

EXECUTIVE/COUNCIL APPROVAL FORM

MANAGEMENT ROUTING:
 EXECUTIVE Aaron G. Reardon
 EXEC. DIR. Brian Parry
 DIRECTOR/ELECTED Clay White *OW*
 DEPARTMENT Planning & Dev Services
 DIV. MGR. Barb Mock *bjm*
 DIVISION Planning
 ORIGINATOR David Killingstad *DK*
 DATE August 3, 2012 EXT. 2215

TO: COUNCIL CHAIRPERSON:
 SNOHOMISH COUNTY COUNCIL

EXECUTIVE RECOMMENDATION:
 Approve No Recommendation
 Further Processing
 Requested By _____

Brian Parry
 Executive Office Signature
 CEO Staff Review *Cep*
 Received at Council Office *at 3:55 pm*
 BRIAN D. PARRY
 Executive Director
08/08/2012
8/8/12
8/8/12

DOCUMENT TYPE:

BUDGET ACTION:
 Emergency Appropriation
 Supplemental Appropriation
 Budget Transfer
 CONTRACT:
 New
 Amendment
 GRANT APPLICATION
 ORDINANCE
 Code Amendment
 PLAN
 OTHER

DOCUMENT / AGENDA TITLE:

ACTING TO COMPLY WITH THE FINAL DECISION AND ORDER ISSUED BY THE GROWTH MANAGEMENT HEARINGS BOARD CENTRAL PUGET SOUND REGION IN COMBINED CASE NOS. 09-3-0013c AND 10-3-0011c; AMENDING THE FUTURE LAND USE MAP AND ZONING MAP DESIGNATION FOR THE POINT WELLS PROPERTY; AMENDING THE CENTERS AND SMALL AREA AND NEIGHBORHOOD STRUCTURE SECTIONS OF THE LAND USE CHAPTER OF THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN GENERAL POLICY PLAN AND ADOPTING NEW DEFINITIONS IN THE GLOSSARY

APPROVAL AUTHORITY:

EXECUTIVE _____ COUNCIL
 CITE BASIS Chapters 1.02, 2.48 & 30.73 SCC

HANDLING: NORMAL _____ EXPEDITE URGENT _____ DEADLINE DATE 8/9/12

PURPOSE:

To comply with a GMHB Final Decision and Order in the Shoreline III-IV Case.

BACKGROUND:

On August 12, 2009, the County Council adopted Amended Ordinance No. 09-038 as part of its 2009 docket process authorized by the Growth Management Act (GMA) concerning amendments to the FLUM and zoning map relating to the Point Wells property. This ordinance amended the FLUM designation of the Point Wells property from Urban Industrial to Urban Center and amended the zoning map from Heavy Industrial (HI) to Planned Community Business (PCB). Also on August 12, 2009, the Council adopted Amended Ordinance No. 09-051, which adopted amendments to the Land Use (LU) chapter of the GMACP – GPP for Urban Centers.

On May 12, 2010, the Council adopted Amended Ordinance No. 09-079 and Amended Ordinance No. 09-080. Amended Ordinance No. 09-079 adopted Urban Center design standards, established a new zone for Urban Centers, amended bulk regulations for the Neighborhood Business (NB) zone, amended and repealed definitions to Subtitle 30.9 SCC and amended sections in Title 30 SCC. Amended Ordinance No. 09-080 amended the zoning map from Planned Community Business (PCB) to Urban Center (UC) for the Point Wells property.

Subsequent to the above Council actions, the City of Shoreline, Town of Woodway and resident organizations and individuals from the Richmond Beach neighborhood (referred to as Save Richmond Beach) separately appealed the adoption of Amended Ordinance Nos. 09-038, 09-051, 09-079 and 09-080 related to the Point Wells property to the Growth Management Hearings Board (Board) Central Puget Sound Region, which appeals were consolidated in the cases of *City of Shoreline, Town of Woodway and Save Richmond Beach, et al. v. Snohomish County*, Nos. 09-3-0013c (*Shoreline III*) and 10-3-0011c (*Shoreline IV*); and

On April 25, 2011, the Board issued a Final Decision and Order (FDO) in the *Shoreline III and Shoreline IV* cases finding the County's re-designation and rezoning of the property to be out of compliance with the Growth Management Act (GMA) and the State Environmental Policy Act (SEPA). The Board invalidated and remanded Amended Ordinance Nos. 09-038 and 09-051 to Snohomish County with direction to take legislative action to come into compliance with the requirements of the GMA and SEPA with respect to the Point Wells property. In addition, the Board found Amended Ordinance Nos. 09-079 and 09-080 out of compliance with SEPA and remanded those to the County.

