The Growth Management Act requires that the county make a determination that utility services are available as necessary to support future growth as planned for in the Growth Management Act Comprehensive Plan (GMACP). Since the county is not a provider of utility services, the county relies on the external utility providers for these services and for documentation that adequate services will be available for future growth. This documentation is found in the comprehensive utility plans prepared by the utilities themselves. These comprehensive utility plans must be consistent with the county’s GMACP: they must use the county’s growth forecasts and land use plans to estimate future demand for utility services. The future demand for services is then used by the utility to prepare a capital improvement and expenditure plan. The utility plans are submitted to the county for review and approval to verify consistency with the GMACP. (Reference RCW 57.02.040 and 57.16.010).

RCW 57.16 requires that water and sewer districts prepare utility comprehensive plans before ordering any capital improvements or submitting to vote any proposition for incurring any indebtedness. These plans are subject to adoption processes and timelines that are described in RCW 57.16, independent of GMA processes and timelines. However, the county relies on these utility comprehensive plans to meet obligations under the GMA. The county’s Capital Facilities Plan (CFP), a GMA-required document, includes an inventory and maps based on the utility plans. Any time a utility provider prepares a plan, or an amendment to a plan, that is inconsistent with the county’s GMACP or the CFP, the county must apply GMA-required processes and timelines to approve the utility plan because the county action to approve the utility plan under RCW 57.16 acts as a de facto amendment to the CFP. Failure to follow GMA requirements for adopting amendments to the CFP, whether intentional or de facto, makes the action vulnerable to appeal. This is the reason that OVWSD has submitted a docket application and agreed to process

SUMMARY OF OVSWD PROPOSAL - CFP1

OVWSD has submitted a utility comprehensive plan amendment that increases the size of their sewer service area to include an area formerly claimed by Ronald Sewer District. After a lengthy legal dispute finally resolved by the Washington State Supreme Court in favor of OVWSD with regards to sewer service area, OVWSD has submitted this request to revise their sewer service area boundary¹. This requires an amendment to the county's CFP sewer inventory table and map to assign OVWSD as the sewer provider for Point Wells instead of Ronald Sewer District. The utility comprehensive plan amendment prepared by OVWSD is otherwise consistent with the county's GMACP growth forecasts and land use plan.

OVWSD is asking the county to approve the utility comprehensive plan amendment under authority of RCW 57.16 and to make the corresponding changes to the county's CFP under RCW 36.70A. The CFP changes include deletion of Ronald Wastewater District from Table 1, Section 2.3.A of the CFP, and from Map 7 in Appendix B of the CFP. While the change to Map 7 will not be readily apparent due to map scale, the underlying data set used to map the sewer district boundaries, shown in the map below, will be updated to expand OVWSD and remove Ronald Sewer District.



¹ It should be noted that OVWSD is already acknowledged as the water provider for Point Wells both in the utility's water service plans and in the county's CFP.

FINAL DOCKET EVALUATION

Planning and Development Services (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 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 CFP1 proposal maintains consistency with other elements of the county’s comprehensive plan and the county’s development regulations as described in detail below in Criteria “b” and “c.” CFP1 updates the county utility inventory and supports a determination that services necessary to support urban development will be available to support future growth.

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. Elements of the comprehensive plan, particularly capital facilities, support the proposal since the utility provider is planning for future growth and provision of sewer service within southwest urban growth area. Sewer plans prepared by the utility provider incorporate county growth forecasts and county land use plans as the basis for future capital projects necessary to support customers in the utility service area.

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 CFP1 proposal more closely meets the goals, objectives, and policies of the comprehensive plan than the existing plan or code provisions. The most relevant General Policy Plan policies for purposes of evaluating this proposal support planning coordination and provision of services within urban growth areas:

- Objective UT 1.B Achieve and maintain consistency between utility system expansion plans and planned land use patterns.
- Policy 1.B.1 The county shall map future utility facility and corridor locations on the maps for UGA plans and rural/resource lands where feasible.
- Policy 1.B.2 The county shall maintain consistency between district utility plans and the county’s comprehensive plan; it shall also endeavor to maintain consistency between city utility plans that serve unincorporated areas and the county’s comprehensive plan.
- GOAL UT 3 Work with cities and special districts to produce coordinated wastewater system plans for both incorporated and unincorporated areas within UGAs that are consistent with the land use element and city plans.
- Objective UT 3.A Utilize wastewater system plans as a basis for orderly development or expansion within UGAs in accordance with the Countywide Planning Policies.

Criterion “d”: The proposed amendment is consistent with the countywide planning policies (CPPs).

Yes. The CFP1 proposal is consistent with the CPPs. The most relevant CPP policy for purposes of evaluating this proposal is PS-13 which supports planning coordination between the county and other service providers:

PS-13 Jurisdictions should adopt capital facilities plans, and coordinate with other service providers, to provide the appropriate level of service to support planned growth and development in Urban Growth Areas.

Criterion “e”: The proposed amendment complies with the GMA.

Yes. The CFP1 proposal complies with the GMA. The proposal was analyzed for consistency with the following GMA requirements in RCW 36.70A.:

36.70A.020 Planning goals

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

36.70A.070 Comprehensive plans – Mandatory elements

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

36.70A.110 Comprehensive plans – Urban growth areas

(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. Urban growth may also be located in designated new fully contained communities as defined by RCW 36.70A.350.

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. New information is available that was not considered at the time of the adoption of the last major update of the county comprehensive plan in 2015 that changes the underlying assumptions and supports the CFP1 proposal. After lengthy legal proceedings, the Washington State Supreme Court has determined that the Point Wells area belongs in OVWSD’s sewer service area. The CFP1 proposal includes the necessary utility planning and service area boundary adjustments to implement this determination by the court.

Summary of the GF2 proposal's consistency with SCC 30.74.060(2)					
(a)	(b)	(c)	(d)	(e)	(f)
Yes	Yes	Yes	Yes	Yes	Yes

CONSISTENCY WITH MULTICOUNTY PLANNING POLIICIES (MPP):

The CFP1 proposal is consistent with and advances the Puget Sound Regional Council *Vision 2050* Multicounty Planning Policies, in particular:

MPP-PS-7

Obtain urban services from cities or appropriate regional service providers. Encourage cities, counties, and special purpose districts, including sewer, water, and fire districts, to coordinate planning efforts, agree on optimal ways to provide efficient service, and support consolidations that would improve service to the public.

MPP-PS-10

Serve new development within the urban growth area with sanitary sewer systems or fit it with dry sewers in anticipation of connection to the sewer system. Alternative technology to sewers should be considered only when it can be shown to produce treatment at standards that are equal to or better than the sewer system and where a long-term maintenance plan is in place.

STATE ENVIRONMENTAL POLICY ACT (SEPA) ACTION:

A State Environmental Policy Act (SEPA) review is required for the CFP1 Final Docket XX proposal and will be completed prior to the planning commission's public hearing on the CFP1 proposal.

NOTIFICATION OF STATE AGENCIES

Pursuant to RCW 36.70A.106, a notice of intent to adopt the CFP1 Final Docket XX proposal will be transmitted to the Washington State Department of Commerce prior to the planning commission's briefing for distribution to state agencies.

STAFF RECOMMENDATION

Staff recommends holding a public hearing on the CFP1 Final Docket XX proposal on June 22, 2021, at which time PDS will provide a final recommendation on the CFP1 proposal with recommended supporting findings and conclusions.

ACTION REQUESTED

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

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

Attachments:

Exhibit A: Snohomish County Capital Facilities Plan, Section 2.3.A

Exhibit B: Snohomish County Capital Facilities Plan, Appendix B, Figure 7.

Exhibit APlanning Commission Staff Report, May 7, 2021
Capital Facilities Plan, Section 2.3.A** Section 2.3 - Public Wastewater Systems****2.3.A Existing Inventories**

Wastewater collection and treatment within Snohomish County is a de-centralized public service provided by municipal agencies at a local scale. This is typical of most counties in Washington State. King County is a notable exception.

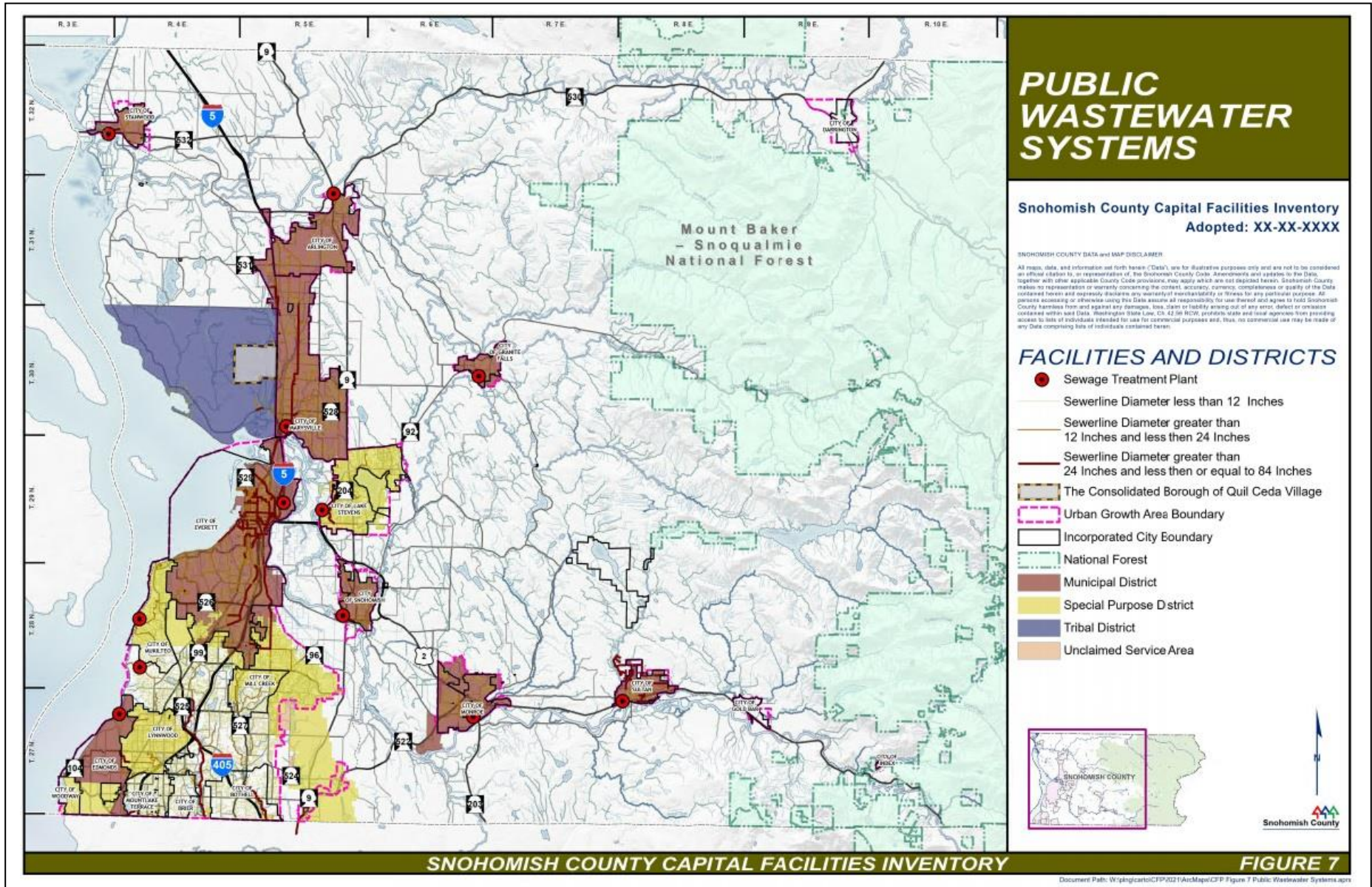
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Fourteen of the 23 provider agencies provide wastewater treatment through the operation of their own plant. The other nine agencies contract for treatment services with nearby or "downstream" treatment plant operators. Another important provider of treatment for Snohomish County is the King County Wastewater Treatment Division. Its Brightwater plant which opened in 2012 receives wastewater flows from south Snohomish County, primarily from customers of the Alderwood and Cross Valley Water Districts and some from the city of Bothell. Snohomish County first prepared a technical support document in 1993-94 that accompanies and supports the GMA Comprehensive Plan entitled The Countywide Utility Inventory Report for Snohomish County. It describes the major public utility systems in the county, including the wastewater systems. That report draws upon and summarizes the information available from the comprehensive sewer system plans and from surveys and discussions with staff of the agencies. That report has been substantially updated to reflect the many plans that have been prepared and adopted by the provider agencies over the past seven years. Copies of that inventory report can be obtained from Snohomish County Planning and Development Services. Detailed information about projected future needs for a particular system can be obtained from the comprehensive system plan for each provider agency, a copy of which is retained in the Planning Library, or directly from the provider agency.

**TABLE 1
WASTEWATER SYSTEMS AND TREATMENT PLANTS
SERVING UNINCORPORATED SNOHOMISH COUNTY**

Provider Agency	Most Recent Sanitary Sewer Comprehensive Plan	Treatment Plant's Rated Capacity (MGD) ¹	Other Cities/Systems Served (in whole or part) by WWTP	Treatment Provided by	
				Own Plant	Other Plant (System)
SOUTHWEST COUNTY					
Alderwood W.W.D.	2017	3.0	---	X	King Co.
City of Bothell	2012 (CFP)	N/A	Served by King Co.		---
City of Edmonds	2010	11.8	Woodway, Olympic View W.D., Mountlake Terrace	X	Lynnwood
City of Everett	2013	31.3	Alderwood W.W.D., Mukilteo W.W.D., Silver Lake W.W.D.	X	---
City of Lynnwood	2012	7.4	---	X	Edmonds
Mukilteo W.D.	2012	N/A	N/A		Everett
Olympic View W.D.	2007	N/A	N/A		Edmonds
((Ronald W.D.	2010	N/A	---		King Co.)
Silver Lake W.D.	2011	N/A	---		Everett, King Co.
King County	2003	Brightwater	Alderwood W.W.D., Cross Valley W.D., Lynnwood, Bothell, Mountlake Terrace, Brier	X	
NORTH COUNTY					
Arlington D.P.W.	2008	4.67	Marysville	X	Marysville
Granite Falls D.P.W.	2013	0.6	---	X	---
Marysville D.P.W.	2011	12.7	Tulalip (East), city of Arlington	X	---
Stanwood D.P.W.	2010	0.7	---	X	---
Tulalip Tribes	2004	0.3	---	X	Marysville
EAST COUNTY					
Cross Valley W.D.	2010	N/A	N/A		King Co.
Lake Stevens S. D.	2016	2.4	Lake Stevens	X	---
Lake Stevens D.P.W.		N/A	N/A		Lake Stevens S.D.
Monroe D.P.W.	1999	1.7	---	X	---
Snohomish D.P.W.	2011 (update)	2.8	---	X	---
Sultan D.P.W.	2010	0.72	---	X	---

FOOTNOTE 1: Generally, the average day of the maximum month, per the NPDES permit. MGD=million gallons/day





Snohomish County

EXHIBIT # 2.0013

FILE 21-056

SNOHOMISH COUNTY PLANNING COMMISSION

July 9, 2021

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

SUBJECT: Planning Commission Recommendations on Final Docket XX

Dear Snohomish County Council:

The Snohomish County Planning Commission is forwarding its recommendations on Final Docket XX which consists of four proposals to amend the Growth Management Act Comprehensive Plan (GMACP):

- Olympic View Water and Sewer District (CFP1) – Amend the Capital Facilities Plan (CFP) of the GMACP to identify the Olympic View Water and Sewer District as the sewer provider to the Point Wells site, and update sewer inventory information in the CFP related to the District.
- Edward Tokarz (SW5) – Amend the Future Land Use (FLU) map of the General Policy Plan (GPP) to redesignate .72 acres in the Southwest Urban Growth Area (SWUGA) from Urban Medium Density Residential (UMDR) to Urban High Density Residential (UHDR), and amend the area-wide zoning map to rezone the property from R-8,400 to Multiple Residential (MR).
- Tom Winde et al. (SW6) – Amend the FLU map of the GPP to:
 - (Option 1) Redesignate 19.96 acres in the SWUGA from Urban Low Density Residential (ULDR) to UHDR and amend the area-wide zoning map to rezone from R-7,200 to MR; or
 - (Option 2) Redesignate 19.96 acres in the SWUGA from ULDR to UMDR and amend the area-wide zoning map to rezone from R-7,200 to Low Density Multiple Residential (LDMR).
- Marv Thomas (SW7) – Amend the FLU map of the GPP to redesignate 6.6 acres in the SWUGA from ULDR to Urban Commercial and amend the area-wide zoning map to rezone from R-7,200 to Community Business (CB).

