



# Snohomish County Council

## Legislation Details (With Text)

**File #:** 2023-0513      **Version:** 1

**Type:** Ordinance      **Status:** Approved

**File created:** 5/3/2023      **In control:** Public Hearings

**On agenda:** 7/19/2023      **Final action:** 7/19/2023

**Title:** Ordinance 23-050, relating to Growth Management, amending the Snohomish County Zoning Map to correct errors in the implementation of Amended Ordinance No. 21-060

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Approved Ordinance 23-050, 2. Staff Report, 3. Hearing Packet, 4. Exhibit A Maps 1-8, 5. Planning Commission Recommendation, 6. Ordinance Introduction Slip, 7. Part 1 PDS Documents, 8. Part 2 Planning Commission Documents, 9. Part 3 Council Documents, 10. Distribution Sheet

| Date      | Ver. | Action By                                    | Action                           | Result |
|-----------|------|--|----------------------------------|--------|
| 7/19/2023 | 1    | Public Hearings                              | Approved                         |        |
| 6/28/2023 | 1    | General Legislative Session                  | Set time/date for Public Hearing |        |
| 6/20/2023 | 1    | Planning and Community Development Committee | Moved to Administrative Matters  |        |
| 5/16/2023 | 1    | Administrative Session                       | Assigned                         |        |

### Executive/Council Action Form (ECAF)

**ITEM TITLE:**

Ordinance 23-050, relating to Growth Management, amending the Snohomish County Zoning Map to correct errors in the implementation of Amended Ordinance No. 21-060

**DEPARTMENT:** Planning and Development Services

**ORIGINATOR:** David Killingstad, Manager

**EXECUTIVE RECOMMENDATION:** Approved by Ken Klein 5/10/23

**PURPOSE:** Correct the zoning of eight properties that were incorrectly rezoned in 2021 and are now inconsistent with the County’s Growth Management Act (GMA) Comprehensive Plan.

**BACKGROUND:** In late 2022, the County learned that a former MC zoned property with a future land use designation of LDRR, was incorrectly rezoned to Rural-5 by Amended Ordinance 21-060 making its zoning inconsistent with the FLUM. Upon learning of this error, PDS reviewed all areas rezoned under Amended Ordinance No. 21-060 and found a total of eight areas designated LDRR on the FLUM that were rezoned incorrectly to the R-5 zone under Amended Ordinance 21-060. These errors likely occurred because of the scale of the maps that were available to make the necessary changes to the zoning map. Amended Ordinance No. 21-060 included a countywide scale map showing the proposed rezones so that all proposed changes could be displayed in one map. Unfortunately, due to the scale of the map it wasn’t always clear

what the intended zoning was on a parcel level. Amended Ordinance 21-060 was clear on what the intended zoning should be as it included the following finding: Amend the County’s Official Zoning Map to rezone all areas zoned Mineral Conservation (MC) to one of the three following zones, consistent with the underlying designation in the comprehensive plan future land use map: Agriculture-10 Acre (A-10), Forestry (F), or Rural 5-Acre (R-5). These errors did not inadvertently prohibit mining on the incorrectly zoned properties as excavation and processing of minerals is a conditional use in the R-5 zone. RCW 36.70A.130(1)(d), requires that development regulations, including the County’s zoning regulations, be consistent with and implement the comprehensive plan. The inconsistency with the FLUM is problematic from a GMA perspective because the zoning of these eight areas conflicts with the County’s comprehensive plan. This ordinance will correct the inconsistencies that were inadvertently created when Amended Ordinance 21-060 was enacted.

**FISCAL IMPLICATIONS:**

| EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU | CURRENT YR | 2ND YR | 1ST 6 YRS |
|---------------------------------------|------------|--------|-----------|
|                                       |            |        |           |
|                                       |            |        |           |
|                                       |            |        |           |
|                                       |            |        |           |
| <b>TOTAL</b>                          |            |        |           |

| REVENUE: FUND, AGY, ORG, REV, SOURCE | CURRENT YR | 2ND YR | 1ST 6 YRS |
|--------------------------------------|------------|--------|-----------|
|                                      |            |        |           |
|                                      |            |        |           |
|                                      |            |        |           |
|                                      |            |        |           |
| <b>TOTAL</b>                         |            |        |           |

**DEPARTMENT FISCAL IMPACT NOTES:** Click or tap here to enter text.

**CONTRACT INFORMATION:**

ORIGINAL                      CONTRACT#    AMOUNT                      \_\_\_\_\_  
 AMENDMENT                      CONTRACT#    AMOUNT                      \_\_\_\_\_

**Contract Period**

ORIGINAL                      START    END                      \_\_\_\_\_  
 AMENDMENT                      START    END                      \_\_\_\_\_

**OTHER DEPARTMENTAL REVIEW/COMMENTS:** Approved by Finance - Nathan Kennedy 5/10/23