FISCAL IMPLICATIONS:

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

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

DEPARTMENT FISCAL IMPACT NOTES:

No budget impact of this action

BUDGET REVIEW: Analyst *ms* Administrator Recommend Approval

CONTRACT INFORMATION:

ORIGINAL _____ CONTRACT # _____ AMOUNT _____
 AMENDMENT _____ CONTRACT # _____ AMOUNT \$ _____

CONTRACT PERIOD:

ORIGINAL Start _____ End _____
 AMENDMENT Start _____ End _____

CONTRACT / PROJECT TITLE:

CONTRACTOR NAME & ADDRESS (City/State only):

APPROVED:

RISK MANAGEMENT Yes _____ No *NA*

COMMENTS _____

PROSECUTING ATTY - AS TO FORM: Yes *X* No *X*

OTHER DEPARTMENTAL REVIEW / COMMENTS:

ELECTRONIC ATTACHMENTS:

- G:\ECAF\Dept\05_PDS\ECAF_GMHB.Compliance_Policy\ECAF_Policy and Rezone
- G:\ECAF\Dept\05_PDS\ECAF_GMHB.Compliance_Policy\Ordinance_Policy and Rezone
- G:\ECAF\Dept\05_PDS\ECAF_GMHB.Compliance_Policy\Staff Report_Policy and Rezone
- G:\ECAF\Dept\05_PDS\ECAF_GMHB.Compliance_Policy\Summary Ad_Policy and Rezone

- Council \ 20049195*
- ECAF.doc
 - Ordinance.doc
 - Staff Report.docx
 - Summary.doc

NON-ELECTRONIC ATTACHMENTS:

- Ordinance
- Summary Ad
- Staff Report

1 Approved:
2 Effective:

3
4 SNOHOMISH COUNTY COUNCIL
5 SNOHOMISH COUNTY, WASHINGTON

6
7 ORDINANCE NO. 12-____
8

9 ACTING TO COMPLY WITH THE FINAL DECISION AND ORDER ISSUED BY THE
10 GROWTH MANAGEMENT HEARINGS BOARD CENTRAL PUGET SOUND REGION IN
11 COMBINED CASE NOS. 09-3-0013c AND 10-3-0011c; AMENDING THE FUTURE LAND
12 USE MAP AND ZONING MAP DESIGNATION FOR THE POINT WELLS PROPERTY;
13 AMENDING THE CENTERS AND SMALL AREA AND NEIGHBORHOOD STRUCTURE
14 SECTIONS OF THE LAND USE CHAPTER OF THE SNOHOMISH COUNTY GROWTH
15 MANAGEMENT ACT COMPREHENSIVE PLAN GENERAL POLICY PLAN AND
16 ADOPTING NEW DEFINITIONS IN THE GLOSSARY
17

18 WHEREAS, on August 12, 2009, the Snohomish County Council (County Council)
19 adopted Amended Ordinance No. 09-038 as part of its 2009 docket process authorized by the
20 Growth Management Act (GMA) concerning amendments to the Snohomish County GMA
21 Comprehensive Plan Future Land Use Map (FLUM) and zoning map relating to the Point Wells
22 property which amended the FLUM designation of the Point Wells property from Urban
23 Industrial to Urban Center and amended the zoning map from Heavy Industrial to Planned
24 Community Business; and
25

26 WHEREAS, on August 12, 2009, the County Council adopted Amended Ordinance No.
27 09-051, which adopted amendments to the Land Use (LU) chapter of the Snohomish County
28 Growth Management Act Comprehensive Plan (GMACP) – General Policy Plan (GPP) for
29 Urban Centers; and
30