The Planning Commission held a briefing on the four Final Docket XX proposals on May 25, 2021 and conducted a public hearing on each of the four Final Docket XX proposals on June 22, 2021, to review and take action on the proposed amendments.

After closing public testimony and concluding deliberations on each of the four Final Docket XX proposals, the Planning Commission made the following recommendations to the Snohomish County Council:

- **Olympic View Water and Sewer District (CFP1):** Recommend **APPROVAL [Motion to recommend approval as noticed passed 9-0 with no abstentions]**. This recommendation was made after consideration of oral and written testimony presented during the public hearing process and is based on findings and conclusions recommended in the June 4, 2021, Planning and Development Services (PDS) staff report.

- **Edward Tokarz (SW5):** Recommend **APPROVAL**. [**Motion to recommend approval as noticed passed 9-0 with no abstentions**]. This recommendation was made after consideration of oral and written testimony presented during the public hearing process and is based on findings and conclusions recommended in the June 4, 2021, PDS staff report.

- **Tom Winde et al. (SW6):** Recommend **APPROVAL** [**Motion to recommend approval to redesignate the proposal site from ULDR to UMDR on the GPP FLU Map with no rezone passed 9-0 with no abstentions**]. This recommendation is contrary to the PDS recommendation to deny both of the SW6 options. The Planning Commission's recommendation of approval of the SW6 Option 2 proposal, as modified without a rezone, was made after consideration of oral and written testimony from a representative for the applicant and several property owners who live in the vicinity during the public hearing process, and is based on the following findings and conclusions:
 - The proposed redesignation to UMDR would:
 - Provide additional housing capacity to help accommodate the SWUGA projected 2044 population growth target;
 - Create more opportunities for affordable housing by providing a range of housing types allowed by the UMDR designation and implementing zoning; and
 - Allow for a rezone, at a later date, to a higher density zone that implements the UMDR plan designation when there is a change of circumstances, specifically, a developed access to an appropriately sized road system through the Cathcart West property that will handle the majority of the traffic volume generated by the Winde site.

- **Marv Thomas (SW7):** Recommend **APPROVAL**. [**Motion to recommend approval as noticed passed 9-0 with no abstentions**]. This recommendation was made after consideration of information presented during the public hearing process and is based on findings and conclusions recommended in the June 4, 2021, PDS staff report.

Respectfully submitted,

Robert Larsen

Robert Larsen (Jul 9, 2021 15:07 PDT)

Robert Larsen, Chair

Snohomish County Planning Commission

Attachments: Draft minutes from the Planning Commission public hearing on June 22, 2021

cc: Dave Somers, Snohomish County Executive

Mike McCrary, Director, Planning and Development Services



Snohomish County

**PLANNING COMMISSION
PLANNING & DEVELOPMENT SERVICES**

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201
Clerk Email: megan.moore@snoco.org

**REGULAR SESSION
JUNE 22, 2021
MINUTES**

A. CALL TO ORDER, ROLL CALL, AND AGENDA REVIEW

Commissioner Robert Larsen, Planning Commission Chair, called the meeting to order at 5:31 p.m. Of the nine (9) currently appointed commissioners, nine (9) were in attendance (a quorum being six (6) members and a majority being six (6) members):

Merle Ash
Leah Everett
Mark James

James Kamp
Robert Larsen
Keri Moore

Tom Norcott
Neil Pedersen
Raymond Sheldon

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

B. APPROVAL OF MINUTES

The minutes of [May 25, 2021](#) were unanimously approved.

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

David Killingstad reviewed anticipated topics for upcoming Planning Commission meetings and the status of past recommendations. He also informed the Commissioners that a joint meeting with the Tulalip Tribes Planning Commission is being scheduled for September 22, 2021. This meeting is likely to be held in-person.

- [Report on Recent Snohomish County Planning Commission Activities](#)
- [Upcoming Planning Commission Meeting Topics](#)

D. UNFINISHED BUSINESS

1. Length of time for oral testimony

Commissioners discussed the length of time for oral testimony. Chair Larsen shared that he and Vice Chair Norcott met with Planning and Development Services (PDS) Manager, David Killingstad, PDS Director Mike McCrary, and Commission Clerk Megan Moore to discuss time for oral testimony and three minutes being the standard at surrounding counties they recommend keeping testimony time to three (3) minutes for public comment and five (5) minutes for a representative of a group.

2. 2021 County-initiated Comprehensive Plan Amendments: Hearing

Steve Skorney, PDS Senior Planner, 425-262-2207, steve.skorney@snoco.org



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Steve Skorney briefly discussed each of the 2021 county-initiated plan amendments. The Planning Commission held a public hearing on the annual consideration of county-initiated amendments to the Growth Management Act Comprehensive Plan (GMACP) according to the requirements of Chapter 30.73 Snohomish County Code. The GPP21-3 Technical Corrections 2021 package of proposed amendments consisted of amendments to maps 1, 2, 4, and 5 of the General Policy Plan (GPP) to recognize properties that are no longer under county jurisdiction due to municipal annexations.

After the presentation the Commissioners had no comments or questions.

Commissioner Larsen opened the **Public Hearing at 5:48 p.m.** for the GPP21-3 Technical Corrections.

No one commented at the public hearing.
The **Public Hearing was closed at 5:48 p.m.**

After the hearing the Commissioners had no questions or comments and were asked to make a motion.

A **Motion** was made by Commissioner Norcott and seconded by Commissioner Everett recommending **approval** of the GPP21-3 Technical Corrections.

VOTE (Motion):

9 in favor (*Ash, Everett, James, Kamp, Larsen, Moore, Norcott, Pederson, and Sheldon*)

0 opposed

0 abstention

Motion PASSED

For further information, please review the following:

- [Presentation dated June 22, 2021](#)
- [GPP21-3 Tech Corrections Staff Recommendation dated June 4, 2021](#)
- [Presentation dated May 25, 2021](#)
- [Briefing Staff Report dated May 7, 2021](#)

3. Final Docket XX: Hearings

Steve Skorney, PDS Senior Planner, 425-262-2207, steve.skorney@snoco.org

Terri Strandberg, PDS Principal Planner, 425-262-2359, terri.strandberg@snoco.org

Jay Larson, Transportation Planning Coordinator, 425-388-3614, jay.larson@co.snohomish.wa.us

The Planning Commission held a public hearing on each Final Docket XX item which consisted of four docket proposals to amend the Growth Management Act Comprehensive Plan (GMACP) and implement zoning according to the requirements of Chapter 30.74 Snohomish County Code (SCC).

3.1 Olympic View Water and Sewer District (CFP1) Hearing – Terri Strandberg presented and gave a few comments and clarifications to the Planning Commission regarding the amendment to the Capital Facilities Plan of the GMACP to identify Olympic View as the



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sewer provider to the Point Wells site and approve a 2019 amendment to Olympic View's 2007 comprehensive sewer plan to include the Point Wells site.

After the presentation the Commissioners had no questions or comments but did clarify the specific motion for the proposal.

Commissioner Larsen opened the **Public Hearing at 6:00 p.m.** for the Docket XX proposal Olympic View Water and Sewer District (CFP1).

One (1) written comment was received by the Planning Commission from the public before the June 22, 2021 hearing. One (1) member of the public commented at the public hearing.

The **Public Hearing was closed at 6:04 p.m.**

After the hearing the Commissioners had no questions or comments and were asked to make a motion.

A **Motion** was made by Commissioner James and seconded by Commissioner Norcott recommending **approval** for Olympic View Water and Sewer District (CFP1) proposal as recommended by staff.

VOTE (Motion):

8 in favor (*Ash, Everett, James, Kamp, Larsen, Moore, Norcott, Pederson, and Sheldon*)

0 opposed

0 abstention

Motion PASSED

For further information, please review the following:

- [Presentation dated June 22, 2021](#)
- [Presentation dated May 25, 2021](#)
- [Olympic View Water and Sewer District Briefing Staff Report dated May 7, 2021](#)

3.2 Edward Tokarz (SW5) Hearing – Steve Skorney gave a presentation regarding the proposed rezone of .72 acres in the Southwest Urban Growth Area (SWUGA) from Urban Medium Density Residential (UMDR) to Urban High Density Residential (UHDR) and rezone from R-8,400 to Multiple Residential (MR). The proposal is consistent with the Growth Management Act (GMA), Multicounty Planning Policies (MPP), Countywide Planning Policies (CPP), and the General Policy Plan (GPP).

After the presentation the Commissioners clarified that the proposal is for a rezone only, and that no project has been planned at this time.

Commissioner Larsen opened the **Public Hearing at 6:11 p.m.** for the Docket XX proposal Edward Tokarz (SW5).

One (1) written comment was received by the Planning Commission from the public before the June 22, 2021 hearing. One (1) member of the public commented at the public hearing.



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The **Public Hearing was closed at 6:14 p.m.**

After the hearing the Commissioners deliberated on the location, the infrastructure of the area including traffic, street conditions, and parking requirements and appropriateness of the rezone.

A **Motion** was made by Commissioner Ash and seconded by Commissioner Everett recommending **approval** for the Edward Tokarz (SW5) proposal as recommended by staff.

VOTE (Motion):

8 in favor (*Ash, Everett, James, Kamp, Larsen, Moore, Norcott, Pederson, and Sheldon*)

0 opposed

0 abstention

Motion PASSED

For further information, please review the following:

- [Presentation dated June 22, 2021](#)
- [SW5 Tokarz Docket XX Staff Recommendation dated June 4, 2021](#)
- [Tokarz SW5 Aerial final](#)
- [Tokarz SW5 FLU final](#)
- [Tokarz SW7 Zoning final](#)
- [Presentation dated May 25, 2021](#)
- [Edward Tokarz Briefing Staff Report dated May 7, 2021](#)

3.3 Tom Winde et al. (SW6) Hearing – Steve Skorney and Jay Larson presented on the proposed options to amend the Future Land Use Map of the General Policy Plan to:

- (Option 1) Redesignate 19.96 acres in the SWUGA from Urban Low Density Residential (ULDR) to UHDR and rezone from R-7,200 to MR; or
- (Option 2) Redesignate 19.96 acres in the SWUGA from ULDR to UMDR and rezone from R-7,200 to Low Density Multiple Residential (LDMR).

After the presentation Commissioner Pedersen commented on the Draft EIS, the timing of the Docket XX SW6 request, and possible changes for traffic management in the future.

Commissioner Larsen opened the **Public Hearing at 7:15 p.m.** for the Docket XX proposal Tom Winde et al. (SW6).

Eight (8) written comments were received by the Planning Commission from the public before the June 22, 2021 hearing. Thirteen (13) members of the public commented at the public hearing.

The **Public Hearing was closed at 7:51 p.m.**

After the hearing the commissioners deliberated on the SW6 proposal. Chief points of the deliberations included the multiple viewpoints of the decision, the need for additional housing options, the possibility of conditional approval contingent on road access, the projected growth of



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the county, traffic concerns, fire safety, and school capacity. The commissioners also commented on the timeline of the proposal and how to best mitigate the concerns brought up during the hearing especially road capacity. They also clarified how to make a recommendation to County Council to approve an option, but with conditions.

A **Motion** was made by Commissioner Ash and seconded by Commissioner James recommending **approval** for Option 2 with conditions from the commissioners in accordance with recommendations made during deliberations and added comments from commissioners in the recommendation letter to County Council.

VOTE (Motion):5 in favor (*Ash, James, Kamp, Larsen, Norcott*)4 opposed (*Everett, Moore, Pedersen, Sheldon*)

0 abstention

Motion FAILED

Commissioners continued their deliberations and discussed possible outcomes of leaving the area as it is and the possible outcomes to the county for increased density.

A **Motion** was made by Commissioner Everett and seconded by Commissioner Sheldon to **deny** and to include summary of the findings and deliberations of the commissioners in the recommendation letter to County Council.

VOTE (Motion):5 in favor (*Everett, Larsen, Moore, Pedersen, Sheldon*)4 opposed (*Ash, James, Kamp, Norcott*)

0 abstention

Motion FAILED

Commissioners continued deliberations and clarified that the land could be redesignated to Urban Medium Density Residential and the zoning could remain R-7,200. Then a change in circumstances would need to be proven to have R-7,200 rezoned in the future.

A **motion** was made by Commissioner Ash and seconded by Commissioner James recommending to leave the zoning at R-7,200, and to redesignate the Future Land Use Map to Urban Medium Density Residential and to attach a summary of the deliberations to the recommendation letter to County Council.

VOTE (Motion):8 in favor (*Ash, Everett, James, Kamp, Larsen, Moore, Norcott, Pederson, and Sheldon*)

0 opposed

0 abstention

Motion PASSED

For further information, please review the following:

- [Presentation dated June 22, 2021](#)
- [SW6 Winde Docket XX Staff Recommendation dated June 4, 2021](#)



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- [Winde SW6 Aerial final](#)
- [Winde SW6 FLU option 1 final](#)
- [Winde SW6 FLU option 2 final](#)
- [Winde SW6 Zoning option 1 final](#)
- [Winde SW6 Zoning option 2 final](#)
- [Presentation dated May 25, 2021](#)
- [Tom Winde et al. Briefing Staff Report dated May 7, 2021](#)
- [Draft Supplemental Environment Impact Statement – Winde \(SW6\)](#)

3.4 Marv Thomas (SW7) Hearing – Steve Skorney gave a presentation regarding the proposed redesignation of 6.6 acres in the Southwest Urban Growth Area from Urban Low Density Residential to Urban Commercial and the rezone from R-7,200 to Community Business. The proposal is consistent with the Growth Management Act (GMA), Multicounty Planning Policies (MPP), and Countywide Planning Policies CPP).

Commissioner Larsen opened the **Public Hearing at 9:04 p.m.** for the Docket XX proposal Marv Thomas (SW7).

One (1) written comment was received by the Planning Commission from the public before the June 22, 2021 hearing. One (1) member of the public commented at the public hearing.

The **Public Hearing was closed at 9:06 p.m.**

After the hearing there were no comments or questions from the Commissioners.

A **Motion** was made by Commissioner Norcott and seconded by Commissioner Everett recommending **approval** for the Docket XX proposal Marv Thomas (SW7) as recommended by staff.

VOTE (Motion):

8 in favor (*Ash, Everett, James, Kamp, Larsen, Moore, Norcott, Pederson, and Sheldon*)

0 opposed

0 abstention

Motion PASSED

For further information, please review the following:

- [Presentation dated June 22, 2021](#)
- [SW7 Thomas Docket XX Staff Recommendation dated June 4, 2021](#)
- [Thomas SW7 Aerial final](#)
- [Thomas SW7 FLU final](#)
- [Thomas SW5 Zoning final](#)
- [Presentation dated May 25, 2021](#)
- [Marv Thomas Briefing Staff Report dated May 7, 2021](#)

4. County Council Referred Amendments to Mineral Lands Comprehensive Plan Policies and Code Provisions: Hearing



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Mitchell Brouse, PDS Senior Planner, 425-388-5127, mitchell.brouse@snoco.org

Mitchell Brouse briefly reviewed and presented on a County Council referred proposal to amend the portions of the Snohomish County Growth Management Act Comprehensive Plan (GMACP) General Policy Plan (GPP) and Snohomish County Code (SCC) Title 30 related to the designation and exhaustion of mineral lands. The proposal was referred by Motion No. 21-124 and includes: (1) amendments to the GPP related to the transition of mine sites to post extractive uses; (2) amendments to the Mineral Resource Lands Map (Map 2); (3) amendments to SCC related to mineral lands and the exhaustion of mining operations; and (4) site specific rezones.

After the presentation the Commissioners had no questions or comments.

Commissioner Larsen opened the **Public Hearing at 9:19 p.m.** for the County Council Referred Amendments to Mineral Lands Comprehensive Plan Policies and code Provisions.

One (1) member of the public commented at the public hearing.
The **Public Hearing was closed at 9:20 p.m.**

After the hearing comments were given on code provisions concerning reclamation activities. Furthermore, clarification was given that development agreements, allow for mitigation measures at long-term development sites.

A **Motion** was made by Commissioner Ash and seconded by Commissioner Norcott recommending **approval** on the for the County Council Referred Amendments to Mineral Lands Comprehensive Plan Policies and Code Provisions as recommended by staff.

VOTE (Motion):

8 in favor (*Ash, Everett, James, Kamp, Larsen, Moore, Norcott, Pederson, and Sheldon*)

0 opposed

0 abstention

Motion PASSED

For further information, please review the following:

- [Presentation dated May 25, 2021](#)
- [Briefing Staff Report dated May 7, 2021](#)

E. NEW BUSINESS

F. ADJOURN

This regular meeting was adjourned at 9:28 p.m.

