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2
3 SNOHOMISH COUNTY COUNCIL
4 SNOHOMISH COUNTY, WASHINGTON

5
6 AMENDED ORDINANCE NO. 09-038
7

8 RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP
9 AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT
10 ACT COMPREHENSIVE PLAN (GMACP) AND ZONING MAP AMENDMENTS
11 TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP FOR THE SOUTHWEST URBAN
12 GROWTH AREA (SW 41 - PARAMOUNT OF WASHINGTON, LLC)
13

14 WHEREAS, RCW 36.70A.130 and .470 direct counties planning under the Growth
15 Management Act (GMA) to adopt procedures for interested persons to propose amendments and
16 revisions to the GMACP or development regulations; and
17

18 WHEREAS, the Snohomish County Council adopted chapter 30.74 Snohomish County
19 Code (SCC), "Growth Management Act Public Participation Program Docketing," to comply
20 with the requirements of RCW 36.70A.130 and .470; and
21

22 WHEREAS, the Snohomish County Council has determined that the consideration of the
23 proposed amendments and revisions to the GMACP and development regulations would promote
24 a county purpose as established under RCW 36.70A.130, RCW 36.70A.470 and chapter 30.74
25 SCC; and
26

27 WHEREAS, on June 9, and June 16, 2008, the Snohomish County Council held public
28 hearings to receive public testimony on proposed county and non-county initiated amendments to
29 the GMACP for consideration on the Final Docket XIII, including the SW 41 - Paramount of
30 Washington proposal; and
31

32 WHEREAS, the Snohomish County Council, on June 16, 2008, approved, by Motion No.
33 08-238, a list of proposed comprehensive plan amendments for inclusion on Final Docket XIII
34 including the SW 41 - Paramount of Washington proposal, and authorized the County Executive,
35 through the Department of Planning and Development Services (PDS), to process Final Docket
36 XIII consistent with chapters 30.73 and 30.74 SCC; and
37

38 WHEREAS, Final Docket XIII, including SW 41 - Paramount of Washington, to amend
39 the map and text of the GMACP was presented to the Planning Advisory Committee (PAC) and
40 the Steering Committee of Snohomish County Tomorrow (SCT); and
41

42 WHEREAS, pursuant to chapter 30.74 SCC, PDS completed final review and evaluation
43 of Final Docket XIII, including SW 41 - Paramount of Washington, to amend the map and text of
44 the GMACP, and forwarded recommendations to the Snohomish County Planning Commission;
45 and

AMENDED ORDINANCE No. 09-038
RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP AMENDMENTS TO THE
SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN (GMACP) AND ZONING MAP
AMENDMENTS TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP FOR THE SOUTHWEST URBAN GROWTH
AREA (SW 41 PARAMOUNT OF WASHINGTON)

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2 WHEREAS, the Snohomish County Planning Commission held a public hearing and
3 received public testimony on SW 41 - Paramount of Washington on February 24, 2009; and
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5 WHEREAS, on March 3, 2009, the Snohomish County Planning Commission deliberated
6 on SW 41 - Paramount of Washington at the conclusion of the public hearing and made no
7 recommendation, as enumerated in its recommendation letter of March 30, 2009; and
8

9 WHEREAS, the Snohomish County Council held a public hearing on July 8, 2009
10 continued to August 12, 2009, to consider the entire record, including the planning commission
11 recommendations on Final Docket XIII and to hear public testimony on this Ordinance No. 09-
12 038.
13

14 NOW, THEREFORE, BE IT ORDAINED:
15

16 **Section 1.** The county council makes the following findings:
17

- 18 A. The county council adopts and incorporates the foregoing recitals as findings as if set forth
19 fully herein.
- 20 B. The SW 41 - Paramount of Washington proposal is to re-designate 61 acres from Urban
21 Industrial to Urban Center with a concurrent rezone from Heavy Industrial to Planned
22 Community Business, and is located on Point Wells at the northwest terminus of Richmond
23 Beach Drive, adjacent to the King County line, abutting the town of Woodway and the city of
24 Shoreline.
- 25 C. The proposal is consistent with the following goals, objectives and policies in the General
26 Policy Plan (GPP):
- 27 1. Goal LU 2, "Establish development patterns that use urban land more efficiently."
 - 28 2. GPP Policy LU 2.A.5, "Medium and high density residential development (including
29 elderly and disabled housing) shall be encouraged to locate, where possible, within
30 walking distance of transit access or designated transit corridors, medical facilities, urban
31 centers, parks, and recreational amenities."
 - 32 3. LU Policy 2.B.2, "The majority of new commercial development shall be accommodated
33 as mixed use in urban centers, and/or urban village or adjacent to transit stations or
34 designated transit corridors."
 - 35 4. LU Goal LU 3, "Establish compact, clearly defined mixed-use centers that promote a
36 neighborhood identification and support the county's sustainability goals."
 - 37 5. Objective LU 3.A, "Plan for Urban Centers within unincorporated UGAs consistent with
38 Vision 2040 and the CPP's."
 - 39 6. LU Policy 3.A.1, "The Future Land Use Map (FLUM) and UGA land use plans shall
40 include designations and implementation measures for Urban Centers, based on the
41 characteristics and criteria below."