31 WHEREAS, on May 12, 2010, the County Council adopted Amended Ordinance No. 09-
32 079, which adopted Urban Center design standards, established a new zone for Urban Centers,
33 amended bulk regulations for the Neighborhood Business zone, amended and repealed
34 definitions to Subtitle 30.9 SCC and amended sections in Title 30 SCC; and
35

36 WHEREAS, on May 12, 2010, the County Council adopted Amended Ordinance No. 09-
37 080, which amended the zoning map from Planned Community Business to Urban Center for
38 the Point Wells property; and
39

40 WHEREAS, the City of Shoreline, Town of Woodway and resident organizations and
41 individuals from the Richmond Beach neighborhood (referred to as Save Richmond Beach)
42 separately appealed the adoption of Amended Ordinance Nos. 09-038 and 09-051 related to
43 the Point Wells property to the Growth Management Hearings Board (Board) Central Puget
44 Sound Region, which appeals were consolidated in the combined case of City of Shoreline,
45 Town of Woodway and Save Richmond Beach, et al. v. Snohomish County under Case No. 09-
46 3-0013c (*Shoreline III*); and
47

48 WHEREAS, the same parties also separately appealed Amended Ordinance Nos. 09-
49 079 and 09-080 related to the Point Wells property to the Board, which appeals were

1 consolidated in the combined case of City of Shoreline, Town of Woodway and Save Richmond
2 Beach, et al. v. Snohomish County, Case No. 10-3-0011c (*Shoreline IV*); and
3

4 WHEREAS, the *Shoreline III* and *Shoreline IV* cases were coordinated for briefing and
5 hearing, and a hearing on the merits was held before the Board on March 2, 2011; and
6

7 WHEREAS, on April 25, 2011, the Board issued a Final Decision and Order (FDO) in
8 the *Shoreline III* and *Shoreline IV* cases finding the County's adoption of Amended Ordinance
9 Nos. 09-038 and 09-051 to be out of compliance with the GMA and the State Environmental
10 Policy Act (SEPA), and entering a determination of invalidity with respect to these two
11 ordinances, finding the County's adoption of Amended Ordinance Nos. 09-079 and 09-080 was
12 out of compliance with SEPA, and remanding Amended Ordinance Nos. 09-038, 09-051, 09-
13 079 and 09-080 to Snohomish County with direction to take legislative action to come into
14 compliance with the requirements of the GMA and SEPA with respect to the Point Wells
15 property; and
16

17 WHEREAS, the County Council desires by this legislative action to bring the County into
18 compliance with the GMA and SEPA as ordered in the Board's FDO.
19

20 NOW, THEREFORE, BE IT ORDAINED:
21

22 Section 1. The County Council makes the following findings:
23

- 24 A. The County Council adopts and incorporates the foregoing recitals as findings as if set forth
25 fully herein.
26
- 27 B. Adoption of this ordinance is necessary to resolve the findings of noncompliance in the FDO
28 issued by the Board in the *Shoreline III* and *IV* cases and bring the County into compliance
29 with the GMA and SEPA.
30
- 31 C. The proposal for the Point Wells property is to amend the FLUM designation of 61 acres
32 south and west of the Town of Woodway, north of the King/Snohomish County Line and
33 east of Puget Sound from Urban Center to Urban Village, and to amend the zoning map
34 designation for that property from Urban Center to Planned Community Business.
35
- 36 D. The proposal to amend the FLUM designation for the Point Wells property from Urban
37 Center to Urban Village and to amend the zoning map designation for that property from
38 Urban Center to Planned Community Business is necessary because the Board determined
39 Point Wells did not meet the policies for designation as an Urban Center. In particular, the
40 Board found that the Point Wells property did not meet Policy LU 3.A.2, which requires an
41 urban center to be located along a primary arterial or near a high capacity transit route or
42 station. The proposed policies providing direction for designating new Urban Villages do not
43 impose such stringent locational criteria. The property at Point Wells is consistent with the
44 proposed policies for designation as an Urban Village.
45
- 46 E. The proposal to amend the GPP LU chapter section for Centers is to:
47
- 48 1. Revise the introductory text to capitalize the term "Centers". Capitalization of the term
49 "centers" will assist in distinguishing a "center" from an "urban center." One term is a