[Planning Commission Main Website](#)



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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 Brandi Spores, Planning Commission Clerk, PDS, M/S 604, 3000 Rockefeller Avenue, Everett, WA 98201 or via email at Brandi.Spores@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 Development Services, Reception Desk, 2nd Floor, County Administration Building-East, 3000 Rockefeller Avenue, Everett. For more information, call Brandi Spores, Planning Commission Clerk, at 425-388-3224.

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 advance request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD

<u>Snohomish County Planning Commissioners:</u>	
Merle Ash, District 1	Vacant, District 4
Mark James, District 1	Neil Pedersen, District 4
Tom Norcott, District 2	James Kamp, District 5
Raymond Sheldon, Jr., District 2	Leah Everett, District 5
Robert Larsen, District 3	Keri Moore, Executive Appointee
Vacant, District 3	
<u>Commission Staff (from Planning and Development Services (PDS) Department):</u>	
Mike McCrary, Commission Secretary	Megan Moore, Commission Clerk






PC_rec_ltr_Final_DocketXX_final

Final Audit Report

2021-07-09

Created:	2021-07-09
By:	Megan Moore (Megan.Moore@co.snohomish.wa.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAXD3SH83-wKOo3ySzljqux0vGNZopxODG

"PC_rec_ltr_Final_DocketXX_final" History

-  Document created by Megan Moore (Megan.Moore@co.snohomish.wa.us)
2021-07-09 - 5:41:29 PM GMT- IP address: 207.183.1.30
-  Document emailed to Robert Larsen (robert.larsen@snoco.org) for signature
2021-07-09 - 5:41:57 PM GMT
-  Email viewed by Robert Larsen (robert.larsen@snoco.org)
2021-07-09 - 9:35:16 PM GMT- IP address: 23.103.201.254
-  Document e-signed by Robert Larsen (robert.larsen@snoco.org)
Signature Date: 2021-07-09 - 10:07:26 PM GMT - Time Source: server- IP address: 76.121.152.209
-  Agreement completed.
2021-07-09 - 10:07:26 PM GMT

Executive/Council Action Form (ECAF)

EXHIBIT # 3.1.1

FILE ORD 21-056

ITEM TITLE:

..Title

Ordinance 21-056, relating to the Growth Management Act, amending the Snohomish County Growth Management Act Comprehensive Plan (GMACP) Capital Facilities Plan to update sewer inventory information related to Olympic View Water and Sewer District (CFP1 - Olympic View Water and Sewer District)

..body

DEPARTMENT: Planning and Development Services

ORIGINATOR: Terri Strandberg

EXECUTIVE RECOMMENDATION: Approve ordinance

PURPOSE: Docket XX CFP1 amends the County’s GMA Capital Facilities Plan

BACKGROUND: This amendment to the Capital Facilities Plan is requested via a docket application submitted by Olympic View Water and Sewer District. OVWSD will be assigned as the sewer provider at Point Wells.

FISCAL IMPLICATIONS:

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL	0	0	0

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL	0	0	0

DEPARTMENT FISCAL IMPACT NOTES: There are no fiscal impacts associated with the proposal.

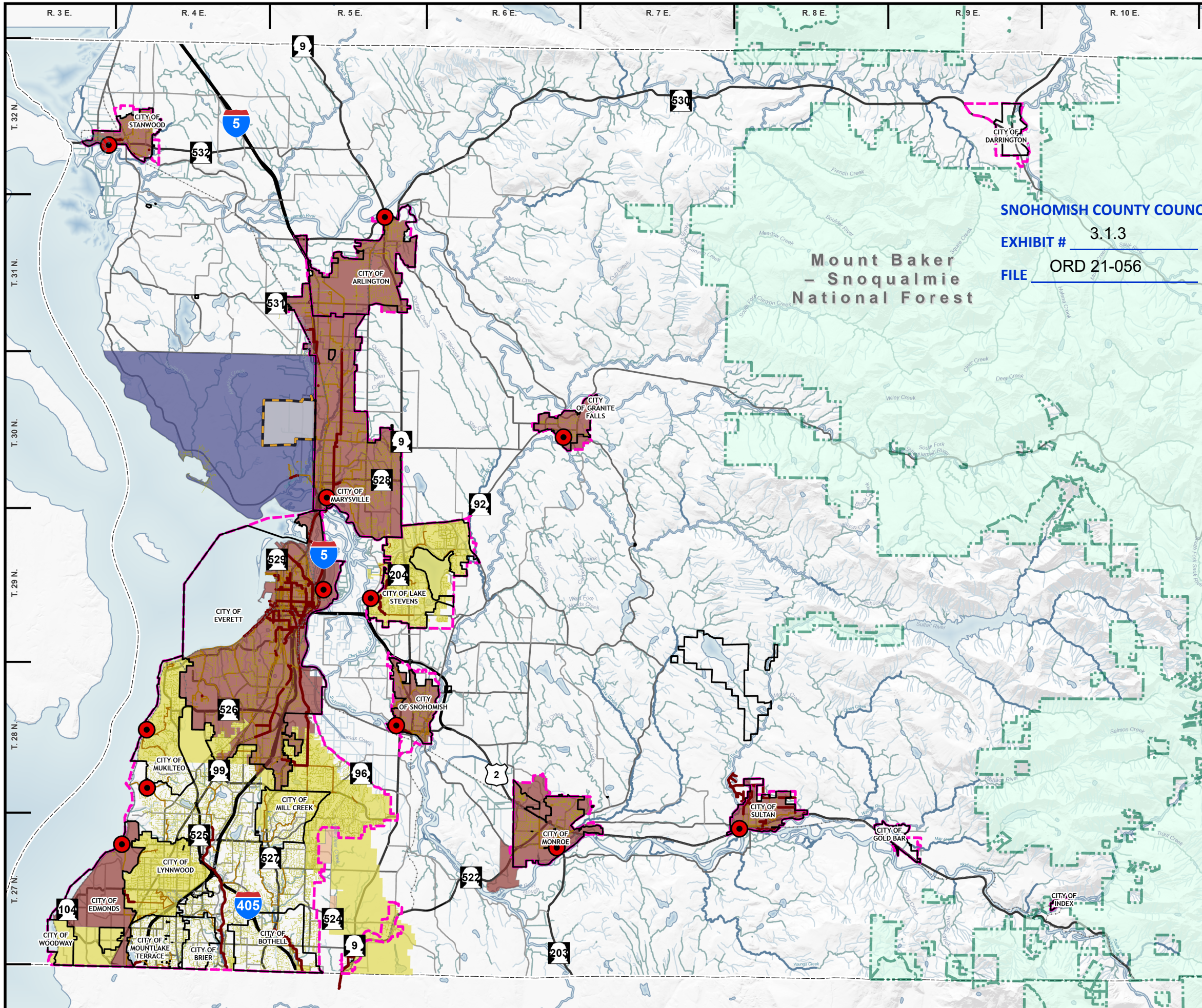
CONTRACT INFORMATION:

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

Contract Period

ORIGINAL START _____ END _____
 AMENDMENT START _____ END _____

OTHER DEPARTMENTAL REVIEW/COMMENTS: Approved as to form by PA (George Marsh)
Approved/Reviewed by Finance & Risk



PUBLIC WASTEWATER SYSTEMS

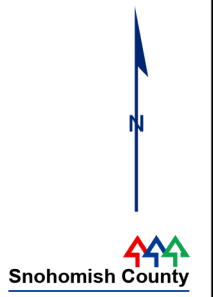
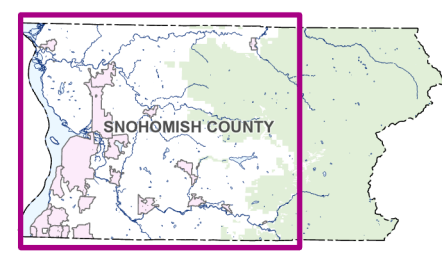
SNOHOMISH COUNTY COUNCIL
 EXHIBIT # 3.1.3
 FILE ORD 21-056

Snohomish County Capital Facilities Inventory
 Adopted: XX-XX-XXXX

SNOHOMISH COUNTY DATA and MAP DISCLAIMER
 All maps, data, and information set forth herein ("Data"), are for illustrative purposes only and are not to be considered an official citation to, or representation of, the Snohomish County Code. Amendments and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. Snohomish County makes no representation or warranty concerning the content, accuracy, currency, completeness or quality of the Data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this Data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said Data. Washington State Law, Ch. 42.56 RCW, prohibits state and local agencies from providing access to lists of individuals intended for use for commercial purposes and, thus, no commercial use may be made of any Data comprising lists of individuals contained herein.

FACILITIES AND DISTRICTS

- Sewage Treatment Plant
- Sewerline Diameter less than 12 Inches
- Sewerline Diameter greater than 12 Inches and less than 24 Inches
- Sewerline Diameter greater than 24 Inches and less than or equal to 84 Inches
- The Consolidated Borough of Quil Ceda Village
- Urban Growth Area Boundary
- Incorporated City Boundary
- National Forest
- Municipal District
- Special Purpose District
- Tribal District
- Unclaimed Service Area



**ADDENDUM NO. 22 TO THE
FINAL ENVIRONMENTAL IMPACT STATEMENT
FOR THE SNOHOMISH COUNTY GMA
COMPREHENSIVE PLAN 2015 UPDATE**

**Adoption of Amendments to the Snohomish County Growth Management Act
(GMA) Comprehensive Plan and Implementing Development Regulations Related
to Final Docket XX (CFP1, SW5, SW7) and 2021 County-Initiated Technical
Corrections (GPP21-3)**

Prepared Consistent with

The Washington State Environmental Policy Act of 1971
Chapter 43.21C Revised Code of Washington
Chapter 197-11, Washington Administrative Code
Snohomish County Code Title 30



Snohomish County Planning and Development Services

Date of Issuance: June 7, 2021

FACT SHEET

Project Title:	Adoption of amendments to the Snohomish County Growth Management Act (GMA) Comprehensive Plan and implementing development regulations related to Final Docket XX (CFP1, SW5, SW7) and 2021 County-Initiated Technical Corrections (GPP21-3)
Proposed Non-Project Actions:	<p>The proposed non-project actions considered under this State Environmental Policy Act (SEPA) review consist of the adoption of the following:</p> <p>Final Docket XX proposal by Olympic View Water and Sewer District (OVWSD), identified as CFP1, proposes to amend the county's Capital Facilities Plan to address a wastewater service area boundary change proposed in OVWSD's comprehensive sewer plan;</p> <p>Final Docket XX proposal by Edward Tokarz, identified as SW5, proposes to amend the Future Land Use (FLU) Map of the General Policy Plan (GPP) and implementing zoning to increase planned residential density on a property in the Southwest Urban Growth Area (SWUGA);</p> <p>Final Docket XX proposal by Marv Thomas, identified as SW7, proposes to amend the FLU Map of the GPP and implementing zoning to add planned employment density on a property in the SWUGA; CFP1 -</p> <p>2021 county-initiated comprehensive plan amendments, identified as GPP21-3, to make technical corrections to the maps of the GPP to recognize properties that are no longer under county jurisdiction due to city and town annexations.</p>
Purpose of the EIS Addendum:	<p>This addendum adds information relating to the non-project programmatic county actions described above. This information does not change the analysis of previously identified significant impacts of the alternatives to the county's GMA comprehensive plan within the SEPA documents dated September 8, 2014, (Draft EIS) and June 3, 2015, (Final EIS).</p> <p>This addendum is being issued in accordance with WAC 197-11-625 and WAC 197-11-630. The adopted environmental documents listed herein, together with this addendum, meet the county's environmental review needs for the current proposals.</p>
Description of the Proposals:	<p>The CFP1 proposal would increase the size of OVWSD's sanitary sewer service area to include the Point Wells site which was formerly claimed by Ronald Sewer District. This docket proposal requires an amendment to the county's Capital Facilities Plan (CFP) public wastewater inventory table and map to assign OVWSD as the sanitary sewer provider for the Point Wells site instead of Ronald Sewer District.</p> <p>The SW5 proposal would amend the FLU Map of the GPP to redesignate 0.72 acres in the SWUGA from Urban Medium Density Residential (UMDR) to Urban High Density Residential (UHDR) and rezone the proposal site from R-8,400 to Multiple</p>

Residential (MR). The SW5 property consists of a detached single-family residence that is served by public water and sanitary sewer service from the Olympic View Water & Sewer District. The SW5 site is located on 228th St SW, which intersects with State Route 99 approximately 550 feet east of the site.

The SW7 proposal would amend the FLU Map of the GPP to redesignate 6.61 acres in the SWUGA from Urban Low Density Residential (ULDR) to Urban Commercial (UC) and rezone the proposal site from R-7,200 to Community Business (CB). The SW7 property consists of one farmhouse with farm structures including a silo and several large barns. The applicant intends to start a winery on the proposal site using existing structures. The SW7 site is located along Lowell-Larimer Road, between the Seattle Hill Road/March Road and State Route 9. The site is served by public water provided by the Cross Valley Water District and is currently on a septic system. Future sewer service to the proposal site would be provided by the Silver Lake Water and Sewer District.

The GPP21-3 technical corrections to the maps of the GPP to recognize three city and town annexations that were finalized since the last county adoption of technical map corrections in 2020: The 108 acre City of Arlington Butler Wetland Annexation located adjacent to the northwest portion of the Arlington city limits; the 107 acre Town of Darrington Annexation located adjacent to the west portion of the Darrington town limits; and the 66 acre City of Lake Stevens Machias Industrial Annexation located adjacent to the east portion of the Lake Stevens city limits.

Action Sponsor Snohomish County Department of Planning and Development Services
Lead Agency: 3000 Rockefeller Avenue, M/S #604
Everett, WA 98201-4066

Required Approval Review: Snohomish County Council – adoption of ordinances amending the comprehensive plan and implementing zoning. Washington State Dept. of Commerce – coordination of state comments.

Circulation and Comment: This addendum, or notice of availability, is being sent to all recipients of the previously issued Final EIS for the Comprehensive Plan 2015 Update as required by WAC 197-11-625, and to all commenters on that EIS. No comment period is required for this addendum under WAC 197-11-502(8)(c).

The EIS Addendum is available by contacting: Steve Skorney, Senior Planner
Snohomish County Department of Planning and Development
3000 Rockefeller Ave., M/S #604
Everett, Washington 98201
Phone: (425) 262-2207
E-Mail: steve.skorney@snoco.org

Date of Issuance:

June 7, 2021

**SEPA Responsible
Official:**

Mike McCrary, Director
Snohomish County Planning and Development Services
3000 Rockefeller Avenue, M/S #604
Everett, Washington 98201-4066

Signature _____
Mike McCrary, Director

ENVIRONMENTAL REVIEW

Overview

The adoption of amendments to the GMA Comprehensive Plan is a non-project action under the Washington State Environmental Policy Act (SEPA). This Addendum is not intended to satisfy individual project action SEPA requirements, as that is a level of review needed for site-specific land use or building permit applications. This Addendum does not significantly change the analysis of impacts and alternatives contained in the Environmental Impact Statement (EIS) prepared in 2015 for the Comprehensive Plan 2015 Update, nor does it identify new or significantly different impacts.

Prior Environmental Review

The county issued a Draft EIS (DEIS) for the county's 2015 Comprehensive Plan Update on September 8, 2014 and issued a Final EIS (FEIS) on June 3, 2015. The elements of the environment addressed in both EIS documents included the natural and built environments: earth, air, water, plants and animals, land and shoreline use, population and employment, cultural resources, transportation, energy, public services, and utilities.

Addendum Environmental Review

According to the SEPA Rules, an Addendum to an EIS provides additional analysis and/or information about a proposal or alternatives where their significant environmental impacts have been disclosed and identified in a previous environmental document (WAC 197-11-706, WAC 197-11-600(3)(b)(ii)). An Addendum is appropriate when the impacts of the new proposal are the same general types as those identified in the prior document, and when the new analysis does not substantially change the analysis of significant impacts and alternatives identified in the prior environmental documents (WAC 197-11-600(4)(e), WAC 197-11-706).

This Addendum to the 2015 Comprehensive Plan Update FEIS is being issued pursuant to WAC 197-11-625 to meet the County's SEPA responsibility. The 2015 Comprehensive Plan Update FEIS evaluated plan alternatives and impacts that encompass the same general policy direction, land use patterns, capital facilities planning, and environmental impacts that are expected to be associated with the proposed amendments identified in this Addendum. No additional significant impacts beyond those identified in the county's FEIS for the 2015 Comprehensive Plan Update are expected to occur as a result of the proposed amendments. No additional programmatic level environmental review will be required to the extent that the existing environmental documents listed in this Addendum and other published documents have analyzed the proposed amendments.