- 1 7. LU Policy 3.A.2, “Urban Centers shall be compact (generally not more than 1.5 square
2 miles), pedestrian-oriented areas within designated UGAs with good access to higher
3 frequency transit and urban services. Pedestrian orientation includes pedestrian
4 circulation, pedestrian scaled facilities and pedestrian convenience. These locations are
5 intended to develop and redevelop with a mix of residential, commercial, office, and
6 public uses at higher densities, oriented to transit and designed for pedestrian circulation.
7 Urban Centers should also include urban services and reflect high quality urban design.
8 Urban Centers shall emphasize the public realm (open spaces, parks and plazas) and
9 create a sense of place (identity). Urban Centers will develop/redevelop over time and
10 may develop in phases.”
- 11 8. LU Policy 3.A.3, “Urban Centers shall be located adjacent to a freeway/highway and a
12 principal arterial road, and within one-fourth mile walking distance from a transit center,
13 park-and-ride lot, or be located on a regional high capacity commuter rail or a major bus
14 route.”
- 15 9. LU Policy 3.A.4, “Residential net densities shall not be less than 12 dwelling units per
16 acre; maximum densities may be established as part of more detailed planning.
17 Population and employment size will be consistent with criteria in the Countywide
18 Planning Policies and General Policy Plan.”
- 19 10. LU Policy 3.A.6, “Desired growth within Urban Centers shall be accomplished through
20 the development of concept or master plans, application of appropriate zoning
21 classifications, provision of necessary services and public facilities, including transit,
22 sewer, water, stormwater, roads and pedestrian improvements, parks, trails and open
23 space, and protection of critical areas. The County will identify and apply methods to
24 facilitate development within designated Urban Centers, including supportive transit,
25 parks, road and non-motorized improvements.”
- 26 11. Objective LU 5.A, “Revitalize or create identifiable, pedestrian-oriented neighborhood
27 areas with focal points, mixed-use centers, and employment areas that are linked with
28 each other.”
- 29 12. LU Policy 5.B.12, “Within the Southwest UGA, parcels designated Urban Industrial (on
30 Point Wells) shall be considered for future redesignation from Urban Industrial to Urban
31 Center designation upon issuance of a programmatic non-project environmental impact
32 statement addressing environmental impacts, infrastructure and the provision of urban
33 services.”
- 34 13. Objective HO 1.B, “Ensure that a broad range of housing types is available in urban and
35 rural areas.”
- 36 14. HO Policy 1.B.4, “The county shall encourage and support the development of
37 innovative housing types that make efficient use of the county land supply such as
38 residential units in mixed-use developments, accessory dwelling units, cottage housing
39 and live/work units.”
- 40 15. HO Policy 1.D.3, “The County shall encourage expeditious and efficient infill
41 development in urban growth areas.”