1 specific type of Center and the other an umbrella or overarching term for the different
2 types of Centers designated in the comprehensive plan.
3

4 2. Revise the Urban Village Policies LU 3.C.1 and 3.C.2 to provide additional flexibility to
5 designate new Urban Villages.
6

7 3. Revise the Urban Village Policy LU 3.C.5 to ensure capital facilities are planned for in
8 such Urban Villages.
9

10 4. Add a new policy, LU 3.C.7, that provides guidance on the development of the Point
11 Wells property including types of uses, public access to shorelines and the provision of
12 transit service.
13

14 5. Revise the introductory text to add Point Wells to the list of Urban Villages.
15

16 F. The proposal to amend GPP LU chapter section for Small Area and Neighborhood
17 Structure is necessary to revise Policy LU 5.B.12 which provides direction on the re-
18 designation of the Point Wells property from the former designation of Urban Industrial.
19 Policy LU 5.B.12 is proposed to be amended to change “from Urban Industrial to Urban
20 Center” to “from Urban Industrial to Urban Village.” Retention of the Urban Center
21 reference would create an inconsistency with the proposed amendments to the Centers
22 section and proposed re-designation of Point Wells as discussed above.
23

24 G. The proposal to amend Appendix E-Glossary of the GMACP—GPP is to add a definition of
25 the term “Centers.” The term is used throughout the GPP LU chapter for Urban Centers
26 and defining it provides additional context and distinguishes it from an Urban Center.
27

28 H. The proposal to amend Appendix E-Glossary of the GMACP—GPP is to add a definition of
29 “Local transit service,” As the term is used in the GPP LU chapter policies for Urban
30 Villages. Defining it provides additional context and distinguishes it from “High capacity
31 transit,” as defined in the Glossary.
32

33 I. The grounds for these proposed amendments and new provisions are analyzed in the PDS
34 Staff Report dated ____, 2012.
35

36 J. The amendments are consistent with the City of Shoreline’s adopted transportation and
37 capital facilities plans.
38

39 K. This matter is exempt from Planning Commission review pursuant to SCC 30.73.040(2)(d)
40 and (e) and RCW 36.70A.130(2)(b).
41

42 L. The County issued a SEPA addendum on ____, 2012, for the purpose of disclosing any
43 additional environmental impacts from the adoption of amendments to the GMACP—GPP.
44

45 M. The County Council held a public hearing on ____, 2012.
46

47 N. The Washington State Attorney General is directed under RCW 36.70A.370 to advise state
48 agencies and local governments on an orderly, consistent process that better enables
49 government to evaluate proposed regulatory actions to assure that the actions do not result

1 in the unconstitutional taking of private property or violate substantive due process
2 guarantees.

3
4 O. The Washington State Attorney General issued an advisory memorandum in December of
5 2006 entitled Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property
6 to help local governments avoid the unconstitutional taking of private property.

7
8 P. The 2006 Advisory Memorandum was used by the County in objectively evaluating the
9 changes proposed by this ordinance.

10
11 Q. The county council has considered and assessed potential constitutional issues related to
12 the amendments proposed by this ordinance including, but not limited to: whether the
13 proposed amendments will result in a permanent or temporary physical occupation of
14 private property; whether the proposed amendments will deprive affected property owners
15 of all economically viable uses of their properties; whether the proposed amendments will
16 deny or substantially diminish a fundamental attribute of property ownership; whether the
17 proposed amendments require a property owner to dedicate a portion of property or to grant
18 an easement; and whether the proposed amendments will have a severe impact on the
19 property owners' economic interests.

20
21 Section 2. The County Council makes the following conclusions regarding the amendments
22 adopted by this ordinance:

23
24 A. The proposed amendment complies with all requirements of the GMA and supports the
25 following GMA planning goals: (1) Urban Growth; (3) Transportation; and (12) Public
26 Facilities and Services.