Affected Environment, Significant Impacts, and Mitigation Measures – Natural Environment

1) Earth, Topography, Soils, and Erosion

Any potential earth, topography, soils, and erosion impacts that could result from Final Docket XX proposals CFP1, SW5, and SW7, and from the GPP21-3 technical corrections are addressed in the DEIS and FEIS. Any future site-specific development or land use proposal not exempted by WAC 197-11-800 or SCC 30.61.035 would be subject to a separate SEPA review. No additional mitigating measures are warranted beyond those identified in the DEIS and FEIS.

2) Air Quality and Climate Change

Any potential air quality impacts that could result from Final Docket XX proposals CFP1, SW5, and SW7, and from the GPP21-3 technical corrections are addressed in the DEIS and FEIS. Any future site-specific development or land use proposal not exempted by WAC 197-11-800 or SCC 30.61.035 would be subject to

a separate SEPA review. No additional mitigating measures are warranted beyond those identified in the DEIS and FEIS.

3) Water Resources (Ground and Surface)

Any potential water resources impacts that could result from Final Docket XX proposals CFP1, SW5, and SW7, and from the GPP21-3 technical corrections are addressed in the DEIS and FEIS. Any future site-specific development or land use proposal not exempted by WAC 197-11-800 or SCC 30.61.035 would be subject to a separate SEPA review. No additional mitigating measures are warranted beyond those identified in the DEIS and FEIS.

4) Fish, Wildlife, Vegetation, and Wetlands

Any potential fish, wildlife, vegetation, and wetlands impacts that could result from Final Docket XX proposals CFP1, SW5, and SW7, and from the GPP21-3 technical corrections are addressed in the DEIS and FEIS. Any future site-specific development or land use proposal not exempted by WAC 197-11-800 or SCC 30.61.035 would be subject to a separate SEPA review. No additional mitigating measures are warranted beyond those identified in the DEIS and FEIS.

Affected Environment, Significant Impacts, and Mitigation Measures – Built Environment

1) Land and Shoreline Use

Any potential land use and shoreline impacts that could result from Final Docket XX proposals CFP1, SW5, and SW7, and from the GPP21-3 technical corrections are addressed in the DEIS and FEIS. Any future site-specific development or land use proposal not exempted by WAC 197-11-800 or SCC 30.61.035 would be subject to a separate SEPA review. No additional mitigating measures are warranted beyond those identified in the DEIS and FEIS.

2) Plans and Policies

The Final Docket XX proposals CFP1, SW5, and SW7, and the GPP21-3 technical corrections implement relevant county, regional, and state plans and policies including the GMA, the Puget Sound Regional Council VISION 2050, Countywide Planning Policies (CPP), the county GMA Comprehensive Plan, and the county Shoreline Master Program.

3) Population, Housing and Employment

Any potential increases in population, housing, or employment that could result from Final Docket XX proposals CFP1, SW5, and SW7, and from the GPP21-3 technical corrections are addressed in the DEIS and FEIS. No additional mitigating measures are warranted beyond those identified in the DEIS and FEIS.

4) Cultural Resources

Any potential impacts to cultural resources that could result from Final Docket XX proposals CFP1, SW5, and SW7, and from the GPP21-3 technical corrections are addressed in the DEIS and FEIS. Any future site-specific development or land use proposal not exempted by WAC 197-11-800 or SCC 30.61.035 would be subject to a separate SEPA review. No additional mitigating measures are warranted beyond those identified in the DEIS and FEIS.

5) Transportation

Any potential transportation impacts that could result from Final Docket XX proposals CFP1, SW5, and SW7, and from the GPP21-3 technical corrections are addressed in the DEIS and FEIS. Any future site-specific development or land use proposal not exempted by WAC 197-11-800 or SCC 30.61.035 would be subject to a separate SEPA review. No additional mitigating measures are warranted beyond those identified in the DEIS and FEIS.

6) Energy

Any potential energy impacts that could result from Final Docket XX proposals CFP1, SW5, and SW7, and from the GPP21-3 technical corrections are addressed in the DEIS and FEIS. Any future site-specific development or land use proposal not exempted by WAC 197-11-800 or SCC 30.61.035 would be subject to a separate SEPA review. No additional mitigating measures are warranted beyond those identified in the DEIS and FEIS.

7) Public Services and Utilities

The Final Docket XX proposals CFP1, SW5, and SW7, and the GPP21-3 technical corrections would not negatively impact schools, police, fire, or telecommunications. Any potential impacts to other public services and utilities including water, sewer, drainage systems, and solid waste that could result from Final Docket XX proposals CFP1, SW5, and SW7, and from the GPP21-3 technical corrections are addressed in the DEIS and FEIS. Any future site-specific development or land use proposal not exempted by WAC 197-11-800 or SCC 30.61.035 would be subject to a separate SEPA review. No additional mitigating measures are warranted beyond those identified in the DEIS and FEIS.



TO: Snohomish County Council

FROM: Terri Strandberg, Principal Planner

DATE: July 29, 2021

Dave Somers
County Executive

SUBJECT: Staff Report: Docket XX
CFP1 – Olympic View Water and Sewer District

The purpose of this staff report is to provide an overview of the docket request submitted by Olympic View Water and Sewer District (OVWSD). The docket request includes two separate actions: 1) an amendment to the county's Capital Facilities Plan (CFP) to address a wastewater service area boundary change as proposed in an amendment to OVWSD's comprehensive sewer plan; and 2) OVWSD has also requested county action under RCW 57.16 to approve an amendment to the District's 2007 comprehensive sewer plan. This amendment is referred to as Amendment 2.

The ordinance to amend the CFP wastewater service area boundary should be addressed prior to Council consideration of the motion to approve the OVWSD sewer plan amendment. Addressing the ordinance first will lay the groundwork so that OVWSD's sewer plan amendment can be found consistent with the County's comprehensive plan, as required under RCW 36.70A and 57.16.

BACKGROUND

The Growth Management Act requires that the county make a determination that utility services are available as necessary to support future growth as planned for in the County's Growth Managements Act Comprehensive Plan (GMACP). Since the county is not a provider of utility services, the County relies on the external utility providers for these services and for documentation that adequate services will be available for future growth. This documentation is found in the comprehensive utility plans prepared by the utilities themselves. These comprehensive utility plans must be consistent with the County's GMACP: they must use the county's growth forecasts and land use plans to estimate future demand for utility services. The future demand for services is then used by the utility to prepare a capital improvement and expenditure plan. The utility plans are submitted to the county for review and approval to verify consistency with the GMACP. (RCW 57.02.040 and 57.16.010).

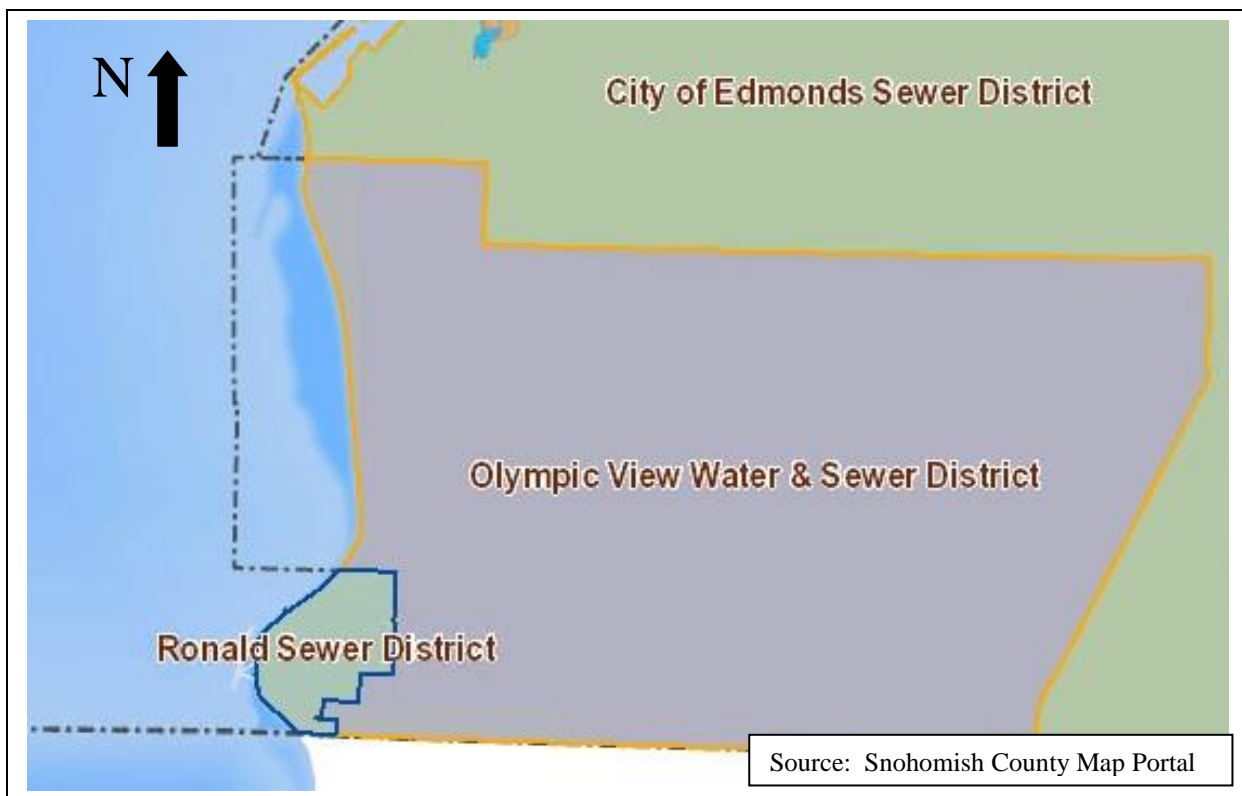
RCW 57.16 requires that water and sewer districts prepare utility comprehensive plans before ordering any capital improvements or submitting to vote any proposition for incurring any indebtedness. These plans are subject to adoption processes and timelines that are described in RCW 57.16, independent of GMA processes and timelines. However, the county relies on these utility comprehensive plans to meet obligations under the GMA. The county's CFP, a GMA-required document, includes an inventory and maps based on the utility plans. Any time a utility

provider prepares a plan, or an amendment to a plan, that is inconsistent with the County's GMACP or the CFP, the county must apply GMA-required processes and timelines to approve the utility plan because the county action to approve the utility plan under RCW 57.16 acts as a de facto amendment to the CFP. Failure to follow GMA requirements for adopting amendments to the CFP, whether intentional or de facto, makes the action vulnerable to appeal. This is the reason that OVWSD has submitted a docket application and agreed to process their utility comprehensive plan amendment as a GMA action instead of using the process described in RCW 57.16.

SUMMARY OF OVSWD PROPOSAL - CFP1

OVWSD has submitted a utility comprehensive plan amendment that increases the size of their sewer service area to include an area formerly claimed by Ronald Sewer District. After a lengthy legal dispute finally resolved by the Washington State Supreme Court in favor of OVWSD with regards to sewer service area, OVWSD has submitted this request to revise their sewer service area boundary. This requires an amendment to the County's CFP sewer inventory table and map to assign OVWSD as the sewer provider for Point Wells instead of Ronald Sewer District. The utility comprehensive plan amendment prepared by OVWSD is otherwise consistent with the County's GMACP growth forecasts and land use plan.

OVWSD is asking the county to approve the utility comprehensive plan amendment under authority of RCW 57.16 and to make the corresponding changes to the county's CFP under RCW 36.70A. The CFP changes include deletion of Ronald Wastewater District from Table 1, Section 2.3.A of the CFP, and from Map 7 in Appendix B of the CFP. While the change to Map 7 will not be readily apparent due to map scale, the underlying data set used to map the sewer district boundaries, shown in the map below, will be updated to expand OVWSD and remove Ronald Sewer 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 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 CFP1 proposal maintains consistency with other elements of the county’s comprehensive plan and the county’s development regulations as described in detail below in Criteria “b” and “c.” CFP1 updates the county utility inventory and supports a determination that services necessary to support urban development will be available to support future growth.

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. Elements of the comprehensive plan, particularly capital facilities, support the proposal since the utility provider is planning for future growth and provision of sewer service within southwest urban growth area. Sewer plans prepared by the utility provider incorporate county growth forecasts and county land use plans as the basis for future capital projects necessary to support customers in the utility service area.

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 CFP1 proposal more closely meets the goals, objectives, and policies of the comprehensive plan than the existing plan or code provisions. The most relevant General Policy Plan policies for purposes of evaluating this proposal support planning coordination and provision of services within urban growth areas:

- Objective UT 1.B Achieve and maintain consistency between utility system expansion plans and planned land use patterns.
- Policy 1.B.1 The county shall map future utility facility and corridor locations on the maps for UGA plans and rural/resource lands where feasible.
- Policy 1.B.2 The county shall maintain consistency between district utility plans and the county’s comprehensive plan; it shall also endeavor to maintain consistency between city utility plans that serve unincorporated areas and the county’s comprehensive plan.
- GOAL UT 3 Work with cities and special districts to produce coordinated wastewater system plans for both incorporated and unincorporated areas within UGAs that are consistent with the land use element and city plans.
- Objective UT 3.A Utilize wastewater system plans as a basis for orderly development or expansion within UGAs in accordance with the Countywide Planning Policies.

Criterion “d”: The proposed amendment is consistent with the countywide planning policies (CPPs).

Yes. The CFP1 proposal is consistent with the CPPs. The most relevant CPP policy for purposes of evaluating this proposal is PS-13 which supports planning coordination between the county and other service providers:

PS-13 Jurisdictions should adopt capital facilities plans, and coordinate with other service providers, to provide the appropriate level of service to support planned growth and development in Urban Growth Areas.

Criterion “e”: The proposed amendment complies with the GMA.

Yes. The CFP1 proposal complies with the GMA. The proposal was analyzed for consistency with the following GMA requirements in RCW 36.70A.:

36.70A.020 Planning goals

(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

(12) Public facilities and services. Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.

36.70A.070 Comprehensive plans – Mandatory elements

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

36.70A.110 Comprehensive plans – Urban growth areas

(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. Urban growth may also be located in designated new fully contained communities as defined by RCW 36.70A.350.

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. New information is available that was not considered at the time of the adoption of the last major update of the county comprehensive plan in 2015 that changes the underlying assumptions and supports the CFP1 proposal. After lengthy legal proceedings, the Washington State Supreme Court has determined that the Point Wells area belongs in OVWSD’s sewer service area. The CFP1 proposal includes the necessary utility planning and service area boundary adjustments to implement this determination by the court.

Summary of the GF2 proposal's consistency with SCC 30.74.060(2)					
(a)	(b)	(c)	(d)	(e)	(f)
Yes	Yes	Yes	Yes	Yes	Yes

CONSISTENCY WITH MULTICOUNTY PLANNING POLIICIES (MPP):

The CFP1 proposal is consistent with and advances the Puget Sound Regional Council *Vision 2050* Multicounty Planning Policies, in particular:

MPP-PS-7

Obtain urban services from cities or appropriate regional service providers. Encourage cities, counties, and special purpose districts, including sewer, water, and fire districts, to coordinate planning efforts, agree on optimal ways to provide efficient service, and support consolidations that would improve service to the public.

MPP-PS-10

Serve new development within the urban growth area with sanitary sewer systems or fit it with dry sewers in anticipation of connection to the sewer system. Alternative technology to sewers should be considered only when it can be shown to produce treatment at standards that are equal to or better than the sewer system and where a long-term maintenance plan is in place.

STATE ENVIRONMENTAL POLICY ACT (SEPA) ACTION:

A State Environmental Policy Act (SEPA) review is required for the CFP1 Final Docket XX proposal and will be completed prior to the planning commission's public hearing on the CFP1 proposal.

NOTIFICATION OF STATE AGENCIES

Pursuant to RCW 36.70A.106, a notice of intent to adopt the CFP1 Final Docket XX proposal will be transmitted to the Washington State Department of Commerce prior to the planning commission's briefing for distribution to state agencies.

STAFF RECOMMENDATION

Staff recommends holding a public hearing on the CFP1 Final Docket XX proposal on June 22, 2021, at which time PDS will provide a final recommendation on the CFP1 proposal with recommended supporting findings and conclusions.

ACTION REQUESTED

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

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

Attachments:

Exhibit A: Snohomish County Capital Facilities Plan, Section 2.3.A

Exhibit B: Snohomish County Capital Facilities Plan, Appendix B, Figure 7.

Section 2.3 - Public Wastewater Systems

2.3.A Existing Inventories

Wastewater collection and treatment within Snohomish County is a de-centralized public service provided by municipal agencies at a local scale. This is typical of most counties in Washington State. King County is a notable exception.