- 1 16. HO Policy 1.D.4, “The County shall encourage housing in mixed-use developments in
2 designated Urban Centers in unincorporated Snohomish County.”
- 3 17. Objective TR 2.B, “In cooperation with the cities, promote a variety of convenient
4 transportation services to compact and attractively designed centers.”
- 5 18. Goal ED 1, “Promote the maintenance and enhancement of a healthy economy.”
- 6 19. Goal ED 3, “Encourage the retention and expansion of existing businesses and jobs and
7 attract new businesses and jobs.”
- 8 20. Objective NE 1.B, “Accommodate population growth in a manner that maintains and
9 protects elements of the natural environment.”
- 10 D. The proposal is consistent with the following Countywide Planning Policies (CPPs):
- 11 1. CPP UG-5, “Ensure the siting and development of urban growth areas support (sic)
12 pedestrian, bicycle and transit compatible design.”
- 13 2. CPP UG-8 “Ensure UGAs provide sufficient density, developable land, and public
14 services to accommodate most of the projected population and employment growth. In
15 addition, the density should be adequate, according to recent studies, to support transit
16 services and the efficient utilization of infrastructure.”
- 17 3. CPP OD-1 “Promote development within urban growth areas in order to use land
18 efficiently”
- 19 4. CPP OD-8 “Encourage land use, economic and housing policies that co-locate jobs and
20 housing to optimize use of existing and planned transportation systems and capital
21 facilities.”
- 22 5. CPP ED-8 “Coordinate economic plans with transportation, housing, and land use
23 policies that support economic development and predictability for future growth.”
- 24 E. A draft supplemental environmental impact statement (DSEIS) to the EIS issued for the 2005
25 Snohomish County GMACP 10-Year Update was issued on February 6, 2009, for the
26 proposal. A final SEIS, including response to comments on the DSEIS, was prepared
27 following the 45-day comment period and was issued on June 12, 2009. The purpose of the
28 SEIS was to analyze potential significant adverse environmental impacts of this non-project
29 proposal, and any alternatives, that were not previously identified in the EIS and to provide
30 supplemental analysis and information relating to the proposed map amendments.
31
- 32 F. The county council includes in its findings and conclusions the final review and evaluation of
33 the proposal completed by PDS in accordance with chapter 30.74 SCC, which is hereby
34 made a part of this ordinance as if set forth herein
35
- 36 G. The county council finds that regulations governing the development of urban centers should
37 be in place before development is commenced and applications are accepted. The Future
38 Land Use map and zoning map amendments adopted in this ordinance should not be effective
39 until implementing regulations are in place.
40

1 **Section 2.** The county council makes the following conclusions:
2

- 3 A. The SW 41 - Paramount of Washington proposal more closely meets the goals, objectives and
4 policies of the GPP than the existing plan designation.
- 5 B. The proposed Future Land Use (FLU) map and zoning map amendments are consistent with
6 the following final review and evaluation criteria of chapter 30.74 SCC:
- 7 1. The proposed amendments maintain consistency with other elements of the GMACP.
 - 8 2. All applicable elements of the GMACP support the proposed amendments.
 - 9 3. The proposed amendments meet the goals, objectives, and policies of the GMACP as
10 discussed in the specific findings.
 - 11 4. The proposed amendments are consistent with the CPPs.
 - 12 5. The proposed amendments comply with the GMA.
 - 13 6. New information is available which was not considered at the time the plan or regulation
14 was amended.
- 15 C. The revisions to the FLU map are consistent with the forecasted population and employment
16 growth for the succeeding 20-year period, consistent with the forecast promulgated by the
17 Washington State Office of Financial Management.
- 18 D. The amendments are consistent with the GMA requirement that the comprehensive plan of a
19 county or city be an internally consistent document (RCW 36.70A.070).
- 20 E. The amendments to the GMACP satisfy the procedural and substantive requirements of the
21 GMA.
- 22 F. The amendments maintain the GMACP's consistency with the CPPs for Snohomish County.
- 23 G. The proposed amendments meet the goals, objectives and policies of the GMACP as
24 discussed in the specific findings.
- 25 H. All SEPA requirements with respect to this non-project action have been satisfied.
- 26 I. The County complied with state and local public participation requirements under the GMA
27 and chapter 30.73 SCC.

28
29 **Section 3.** The county council bases its findings and conclusions on the entire record of the
30 county council, including all testimony and exhibits. Any finding, which should be deemed a
31 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.
32

33 **Section 4.** Based on the foregoing findings and conclusions, the Snohomish County GMA
34 Comprehensive Plan – General Policy Plan Future Land Use Map last amended by Ordinance
35 No. 08-049, is amended as indicated in Exhibit A to this ordinance which is attached hereto and
36 incorporated by reference into this ordinance as if set forth in full.
37

1 **Section 5.** Based on the foregoing findings and conclusions, the area-wide zoning map, last
2 amended by Ordinance No. 08-045, is amended as indicated in Exhibit B to this ordinance,
3 which is attached hereto and incorporated by reference into this ordinance as if set forth in full.
4

5 **Section 6.** The county council directs the Code Reviser to update SCC 30.10.060 pursuant to
6 SCC 1.02.020(3).
7

8 **Section 7.** This ordinance shall be effective 180 days (February 8, 2010) after the date of
9 adoption.
10

11 **Section 8.** Severability. If any section, sentence, clause or phrase of this ordinance shall be held
12 to be invalid or unconstitutional by the Growth Management Hearings Board, or a court of
13 competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
14 constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided,
15 however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by
16 the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect
17 prior to the effective date of this ordinance shall be in full force and effect for that individual
18 section, sentence, clause or phrase as if this ordinance had never been adopted.
19

20 PASSED this 12th day of August, 2009.

21
22 SNOHOMISH COUNTY COUNCIL
23 Snohomish County, Washington
24

25
26 ATTEST:

27 Council Chair

28
29 _____
Asst. Clerk of the Council
30

- 31 () APPROVED
32 () EMERGENCY
33 () VETOED

34 DATE: _____, 2009
35

36
37 _____
Snohomish County Executive

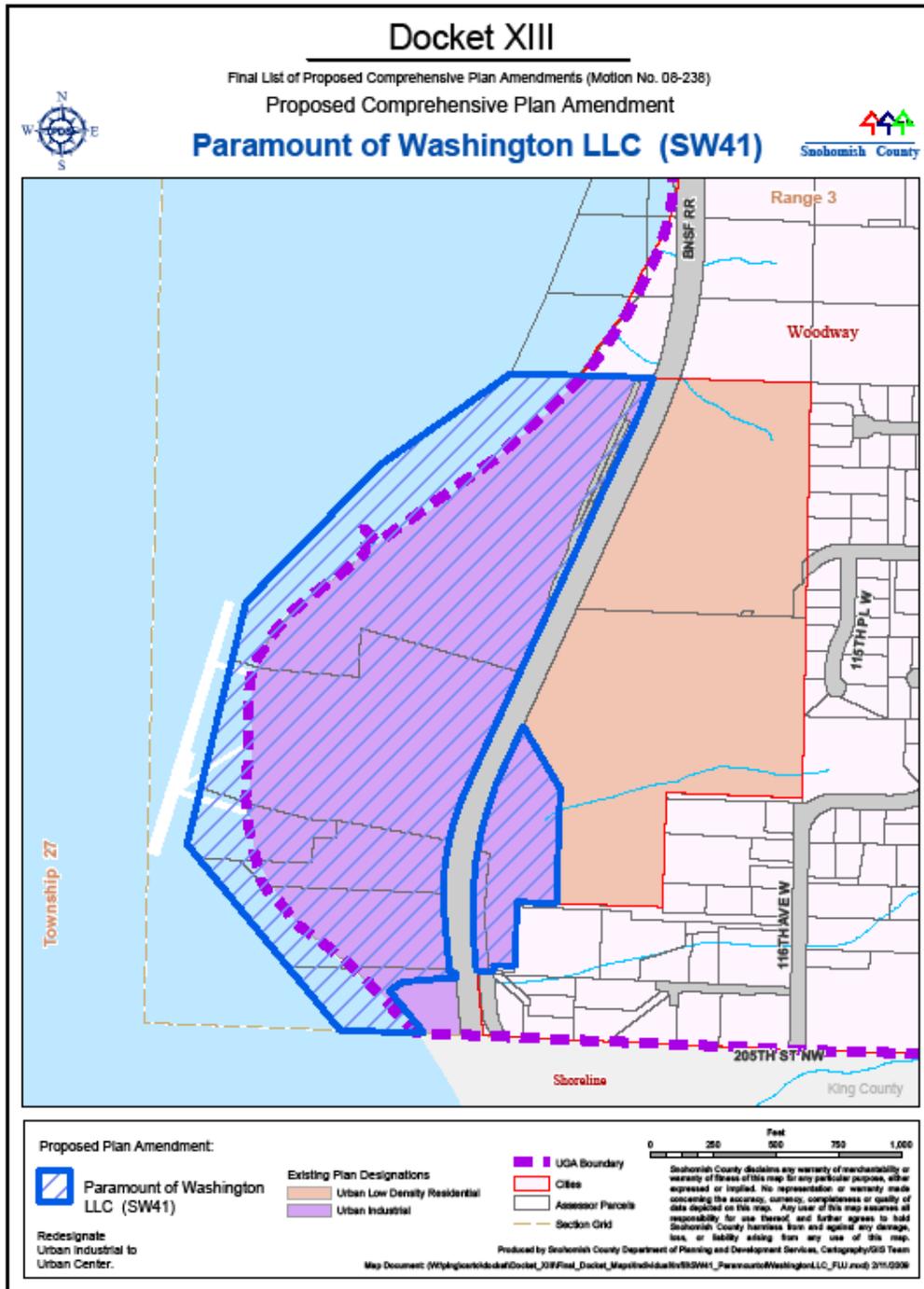
38 ATTEST:
39
40 _____
41

42 Approved as to form only:
43

44
45 _____
Deputy Prosecuting Attorney

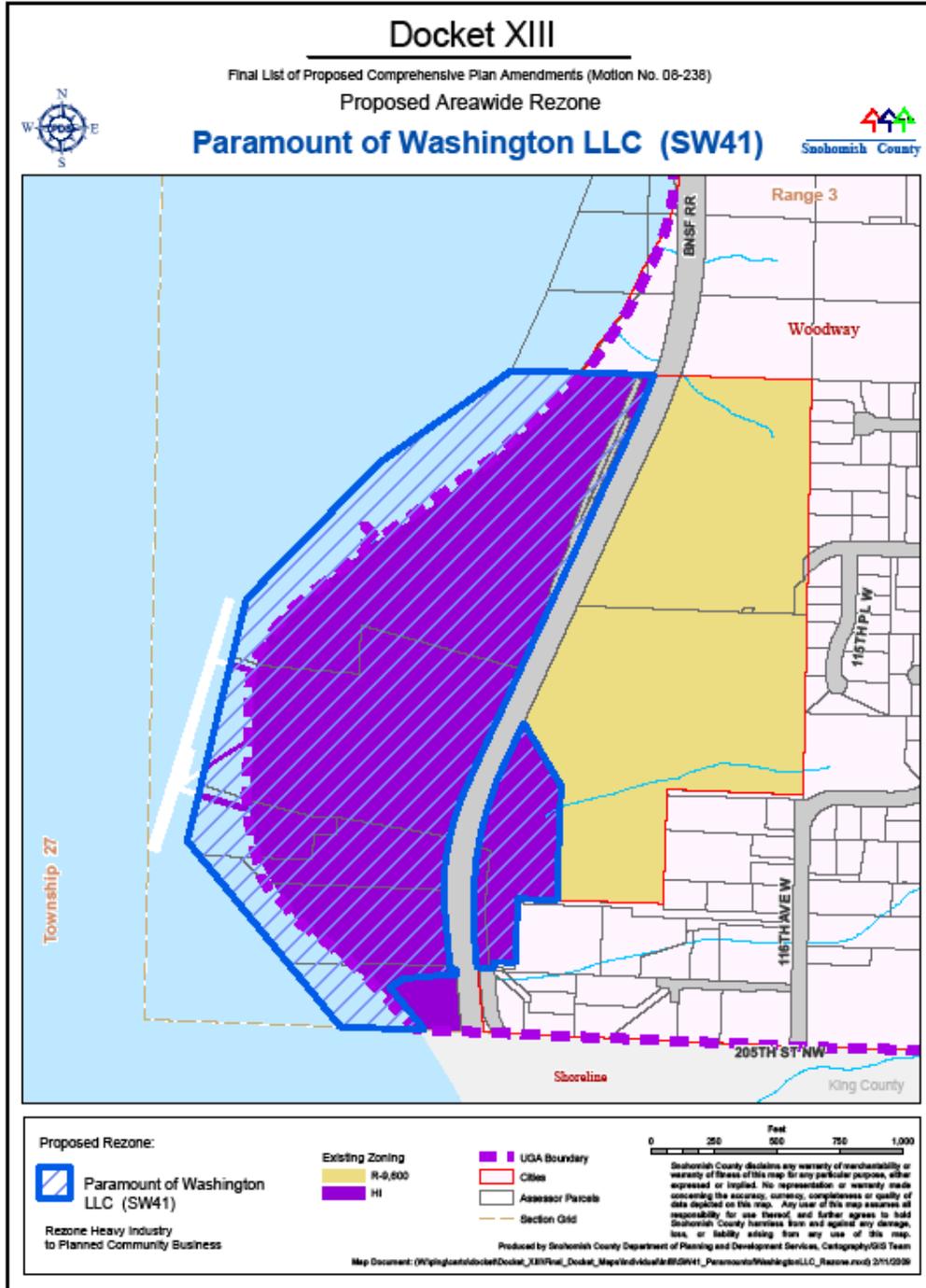
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AREA (SW 41 PARAMOUNT OF WASHINGTON)

Exhibit A
 Amended Ordinance No. 09-038
 Final Docket XII, Future Land Use Map Amendments
 SW 41 Paramount of Washington



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 RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN (GMACP) AND ZONING MAP AMENDMENTS TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP FOR THE SOUTHWEST URBAN GROWTH AREA (SW 41 PARAMOUNT OF WASHINGTON)

Exhibit B
 Amended Ordinance No. 09-038
 Final Docket XII, Zoning Map Amendments
 SW 41 Paramount of Washington



AMENDED ORDINANCE No. 09-038
 RELATING TO THE GROWTH MANAGEMENT ACT, ADOPTING FUTURE LAND USE MAP AMENDMENTS TO THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN (GMAPC) AND ZONING MAP AMENDMENTS TO IMPLEMENT CHANGES TO THE FUTURE LAND USE MAP FOR THE SOUTHWEST URBAN GROWTH AREA (SW 41 PARAMOUNT OF WASHINGTON)