27 B. All SEPA requirements with respect to this non-project action have been satisfied.

28 C. The County complied with state and local public participation requirements under the GMA
29 and chapter 30.73 SCC.

30 D. The County Council considered the entire hearing record, written testimony received during
31 the public comment period and oral testimony given during a public hearing before the
32 County Council.

33
34 Section 3. The County Council bases its findings and conclusions on the entire record,
35 including all testimony and exhibits. Any finding which should be deemed a conclusion, and
36 any conclusion which should be deemed a finding, is hereby adopted as such.

37
38 Section 4. Based on the foregoing findings and conclusions, the Snohomish County
39 GMACP -- GPP FLUM, last amended by Amended Ordinance No. 11-052, on September 28,
40 2011, is amended as indicated in Exhibit A to this ordinance, which is attached hereto and
41 incorporated by reference as if set forth in full.

42
43 Section 5. Based on the foregoing findings and conclusions, the area-wide zoning map,
44 last amended by Amended Ordinance No. 10-046 on July 7, 2010, is amended as indicated in
45 Exhibit B to this ordinance, which is attached hereto and incorporated by reference as if set
46 forth in full.

1 Section 6. Based on the foregoing findings and conclusions, the Centers section of the
2 Land Use chapter of the Snohomish County GMACP – GPP, last amended by Amended
3 Ordinance No. 11-053 on September 28, 2011, is amended as indicated in Exhibit C to this
4 ordinance, which is attached hereto and incorporated by reference as if set forth in full.
5

6 Section 7. Based on the foregoing findings and conclusions, the Small Area and
7 Neighborhood Structure section of the Land Use chapter of the Snohomish County GMACP –
8 GPP, last amended by Amended Ordinance No. 09-051 on August 12, 2009, is amended as
9 indicated in Exhibit D to this ordinance, which is attached hereto and incorporated by reference
10 as if set forth in full.
11

12 Section 8. Based on the foregoing findings and conclusions, Appendix E-Glossary of the
13 Snohomish County GMACP – GPP, last amended by Amended Ordinance No. 09-051 on
14 August 12, 2009, is amended as indicated in Exhibit E to this ordinance, which is attached
15 hereto and incorporated by reference as if set forth in full.
16

17 Section 9. The County Council directs the Code Reviser to update SCC 30.10.060 pursuant
18 to the authority in SCC 1.02.020(3) upon adoption of this ordinance.
19

20 Section 10. If any section, sentence, clause or phrase of this ordinance shall be held to be
21 invalid by the Growth Management Hearings Board, or unconstitutional by a court of competent
22 jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of
23 any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any
24 section, sentence, clause or phrase of this ordinance is held to be invalid by the Board, then the
25 section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be
26 in full force and effect for that individual section, sentence, clause or phrase as if this ordinance
27 had never been adopted.
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1 PASSED this ____ day of _____, 2012.

2
3 SNOHOMISH COUNTY COUNCIL
4 Snohomish County, Washington

5
6
7
8 ATTEST:

Council Chair

9
10 _____
11 Sheila McCallister
12 Asst. Clerk of the Council

- 13
14 () APPROVED
15 () EMERGENCY
16 () VETOED

17 DATE: _____, 2012

18
19
20 _____
21 Executive

22
23 ATTEST:

24
25 _____
26

27 Approved as to form only:

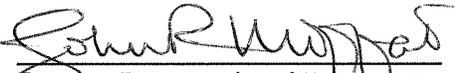
28
29 
30 _____
31 Deputy Prosecuting Attorney 7-31-12