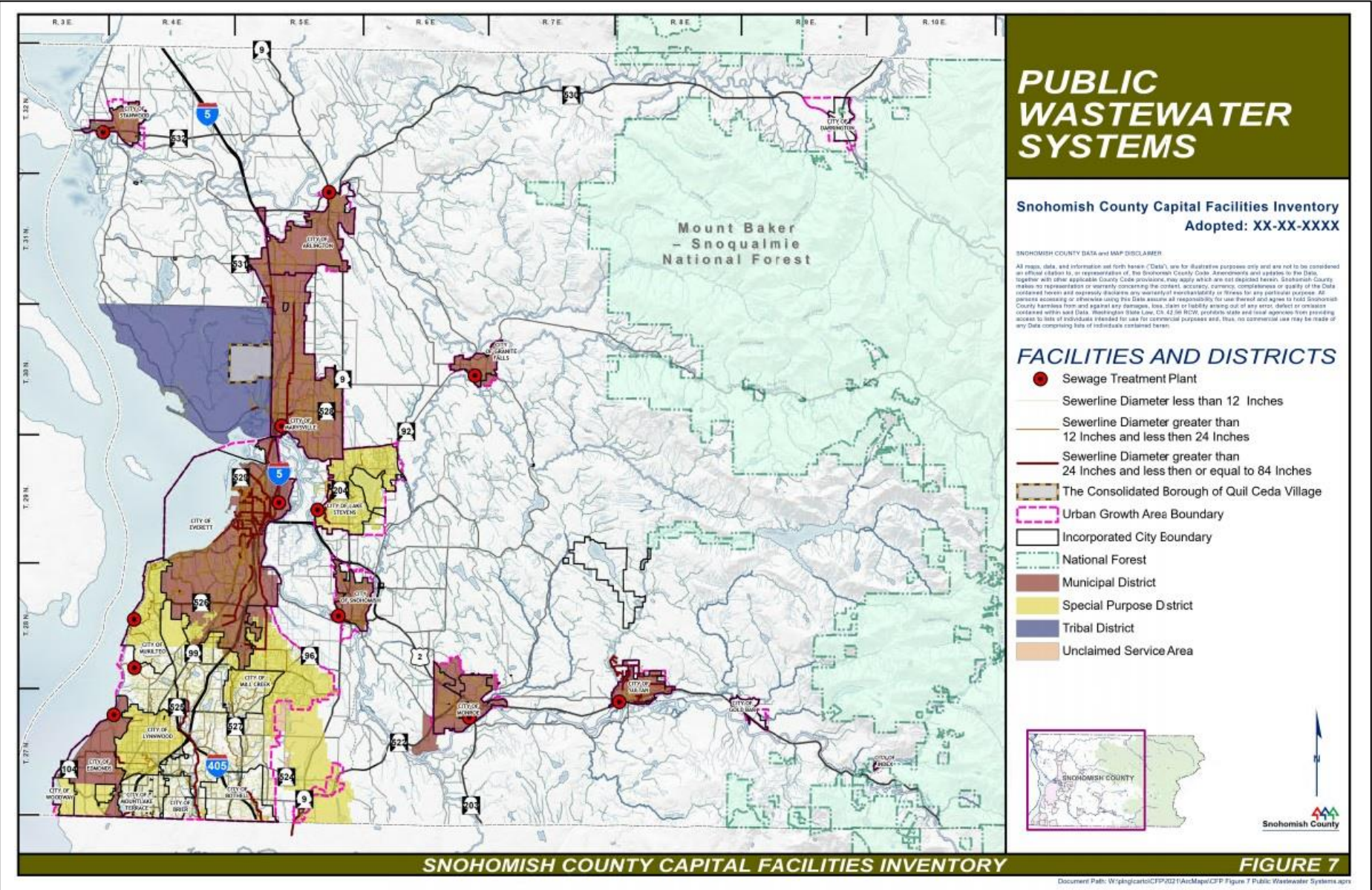
There are twenty-three agencies within Snohomish County that provide wastewater collection (sanitary sewer) facilities and service. Sixteen of those are cities, one is the Tulalip Tribes, and the remaining six are special service districts. Many of these agencies provide service to customers in unincorporated urban growth areas, either directly as the sewer system operator or indirectly through contracts for treatment. Most of the remaining agencies are cities that do not currently provide service to unincorporated customers but who must plan their systems to serve future development within their city's UGA. These agencies are all important facility providers for future growth in the UGAs. These agencies are listed in Table 1, which also provides information about the treatment plants.

Fourteen of the 23 provider agencies provide wastewater treatment through the operation of their own plant. The other nine agencies contract for treatment services with nearby or "downstream" treatment plant operators. Another important provider of treatment for Snohomish County is the King County Wastewater Treatment Division. Its Brightwater plant which opened in 2012 receives wastewater flows from south Snohomish County, primarily from customers of the Alderwood and Cross Valley Water Districts and some from the city of Bothell. Snohomish County first prepared a technical support document in 1993-94 that accompanies and supports the GMA Comprehensive Plan entitled The Countywide Utility Inventory Report for Snohomish County. It describes the major public utility systems in the county, including the wastewater systems. That report draws upon and summarizes the information available from the comprehensive sewer system plans and from surveys and discussions with staff of the agencies. That report has been substantially updated to reflect the many plans that have been prepared and adopted by the provider agencies over the past seven years. Copies of that inventory report can be obtained from Snohomish County Planning and Development Services. Detailed information about projected future needs for a particular system can be obtained from the comprehensive system plan for each provider agency, a copy of which is retained in the Planning Library, or directly from the provider agency.

**TABLE 1
WASTEWATER SYSTEMS AND TREATMENT PLANTS
SERVING UNINCORPORATED SNOHOMISH COUNTY**

Provider Agency	Most Recent Sanitary Sewer Comprehensive Plan	Treatment Plant's Rated Capacity (MGD) ¹	Other Cities/Systems Served (in whole or part) by WWTP	Treatment Provided by	
				Own Plant	Other Plant (System)
SOUTHWEST COUNTY					
Alderwood W.W.D.	2017	3.0	---	X	King Co.
City of Bothell	2012 (CFP)	N/A	Served by King Co.		---
City of Edmonds	2010	11.8	Woodway, Olympic View W.D., Mountlake Terrace	X	Lynnwood
City of Everett	2013	31.3	Alderwood W.W.D., Mukilteo W.W.D., Silver Lake W.W.D.	X	---
City of Lynnwood	2012	7.4	---	X	Edmonds
Mukilteo W.D.	2012	N/A	N/A		Everett
Olympic View W.D.	2007	N/A	N/A		Edmonds
((Ronald W.D.	2010	N/A	---		King Co.)
Silver Lake W.D.	2011	N/A	---		Everett, King Co.
King County	2003	Brightwater	Alderwood W.W.D., Cross Valley W.D., Lynnwood, Bothell, Mountlake Terrace, Brier	X	
NORTH COUNTY					
Arlington D.P.W.	2008	4.67	Marysville	X	Marysville
Granite Falls D.P.W.	2013	0.6	---	X	---
Marysville D.P.W.	2011	12.7	Tulalip (East), city of Arlington	X	---
Stanwood D.P.W.	2010	0.7	---	X	---
Tulalip Tribes	2004	0.3	---	X	Marysville
EAST COUNTY					
Cross Valley W.D.	2010	N/A	N/A		King Co.
Lake Stevens S. D.	2016	2.4	Lake Stevens	X	---
Lake Stevens D.P.W.		N/A	N/A		Lake Stevens S.D.
Monroe D.P.W.	1999	1.7	---	X	---
Snohomish D.P.W.	2011 (update)	2.8	---	X	---
Sultan D.P.W.	2010	0.72	---	X	---

FOOTNOTE 1: Generally, the average day of the maximum month, per the NPDES permit. MGD=million gallons/day



Snohomish County: Analysis of Building and Land Use Regulation Effects on Housing and Jobs

Proposed Regulation: This is a programmatic proposal amending the Growth Management Act Comprehensive Plan, Capital Facilities Plan. The amendment will switch the sewer service provider at Point Wells from Ronald Wastewater District to Olympic View Water and Sewer District.

Date: August 13, 2021

Staff Contact: Terri Strandberg, PDS, extension 2795

	Increase	Decrease	Neutral	Uncertain	Comments
Housing					
Capacity/Targets			X		Not impacted by proposal.
Cost of housing dvpt:			X		Not impacted by proposal.
• Infrastructure			X		Not impacted by proposal.
• Site			X		Not impacted by proposal.
• Building const.			X		Not impacted by proposal.
• Fees			X		Not impacted by proposal.
• Yield			X		Not impacted by proposal.
Timing			X		Not impacted by proposal.
Jobs					
					Not impacted by proposal.
Capacity/Targets			X		Not impacted by proposal.
Cost of com'l/ind dvpt:			X		Not impacted by proposal.
• Infrastructure			X		Not impacted by proposal.
• Site			X		Not impacted by proposal.
• Building const.			X		Not impacted by proposal.
• Fees			X		Not impacted by proposal.
• Yield			X		Not impacted by proposal.
Time to Create Jobs			X		Not impacted by proposal.
# Family Wage Jobs			X		Not impacted by proposal.

Discussion: (e.g.: What efforts have been made to minimize costs associated with the proposed regulation? How will the proposal affect the County's ability to meet its fair share housing goals, and provide family wage jobs. Will the proposed regulation reduce the capacity for housing and/or jobs? What type of housing development might be affected by this regulation? (New, redevelopment, infill, renovated))

This programmatic (non-regulatory) amendment will not create costs, or reduce jobs or housing.

Snohomish County Capital Facility Development Cost Analysis Summary **FILE** ORD 21-056

Proposed Regulation: This is a programmatic proposal amending the Growth Management Act Comprehensive Plan, Capital Facilities Plan. The amendment will switch the sewer service provider at Point Wells from Ronald Wastewater District to Olympic View Water and Sewer District.

Date: August 13, 2021

Staff Contact: Terri Strandberg, PDS, extension 2795

General Cost Analysis Summary: As a programmatic proposal, this amendment to the Capital Facilities Plan will not result in a fiscal impact to the county or to county residents.

Necessary Facility	Quantification/Qualification of Anticipated Cost:	
Parks	County Funded Impacts	No fiscal impacts expected.
	Other Fund Sources Impacts –	No fiscal impacts expected.
Roads & Transit	County Funded Impacts	No fiscal impacts expected.
	Other Fund Sources Impacts –	No fiscal impacts expected.
Surface Water	County Funded Impacts	No fiscal impacts expected.
	Other Fund Sources Impacts –	No fiscal impacts expected.
Public Schools	County Funded Impacts	No fiscal impacts expected.
	Other Fund Sources Impacts –	No fiscal impacts expected.
Electric Power	County Funded Impacts	No fiscal impacts expected.
	Other Fund Sources Impacts –	No fiscal impacts expected.
Public Water	County Funded Impacts	No fiscal impacts expected.
	Other Fund Sources Impacts –	No fiscal impacts expected.
Wastewater	County Funded Impacts	No fiscal impacts expected.
	Other Fund Sources Impacts –	No fiscal impacts expected.
Planning Summary Comments	County Funded Impacts	No fiscal impacts expected.
	Other Fund Sources Impacts –	No fiscal impacts expected.

ECAF NO.:
ECAF RECEIVED:

**ORDINANCE
INTRODUCTION SLIP**

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 3.1.8

FILE ORD 21-056

TO: Clerk of the Council

TITLE OF PROPOSED ORDINANCE:

N. Nehring
Councilmember Date

Clerk's Action: Proposed Ordinance No. _____

Assigned to: _____ Date: _____

STANDING COMMITTEE RECOMMENDATION FORM

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

____ Move to Council to schedule public hearing _____

Public Hearing Date _____ **at** _____

____ Move to Council as amended to schedule public hearing

____ Move to Council with no recommendation

This item ____ should/ ____ should not be placed on the Consent Agenda.

(Consent agenda may be used for routine items that do not require public hearing and do not need discussion at General Legislative Session)

This item ____ should/ ____ should not be placed on the Administrative Matters Agenda

(Administrative Matters agenda may be used for routine action to set time and date for public hearings)

N. Nehring
Committee Chair



Snohomish County Council

Committee: Planning & Community Development
Analyst: Ryan Countryman
Subject: Annual Comprehensive Plan Amendments
Date: September 7, 2021
ECAF / Proposal: 2021-0624 / Ordinance 21-054 (GPP21-3 – Technical Corrections)
2021-0625 / Ordinance 21-055 (SW7 – Marv Thomas)
2021-0626 / Ordinance 21-053 (SW5 – Edward Tokarz)
2021-0627 / Ordinance 21-058 (SW6 – Tom Winde)
2021-0632 / Ordinance 21-056 (Olympic View Water and Sewer 1)
2021-0633 / Motion 21-289 (Olympic View Water and Sewer 2)

Consideration

The Growth Management Act (GMA, RCW 36.70A) allows jurisdictions to update their comprehensive plans only once per year with few exceptions. Snohomish County itself can initiate annual amendments. Private parties and outside agencies can apply through the docketing process. Actions on annual amendments occur once per year, although each topic or proposal has its own ordinance or motion to allow the County Council to make decisions on a topic-by-topic basis.

Annual amendments discussed in this staff report include:

- Ordinance 21-054 (GPP21-3 – Technical Corrections)
- Ordinance 21-055 (SW7 – Marv Thomas)
- Ordinance 21-053 (SW5 – Edward Tokarz)
- Ordinance 21-058 (SW6 – Tom Winde)
- Ordinance 21-056 (Olympic View Water and Sewer 1)
- Motion 21-289 (Olympic View Water and Sewer 2)

Ord. 21-054 (Technical Corrections) are an annual amendment initiated by the County Executive. The other actions listed above are docket applications placed on the final docket for Docket XX. A separate council-initiated ordinance (21-060, Mineral Resource Lands) has its own staff report but action on it must be at the same time as those items above. This staff report will discuss information on the annual amendments in the same order that staff from Planning and Development Services will be presenting on.

Background – Ordinance 21-055 (SW7 – Marv Thomas)

Marv Thomas owns a farm that spans both sides of Lowell-Larimer Road. The plan designation and zoning of the north side is for agriculture. The south side is in the Urban Growth Area, designated as Urban Low Density Residential (ULDR) on the Future Land Use Map (FLUM) and zoned R-7200. There are several agricultural buildings on the south side in the 6.61 acres proposed to be redesignated and rezoned for commercial.

In his application and testimony before the Planning Commission, Marv Thomas indicated a desire to add a winery to the current agricultural buildings on the south side of Lowell Larimer Road. The current zoning and plan designation would not allow a winery; whereas, the proposed CB zoning and Urban Commercial designation would. PDS finds the proposal in compliance with applicable policies. The Planning Commission recommends approval following a public hearing held on June 22, 2021.

Analysis – Ordinance 21-055 (SW7 – Marv Thomas)

While the proposed changes would make wineries a permitted use on the subject property, the applicant would still need to submit plans and receive approval in order to operate a winery. Agricultural activities could also continue under the proposed changes. However, there is no guarantee that the ultimate result will be a winery located among agricultural buildings.

CB zoning allows many other types of commercial uses or higher density housing. The County Council does not have authority to limit uses when and if the CB zoning were to go into effect. The winery proposal is one possibility but not a guaranteed outcome. Other uses might be added by the proponent over time. A different applicant might submit a development proposal that does not include any winery or ongoing agriculture activities at all. These caveats aside, the access, pass-by traffic, and topography of the site do not lend themselves to typical strip-commercial development. If redesignated and rezoned, any successful commercial development at this location would likely need to take advantage of its setting sitting just above the floodplain and overlooking an agricultural valley. The possible outcomes are many, but not likely as wide as the proposed FLUM designation and zoning would enable elsewhere.

Overview of Proposal in Ordinance 21-055 (SW7 – Marv Thomas)

Summary: Redesignate 6.61 acres on the FLUM to Urban Commercial and rezone the same area to CB from R-7200 on the zoning map
Effective Date: TBD
Fiscal Implications: None
Scope: Future Land Use Map and Official Zoning Map

Background – Ordinance 21-053 (SW5 – Edward Tokarz)

The 0.72-acre Tokarz site sits between an existing townhouse development built circa 2003 and a church, all of which take access from 228th St SW. These uses are west of commercial development along SR-99. The adjacent townhomes have a plan designation of Urban High Density Residential and MR zoning, both of which the Tokarz proposal seeks to match. The Tokarz site currently has an Urban Medium Density Residential (UMDR) plan designation and R-8400 zoning. These are the same as the church-owned properties to the west. PDS finds the proposal in compliance with applicable policies. The Planning Commission recommends approval following a public hearing held on June 22, 2021.

Analysis – Ordinance 21-053 (SW5 – Edward Tokarz)

The proposed changes would allow for increased opportunities for higher density housing in an area with excellent transit and access to commercial services. Adjacent and nearby properties with relatively recent townhouse developments all have the UHDR designation and MR zoning combination proposed for this site.

Overview of Proposal in Ordinance 21-053 (SW5 – Edward Tokarz)

Summary: Redesignate 0.72 acres on the FLUM to UHDR from UMDR and rezone the same area to MR from R-8,400 on the zoning map

Effective Date: TBD

Fiscal Implications: None

Scope: Future Land Use Map and Official Zoning Map

Background – Ordinance 21-058 (SW6 – Tom Winde)

Tom Winde's docket application for this 19.96-acre site in the Southwest Urban Growth Area included two alternatives. The current plan designation is Urban Low Density Residential (ULDR) and the zoning is R-7,200. One alternative was a request to change the plan designation to UHDR with a rezone to MR. The other alternative was to redesignate to UMDR with a rezone to LDMR. Adjacent areas to the north, east and west all have ULDR designations with various zonings and are either existing single-family neighborhoods or homes under construction. To the south is a large undeveloped

property recently sold by Snohomish County to a developer. The adjacent plan designation to the south is UMDR and the zoning is LDMR.

PDS found both alternatives proposed by the applicant to conflict with policies regarding traffic. Development of the Winde site would likely connect existing road stubs to surrounding neighborhoods, thereby allowing cut-through traffic in addition to new traffic generated by development of the property itself. Based on modeling of likely road layouts and expected densities of development, projected traffic volumes on some connecting local roads would exceed adopted standards for those roads. The Department of Public Works (DPW) was not able to identify measures reasonably likely to mitigate traffic to a level within adopted standards.

The Planning Commission held a public hearing on June 22, 2021. Public testimony on the Winde proposal included with several comments from neighbors describing their concerns about potential development. Traffic was a common concern for all neighbors. Planning Commissioners then discussed competing planning objectives and priorities including trade-offs between traffic and housing affordability. Commissioners expressed a wish for authority to apply conditions to a recommendation. In the end, the Planning Commission voted to recommend a modified version of the docket request. The recommendation is to leave the current zoning of R-7,200 in effect but to change the plan designation to UMDR.

Analysis – Ordinance 21-058 (SW6 – Tom Winde)

The Planning Commission recommendation does not fully address concerns about future traffic volumes. Meanwhile, the potential for higher densities on the site would assist with other goals related to housing affordability. Leaving the zoning unchanged is consistent with existing policies. R-7,200 is an implementing zone for both the current ULDR plan designation and the recommended UMDR designation. If the County Council were to adopt the UMDR designation, any subsequent rezone application proposing higher density to the Hearing Examiner would need to demonstrate a change in circumstance as part of its justification (SCC 30.42A.100(4)). Many successful rezone applications cite surrounding population growth as a change in circumstance. For the Winde site, it is unknown whether the Hearing Examiner would find a general truism about population growth to be enough justification.

Snohomish County may require potential development to the south to provide a new road connection between the Winde site and Cathcart Way. This is speculative. If both sites were flat and unconstrained, then existing standards for road connectivity would require a connection. However, there is a ravine between the developable part of the Winde site and the developable area to the south. Detailed evaluation of potential road connections has not taken place. With incomplete information, a route on the west (shallower) end of the ravine appears possible. Even if Snohomish County requires future development to

the south to make a road connection to Winde, there is no guarantee that the south property would develop first.

In sum, the Planning Commission recommendation would allow for higher density which generally helps achieve housing affordable goals. This also comes with a great deal of uncertainty regarding traffic. Current tools available in the comprehensive plan do not provide for controlling timing of potential development on the Winde site and the property to the south. In addition to unknown timing, the likelihood of a new road connection to the south is unclear.

Overview of Proposal in Ordinance 21-058 (SW6 – Tom Winde)

Summary: Redesignate 19.96 acres on the FLUM to UMDR from ULDR. Leave the zoning unchanged at R-7,200.

Effective Date: TBD

Fiscal Implications: None

Scope: Future Land Use Map

Background – Ordinance 21-056 (Olympic View Water and Sewer 1)

Snohomish County's Capital Facilities Plan (CFP) is an element of its GMA comprehensive plan. Amendments to the CFP can therefore only happen once per year and are part of the same annual amendment cycle as the land use changes above. The CFP includes an inventory of service area boundaries for utility providers. Olympic View Water and Sewer District (OVWSD) has separately taken action to expand its service area boundaries to include properties commonly called Point Wells. This area had previously been part of the Ronald Water District. Ordinance 21-056 would reflect those changes in the County's CFP.

Analysis – Ordinance 21-056 (Olympic View Water and Sewer 1)

The change proposed in the CFP by OVWSD would merely update the Snohomish County's inventory utility services provided by the district and it would remove Ronald Water District from the inventory. These changes reflect actions already taken by others. There is a related action under the heading for Motion 21-289 below.

Overview of Proposal in Ordinance 21-056 (Olympic View Water and Sewer 1)

Summary: Update the CFP to show a current OVWSD boundaries and to remove Ronald Water District from the inventory

Effective Date: TBD

Fiscal Implications: None

Scope: Capital Facilities Plan

Background – Motion 21-289 (Olympic View Water and Sewer 2)

State requirement for local improvement districts (RCW 57.16) require that water and sewer districts prepare utility plans. These plans are subject to adoption processes and timelines that are different from GMA requirements. However, the Snohomish County relies on utility comprehensive plans to meet obligations under GMA. Any time a utility provider amends a plan, the County must then apply GMA-required processes to approve the amended utility plan. OVWSD has amended its utility plan. Motion 21-289 would be Snohomish County's action to formally approve the 2007 Olympic View Water and Sewer District Comprehensive Sewer Plan Amendment No. 2, August 2019.

Analysis – Motion 21-289 (Olympic View Water and Sewer 2)

Approving Motion 21-289 would close the loop in how Snohomish County's CFP incorporates OVSWD's updated utility plan. Since OVSWD's update involves facility planning in the former Ronald Water District territory, the County Council should act on this motion action on Ordinance 21-056 to recognize the change in district boundaries.

Overview of Motion 21-289 (Olympic View Water and Sewer 2)

Summary: Motion for Snohomish County to approve Amendment No 2 to the 2007 Olympic View Water and Sewer District Comprehensive Sewer Plan

Effective Date: Upon passage of motion

Fiscal Implications: None

Scope: Capital Facilities Plan

Background – Ordinance 21-054 (GPP21-3 – Technical Corrections)

Most years, PDS processes technical corrections to the comprehensive plan. Proposed Ordinance 21-054 would update several maps in the General Policy Plan to reflect three city annexations since the last update of the maps. There are three proposed amendments, bringing to six the total number of city annexations actions that the maps reflect. These are the only technical corrections in 2021. The last update to the affected maps was on December 6, 2020 (Ord. 20-080). As recommended by the Planning Commission, the ordinance would make change for three city annexations (Arlington, Darrington and Lake Stevens). Finalization of three more annexations took place after issuance of the notice for the Planning Commission public hearing on the original three. Accordingly, staff from Planning and Development Services have prepared three amendment sheets, bringing the total to six annexations. Amendment 1 addresses an annexation by Everett. Amendment 2 is for an annexation by Sultan. Amendment 3 would reflect a second annexation by Lake Stevens during the past year.

Analysis – Ordinance 21-054 (GPP21-3 – Technical Corrections)

Updating the affected maps will simply reflect annexations that have already taken place. This is a regular part of keeping the comprehensive plan current.

Overview of Ordinance 21-054 (GPP21-3 – Technical Corrections)

Summary: This ordinance and its amendment sheets would bring several maps in the GPP up to date with respect to city boundaries.

Effective Date: TBD

Fiscal Implications: None

Scope: Maps 1, 2, 4 and 5 of the GPP, plus a reference in SCC 30.10.060

Processing Summary Common to all 2021 Comprehensive Plan Amendments

Handling: NORMAL

Approved-as-to-form: YES

Risk Management: APPROVE

Request: Move to General Legislative Session on September 15th to set time and date for a public hearing.

Final Docket XX and 2021 County-Initiated Comprehensive Plan Amendments

Snohomish County Council
Planning Committee Briefing
September 7, 2021



Comprehensive Plan Amendment Process

- The Growth Management Act (GMA) allows changes to a comprehensive plan no more frequently than once per year with limited exceptions.
- The GMA also requires a process (the docket) for persons and non-county agencies to propose amendments to the comprehensive plan.
- Snohomish County docket (non-county initiated) is adopted every two or four years depending if a minor or major docket cycle.
- Snohomish County adopts county-initiated plan amendments annually.

Snohomish County Docket Cycles

Major Dockets

- Include proposals that:
 - Alter UGA boundaries
 - Add significant population or employment capacity
 - Have significant environmental or capital facilities impacts
 - Propose significant policy change
- Final action occurs every four years

Minor Dockets

- All docket proposals that are not considered major
- Final action within two years if a minor docket cycle
- Final action every four years if part of a major docket cycle



Snohomish County Final Docket XX/Annual County-Initiated Amendment Process

1

County Council sets Final Docket XX – 7/22/2020

2

PDS briefed Planning Commission on final docket/county-initiated proposals – 5/25/21

3

PDS prepared recommendations/conducted SEPA review for all proposals

4

Planning Commission held a public hearing, made recommendations – 6/22/21

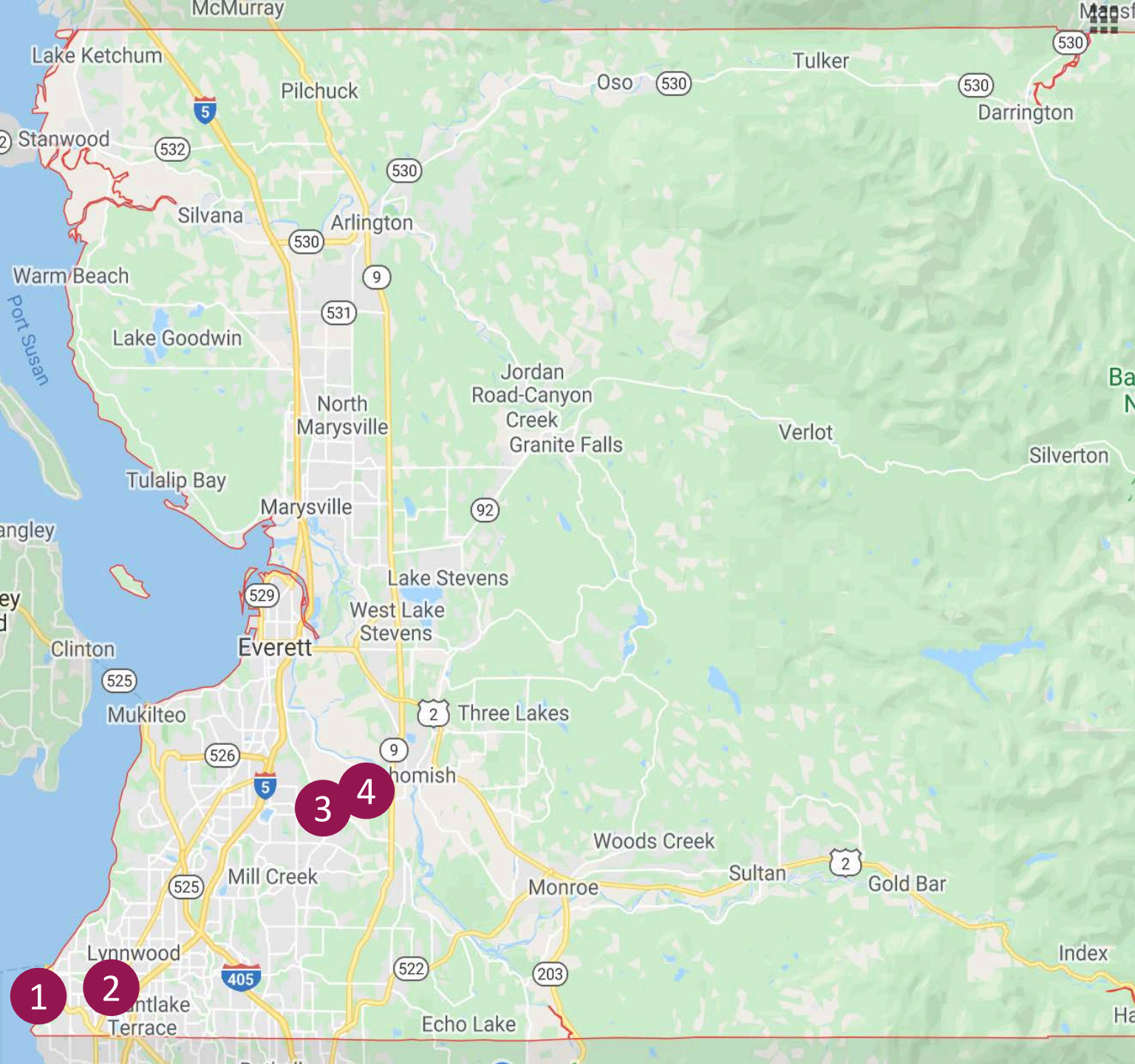
5

Council briefing (9/7/21) & public hearing/final action by end of 2021



Final Docket XX Proposals

1. Olympic View Water and Sewer District (CFP1)
2. Tokarz (SW5)
3. Winde (SW6)
4. Thomas (SW7)



Marv Thomas (SW7)

- ❑ 6.6 acres along Lowell-Larimer Road within the SWUGA
- ❑ Redesignate from Urban Low Density Residential to Urban Commercial
- ❑ Rezone the site from R-7,200 to Community Business
- ❑ Applicant proposes to use existing farm buildings for a winery



Marv Thomas (SW7)

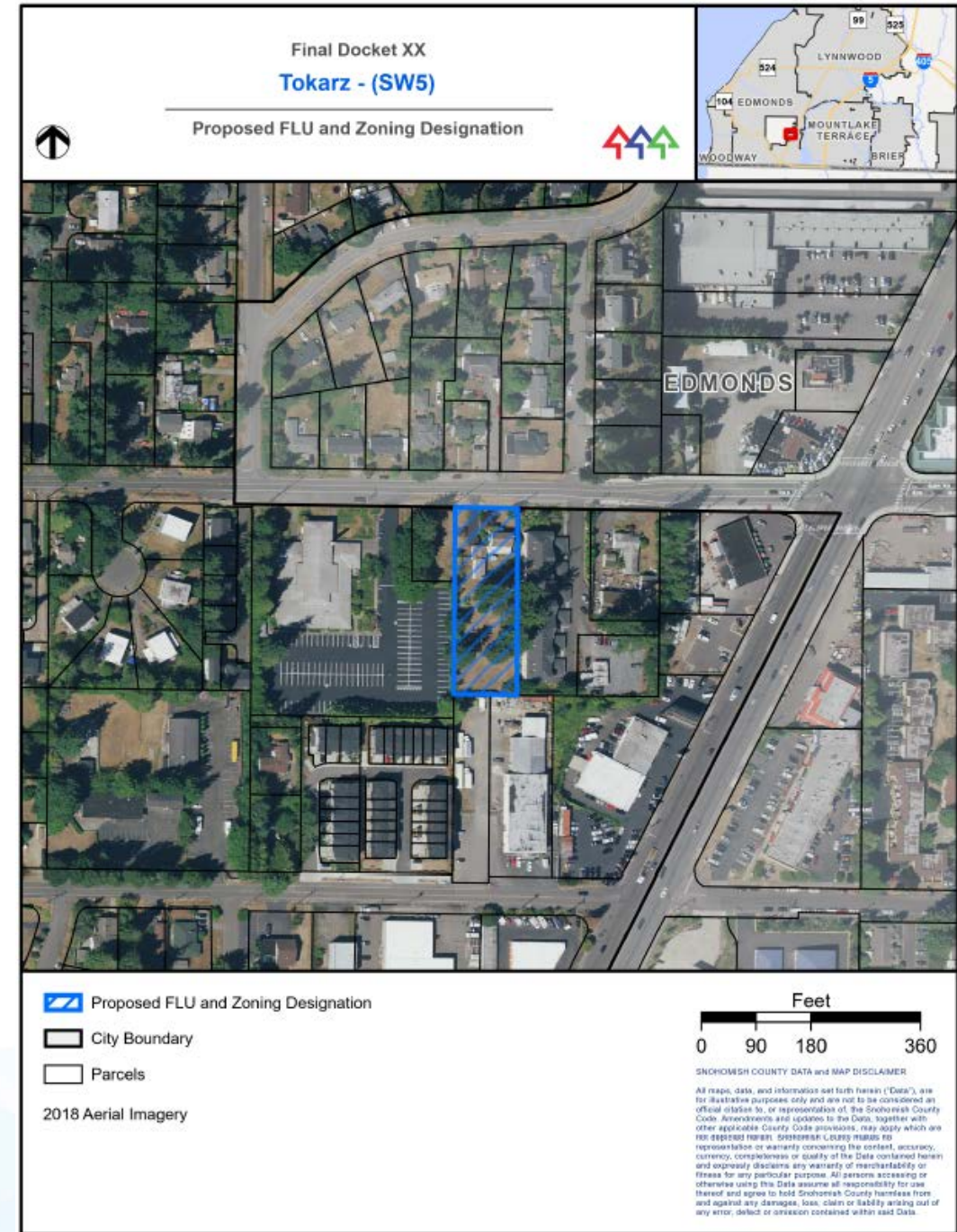
Planning Commission and PDS Recommend Approval of Thomas SW7

- ❑ Consistent with the GMA, MPPs and CPPs.
- ❑ Infill proposal would provide commercial and employment opportunities in close proximity to urban residential areas and nearby rural residents.
- ❑ The site can be served by urban levels of service including sewer and water and an urban minor arterial, Lowell-Larimer Road.
- ❑ Applicant proposes to establish a winery on the site, which would help diversify the county's agricultural economy and provide living wage jobs.



Edward Tokarz (SW5)

- ❑ Redesignate a .72 acre parcel from Urban Medium to Urban High Density Residential.
- ❑ Rezone the parcel from R-8,400 to Multiple Residential.
- ❑ Located in the Southwest Urban Growth Area (SWUGA) adjacent to City of Edmonds.
- ❑ Access from 228th St. SW, an urban minor arterial. Sewer and water serve the site.
- ❑ Bus Rapid Transit service less than one-quarter mile east on SR 99 (Community Transit Swift line)

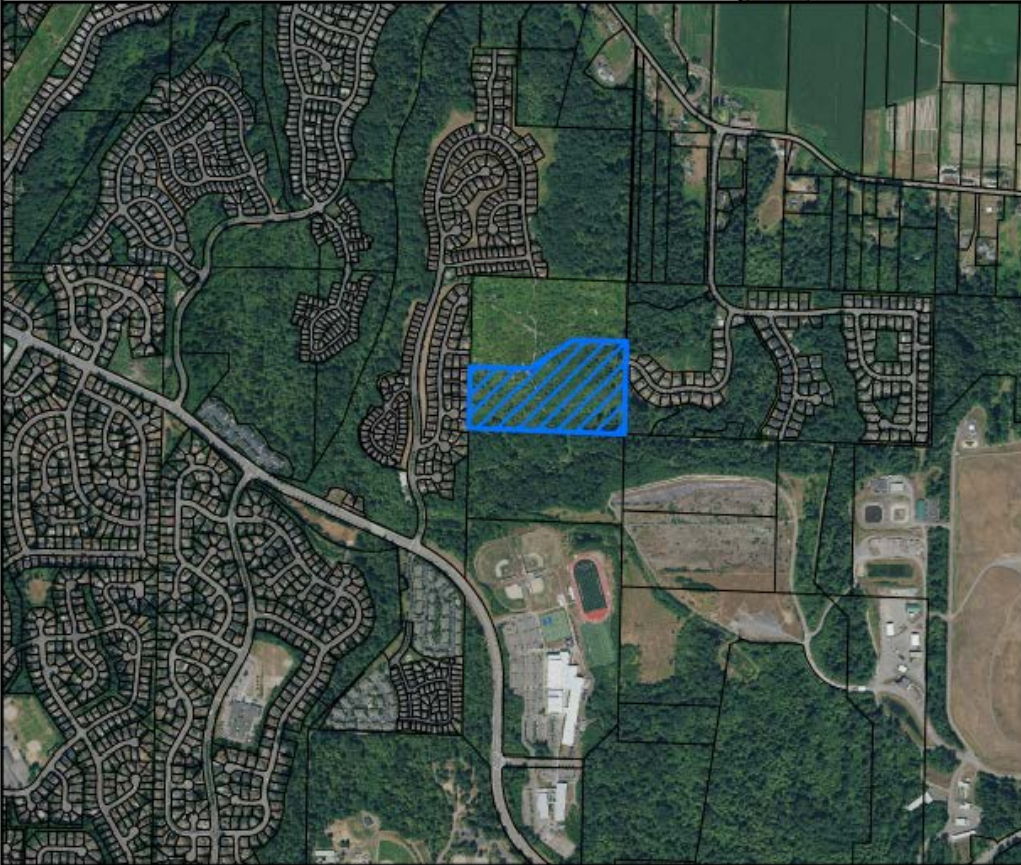


Edward Tokarz (SW5)

Planning Commission and PDS Recommend Approval of Tokarz SW5

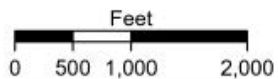
- ❑ Consistent with the GMA, MPPs, CPPs and GPP.
- ❑ Increased urban residential densities would provide more opportunities for affordable housing.
- ❑ Encourage more compact and efficient residential development, reduces demand for new public facilities and service.
- ❑ Increased multi-family residential densities would support high-capacity public transit service within the nearby SR99 transit emphasis corridor.





Proposed FLU and Zoning Designation
 Parcels

2018 Aerial Imagery



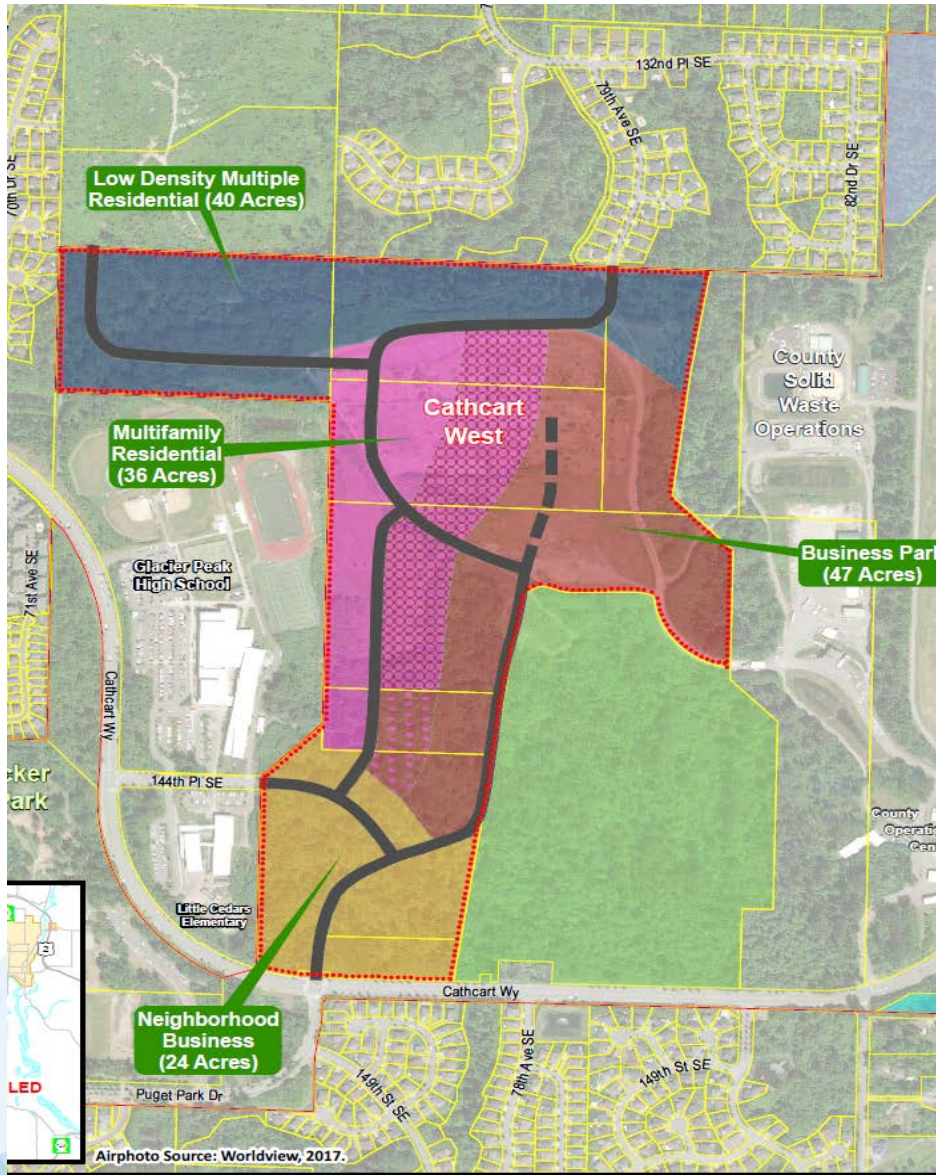
SNOHOMISH COUNTY DATA AND MAP DISCLAIMER
All maps, data, and information set forth herein ("Data"), are for illustrative purposes only and are not to be considered an official opinion, or representation of the Snohomish County Code Administrators and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. SNOHOMISH COUNTY MAKES NO REPRESENTATION OR WARRANTY CONCERNING THE CONTENT, ACCURACY, CURRENCY, COMPLETENESS OR QUALITY OF THE DATA CONTAINED HEREIN AND EXPRESSLY DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE. All persons accessing or otherwise using this Data assume all responsibility for use hereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said Data.

Tom Winde (SW6)

- ❑ Infill a vacant 19.96 acre parcel in the Snohomish Cascade neighborhood.
- ❑ Applicant proposed two infill options.
- ❑ Located in the SWUGA, north of the 147 acre Cathcart West property recently purchased from the County by a developer.
- ❑ Located within the Silver Lake Water and Sewer District and service is accessible to the site.
- ❑ Site contains steep slopes greater than 33% and a seasonal stream.
- ❑ The only improved access to the site is by a local street in the new Glacier View single family residential subdivision, directly to the north.



Tom Winde (SW6)



Winde (SW6) Supplemental EIS

- ❑ PDS prepared a non-project environmental review, with analysis by DPW, of potential transportation impacts from the Winde proposed comprehensive plan and zoning amendments.
- ❑ The SEPA review document is a Draft SEIS to the 2015 Comp Plan Update EIS
- ❑ Draft SEIS issued by PDS on June 7, 2021, with a 30-day public comment period.
- ❑ Draft SEIS analyzed three alternatives (Options 1 and 2, and a no-action alternative).
- ❑ PDS is preparing a Final SEIS which includes responses to public comments on the DSEIS received during the 30-day comment period.
- ❑ The FSEIS will be issued no later than 7 days prior to County Council final action on Docket XX.



Transportation Analysis – Winde SEIS

Provides current and future year (2035) analysis of the transportation impacts for the Winde proposals. Looks at:

- Existing Conditions
- Impacts to key roadway segments
- Impacts to key intersections
- Transit availability
- Possible Mitigation Measures



Transit Availability

- Current and planned local fixed route transit service is not located to provide effective service to the Winde site.
- Future *Swift* BRT service may be located to provide service to a small portion of the Winde site.



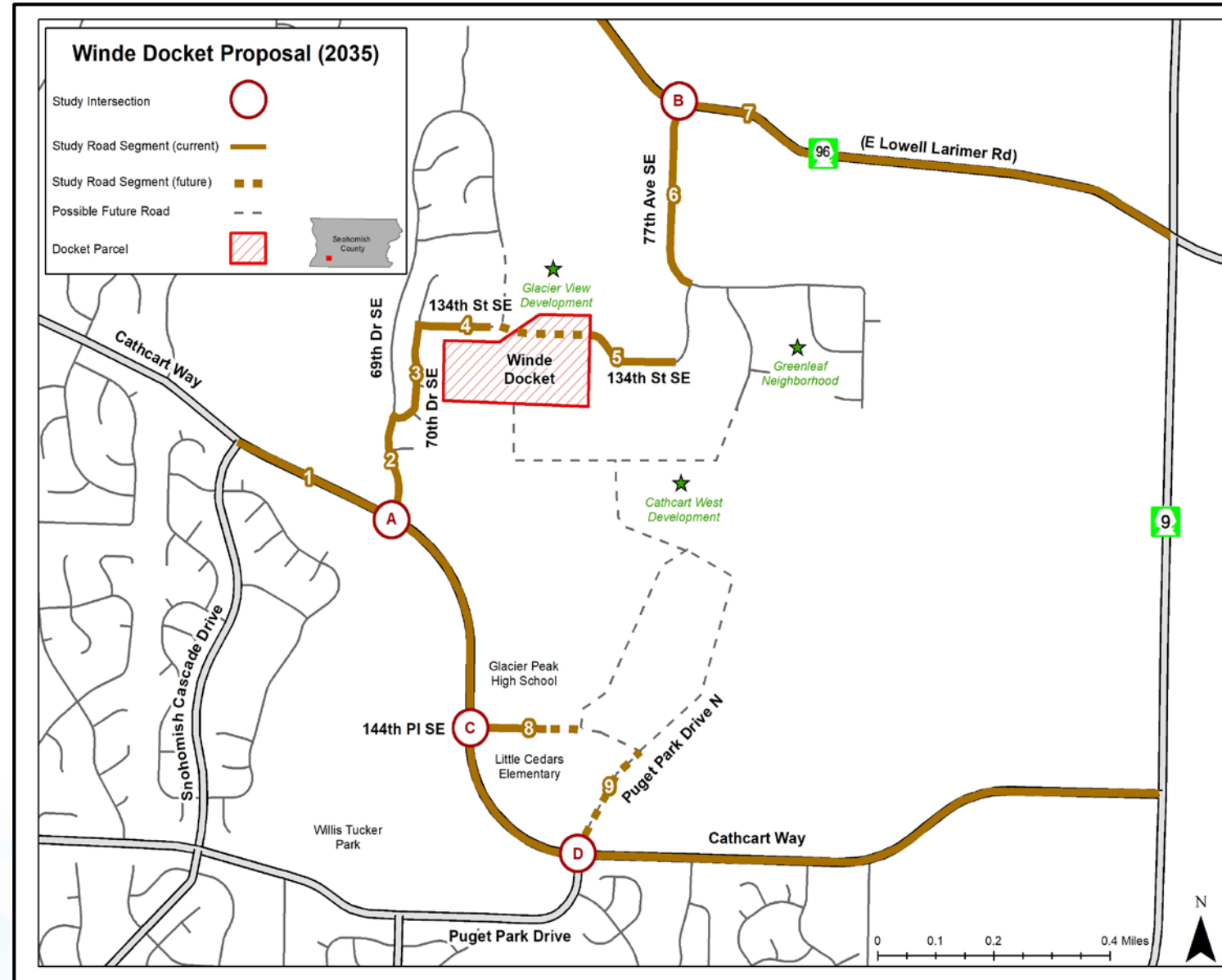
Study Roadway Segments

1. Cathcart Way
2. 69th Dr SE
3. 70th Dr SE
4. 134th St SE (east)
5. 134th St SE (west)
6. 77th Ave SE
7. SR 96
8. 144th PI SE
9. Puget Park Dr N

Study Intersections

- A. 69th Dr/Cathcart Way
- B. 77th Ave/SR 96
- C. 144th PI/Cathcart Way
- D. Puget Park Dr/Cathcart Way

Winde SEIS: Study Area

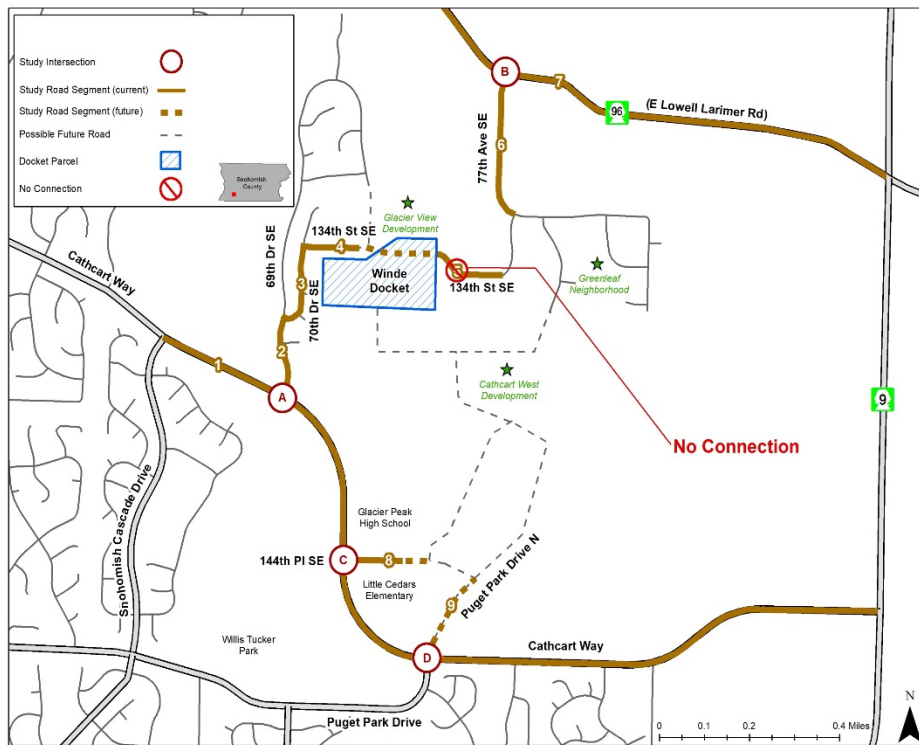


Results: Local Road Analysis

Road	EDDS ADT Threshold	Existing ADT	2035 ADT		
			No Action	Alternative 1	Alternative 2
69 th Dr SE	Up to 10,000	3,260	7,150	8,923	7,310
70 th Dr SE	Up to 2,000	770	5,100	6,873	5,250
134 th St SE (West)	Up to 2,000	n/a	4,350	6,123	4,510
134 th St SE (East)	Up to 2,000	n/a	3,580	3,957	3,570
77 th Ave SE	Up to 10,000	1,110	4,620	4,997	4,620
144 th Pl SE	Up to 10,000	2,850	7,400	7,421	7,405
Puget Park Dr N	Up to 10,000	n/a	4,370	4,391	4,375

Alternate Access: Scenario 1

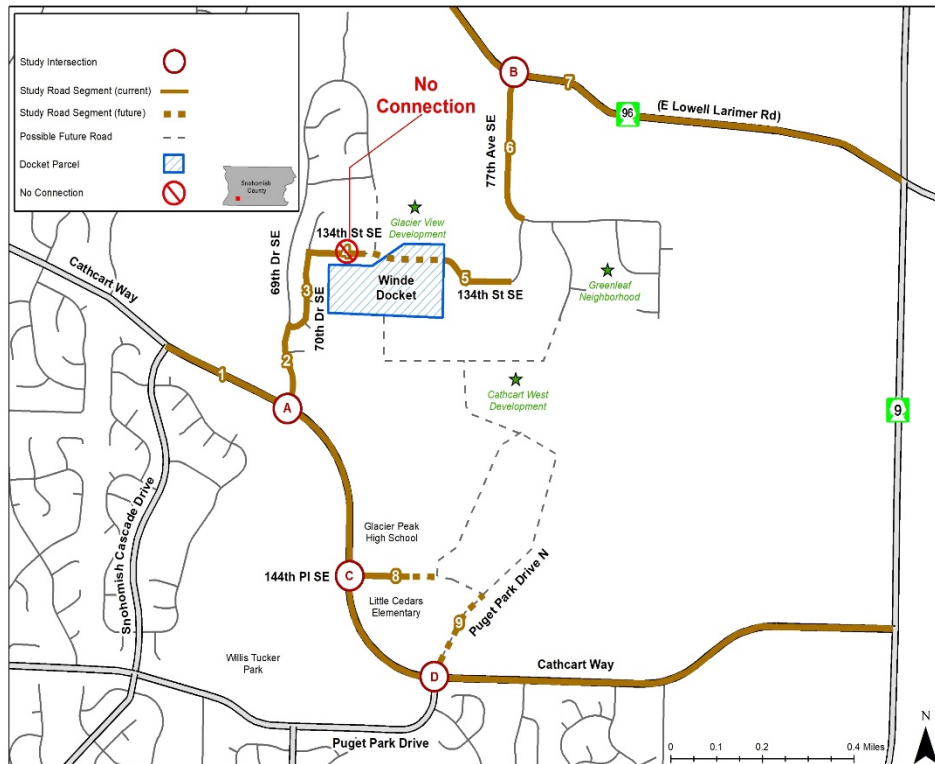
- Assumes that there will not be access to the Winde property from the east through the Greenleaf Neighborhood. Access to the Winde site would be from the west through the Glacier Peak development and from the south through the Cathcart West development only.



Road	EDDS ADT Threshold	2035 ADT		
		No Action	Alternative 1	Alternative 2
70 th Dr SE	Up to 2,000	3,670	5,260	3,970
134 th St SE (West)	Up to 2,000	2,690	4,290	2,990

Alternate Access: Scenario 2

- Assumes that there will not be access to the Winde property from the west through the Glacier Peak development. Access to the Winde site would be from the east through the Greenleaf neighborhood and from the south through the Cathcart West development only.



Road	EDDS ADT Threshold	2035 ADT		
		No Action	Alt 1	Alt 2
134th St SE (East)	Up to 2,000	350	850	430
Possible future road through Cathcart West	?	1130	2610	1410

Tom Winde (SW6)

PDS recommends denial of SW6 Options 1 and 2

- ❑ PDS finds that the proposal options do not meet 5 of the 6 Final Docket evaluation criteria (SCC 30.74.060)
- ❑ Both options inconsistent with the GMA, MPPs and CPPs.
- ❑ Inadequate existing or planned transportation facilities to serve the proposed increased housing densities.
- ❑ SEIS analysis determined that future traffic volumes from both multifamily development options are not supported by the current and planned local road system the site would access.
- ❑ SEIS identified that traffic impact mitigation would require the Winde site take 75% of its access south through the Cathcart West site on a non-existent and unplanned internal roadway system to serve future development.



Tom Winde (SW6)

Planning Commission recommends approval of a modified version of Option 2

- Redesignate from ULDR to UMDR, retain R-7,200 zoning
- PDS drafted an ordinance to recognize the Planning Commission's recommendation.
- PDS does not support the Commission's recommendation
- The Prosecuting Attorney's office cannot approve the ordinance as to form. The modified proposal remains inconsistent with the GMA, MPP, CPP, GPP and county code
- Not rezoning the property to LDMR to fully implement the UMDR plan designation still results in conflicts with transportation policies at every level of planning.
- GMA requires adequate transportation facilities to be planned or built concurrent with any change in land use designation.



Olympic View Water and Sewer District (CFP1)



- ❑ GMA Action: Revise the Wastewater Provider Inventory to show Olympic View as the sewer provider to Point Wells
 - Figure 7, Appendix B, Capital Facilities Plan – *Public Wastewater Systems*
 - Table 1, Section 2.3.A, Capital Facilities Plan

- ❑ Non-GMA Action: Approve a 2019 Amendment to Olympic View’s 2007 comprehensive sewer plan
 - Action authorized under RCW 57.16
 - Sewer plan amendment includes revised service area



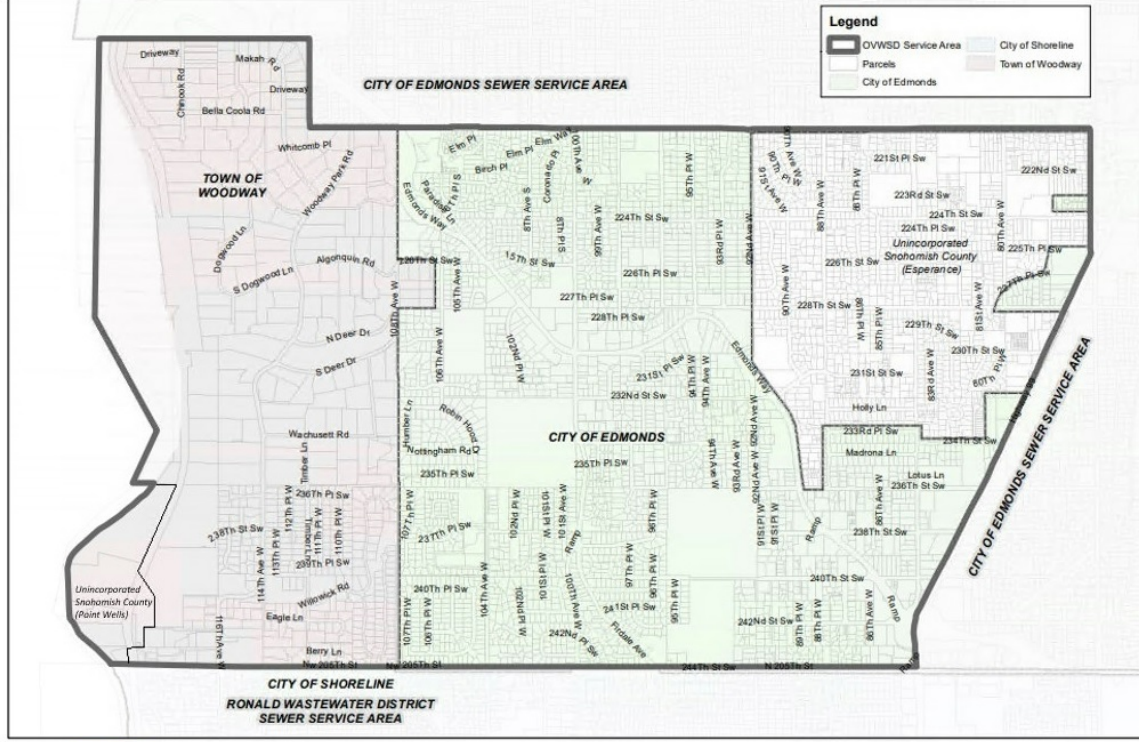


Figure 2
 Sewer Service Corporate Boundary Map
 2019 Sewer Comprehensive Plan Amendment

Document Path: \\k-fs1\project\P1919094 Sewer Plan Amendment 2 Update\GIS\PlanFigures_2015AmendmentDoc\OVVSD_Figure 2 SewerSystemCorporateBoundary.mxd

Date: 8/28/2019

PUBLIC WASTEWATER SYSTEMS

Snohomish County Capital Facilities Inventory
 Adopted: XX-XX-XXXX

SNOHOMISH COUNTY DATA AND MAP DISCLAIMER

All maps, data, and information set forth herein ("Data"), are for illustrative purposes only and are not to be considered an official citation to, or representation of, the Snohomish County Code. Amendments and updates to the Data, together with other applicable County Code provisions, may apply which are not depicted herein. Snohomish County makes no representation or warranty concerning the content, accuracy, currency, completeness or quality of the Data contained herein and expressly disclaims any warranty of merchantability or fitness for any particular purpose. All persons accessing or otherwise using this Data assume all responsibility for use thereof and agree to hold Snohomish County harmless from and against any damages, loss, claim or liability arising out of any error, defect or omission contained within said Data. Washington State Law, Ch. 42.56 RCW, prohibits state and local agencies from providing access to lists of individuals intended for use for commercial purposes and, thus, no commercial use may be made of any Data comprising lists of individuals contained herein.

FACILITIES AND DISTRICTS

- Sewage Treatment Plant
- Sewerline Diameter less than 12 Inches
- Sewerline Diameter greater than 12 Inches and less than 24 Inches
- Sewerline Diameter greater than 24 Inches and less than or equal to 84 Inches
- The Consolidated Borough of Quil Ceda Village
- Urban Growth Area Boundary
- Incorporated City Boundary
- National Forest
- Municipal District
- Special Purpose District
- Tribal District
- Unclaimed Service Area



Olympic View Water and Sewer District (CFP1)

Planning Commission and PDS Recommend Approval of CFP1

CFP1 is consistent with requirements to provide urban services and coordinate plans with the service providers:

- ❑ GMA:
 - 36.70A.020(1) and (12)
 - 36.70A.070(3)
- ❑ Multicounty Planning Policies (MPPS)
 - PS-7
 - PS-10
- ❑ Countywide Planning Policies (CPPS)
 - PS-13
- ❑ General Policy Plan (GPP)
 - Goal UT 3



2021 County-Initiated Plan Amendments

- ❑ Proposed by PDS as part of its annual work program.
- ❑ May include proposals by other departments, the County Executive & the County Council.
- ❑ GPP21-3 Technical Corrections to the GPP maps to recognize six city and town annexations.
 - Arlington, Darrington, Lake Stevens (2), Everett, and Sultan



Comments
or
Questions?



SNOHOMISH COUNTY COUNCIL
Snohomish County, WashingtonNOTICE OF INTRODUCTION OF ORDINANCE
AND
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Snohomish County Council will hold a public hearing on October 6, 2021, at the hour of 6:30 p.m. and continuing thereafter as necessary, in the Henry M. Jackson Room, 8th Floor, Robert J. Drewel Building, 3000 Rockefeller, Everett, Washington, to consider proposed Ordinance No. 21-05 titled: RELATING TO THE GROWTH MANAGEMENT ACT, AMENDING THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN (GMACP) CAPITAL FACILITIES PLAN TO UPDATE SEWER INVENTORY INFORMATION RELATED TO OLYMPIC VIEW WATER AND SEWER DISTRICT

NOTE: Due to current COVID-19 restrictions, Snohomish County Council is currently holding its public meetings remote only and will hold in-person meetings in conjunction with a remote platform when restrictions and conditions change. Please check the Council webpage 24 hours prior to the scheduled hearing time for the most up-to-date information <https://www.snohomishcountywa.gov/2288/Meetings-Webcasts> or contact the Council Clerk at 425-388-3494 or at contact.council@snoco.org.

Zoom Webinar Information:

Join online at <https://zoom.us/j/94846850772>
or by telephone call 1-253-215-8782 or 1-301-715-8592
Meeting ID: 948 4685 0772

Background: This ordinance adopts amendments to the Snohomish County Comprehensive Plan Capital Facilities Plan (Section II, 2.3.A, Table 1, and Appendix B, Figure 7). The amendments to the Capital Facilities Plan will revise the sewer service area for Olympic View Water and Sewer District to include the Point Wells area and remove Ronald Wastewater District as the provider for Point Wells. A summary of the proposed ordinance is as follows:

Sections 1 and 2. Adopt recitals, findings, conclusions.

Section 3. States that the Snohomish County Council bases its decision on the entire record.

Section 4. Adopts Exhibit A which contains amendments to the Snohomish County Capital Facilities Plan, Section II, subsection 2.3.A, Table 1, removing Ronald Wastewater District from the county's inventory of sewer providers.

Section 5. Adopts Exhibit B which contains amendments to the Snohomish County Capital Facilities Plan, Appendix B, Figure 7, removing Ronald Wastewater District as the sewer provider in the Point Wells area and assigning Olympic View Water and Sewer District as the sewer provider to Point Wells instead.

Section 6. Directs the county Code Reviser to update SCC 30.10.060 pursuant to SCC 1.02.020(3).

Section 7. Contains a standard severability clause.

=====

State Environmental Policy Act: State Environmental Policy Act (SEPA) requirements with respect to this non-project action have been satisfied through issuance on June 7, 2021, of Addendum #22 to the FEIS for the 2015 Comprehensive Plan Update originally issued June 3, 2015. 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 Snohomish County Council Office at (425) 388-3494, 1-(800) 562-4367x3494, TDD (425) 877-8339 or by e-mailing contact.council@snoco.org.

Website Access: This ordinance can be accessed through the Council website at: <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 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-mailed to 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.

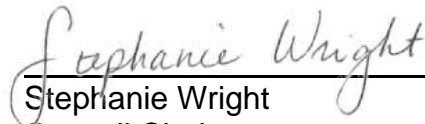
Party of Record: You may become a party of record on this matter by sending a written request to the Clerk of the County Council at the above address, testifying at the public hearing, or entering your name and address on a register provided for that purpose at the public hearing.

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 Debbie Eco at 425-388-3494, 1-800-562-4367 x3494, or TDD #1-800-877-8339 or by e-mailing Debbie.Eco@snoco.org.


QUESTIONS: For additional information or specific questions on the proposed ordinance, please call Terri Strandberg in Planning and Development Services at 425-262-2795.

DATED this 17th day of September, 2021.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Stephanie Wright
Council Chair

ATTEST:


Debbie Eco, CMC
Clerk of the Council

PUBLISH: September 22, 2021

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

1.0001-Parties_of_Record Docket XX CFP1

No.	Name	Organization	Email Address	Street Address	City	State	Zip Code	Notes
1	Dave Barnes	Olympic View Water and Sewer Distri	daveb@ovwater.com					
2	Eileen Davis	Pace Engineering	EileenD@paceengrs.com					
3	Tom Fitzpatrick		tom@tal-fitzlaw.com					
4	Duncan Greene	Van Ness Feldman	dmg@vnf.com					
5	Grant Weed		GrantW@snohomishlaw.com					
6	Julie Ainsworth-Taylor		jainsworth-taylor@shorelinewa.gov					
7	Brett Vinson	Weed, Graafstra and Associates, Inc., P.S.		110 Cedar Ave, Suite 102	Snohomish	WA	98290-2959	
8								SNOHOMISH COUNTY COUNCIL
9								3.5.2
10								EXHIBIT #
11								FILE
12								ORD 21-056
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sent public hearing notice e-mail and U.S. Mail 09/22/21 dle