Exhibit A
Ordinance No. 12-____
GMACP Future Land Use Map Amendments

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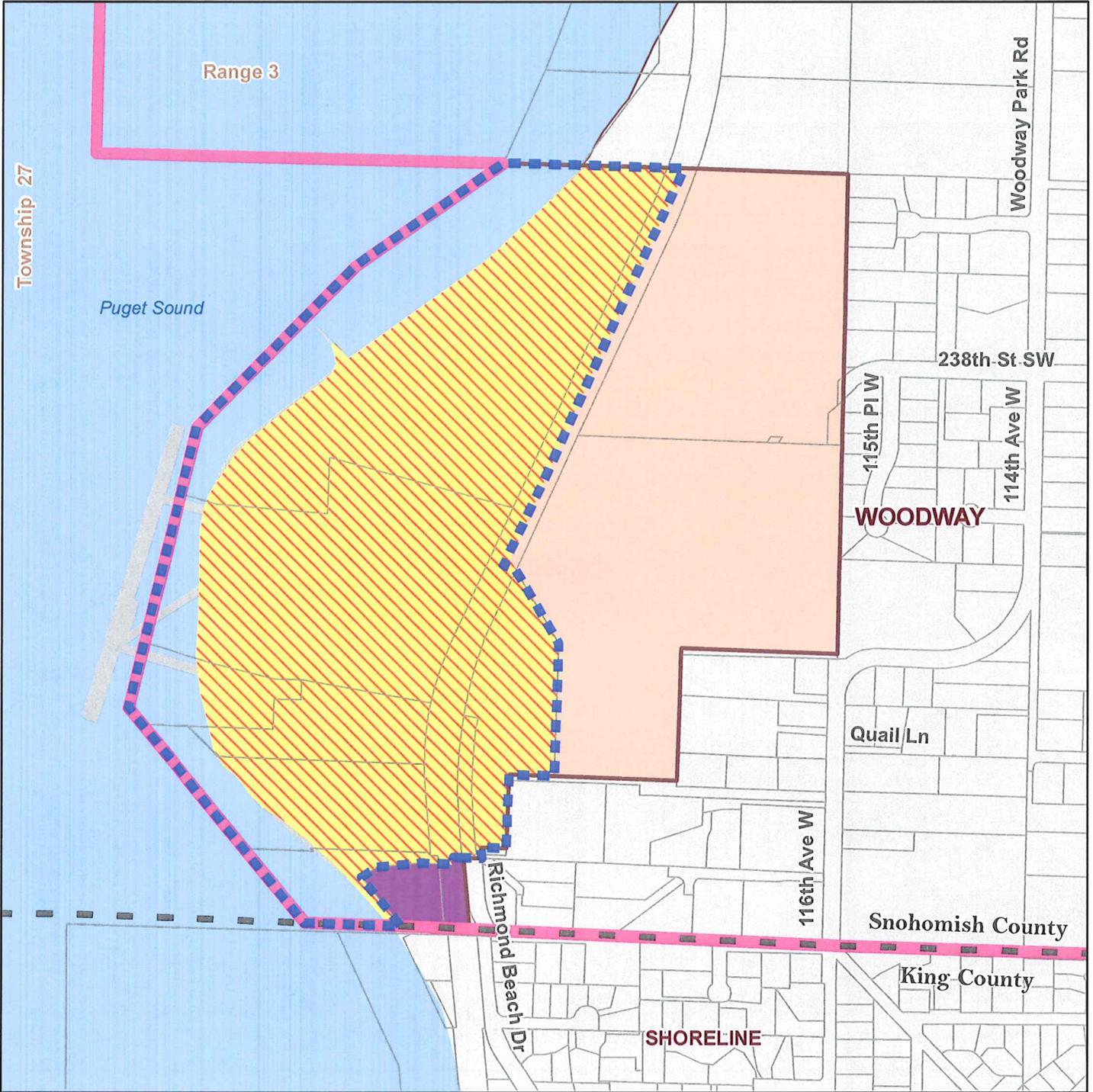
Point Wells

EXHIBIT A

Proposed Comprehensive Plan Amendment



Snohomish County



	<p>Point Wells Proposed Comprehensive Plan Amendment from Urban Center to Urban Village</p>	Assessor Parcels	Incorporated City	Urban Growth Area Boundary	<p>0 250 500 750 1,000 Feet</p>
		<p>Future Land Use</p>	Urban Low Density Residential	<p>Produced by Snohomish County Department of Planning and Development Services, Cartography/GIS Map Document: (W:\plng\carto\ZONING\Projects\2012\PointWells\PointWells_FLU_UCtoUV_071712.mxd) 7/17/2012 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.</p>	
		Urban Center	Urban Industrial		

Exhibit B
Ordinance No. 12-____
Zoning Map Amendments

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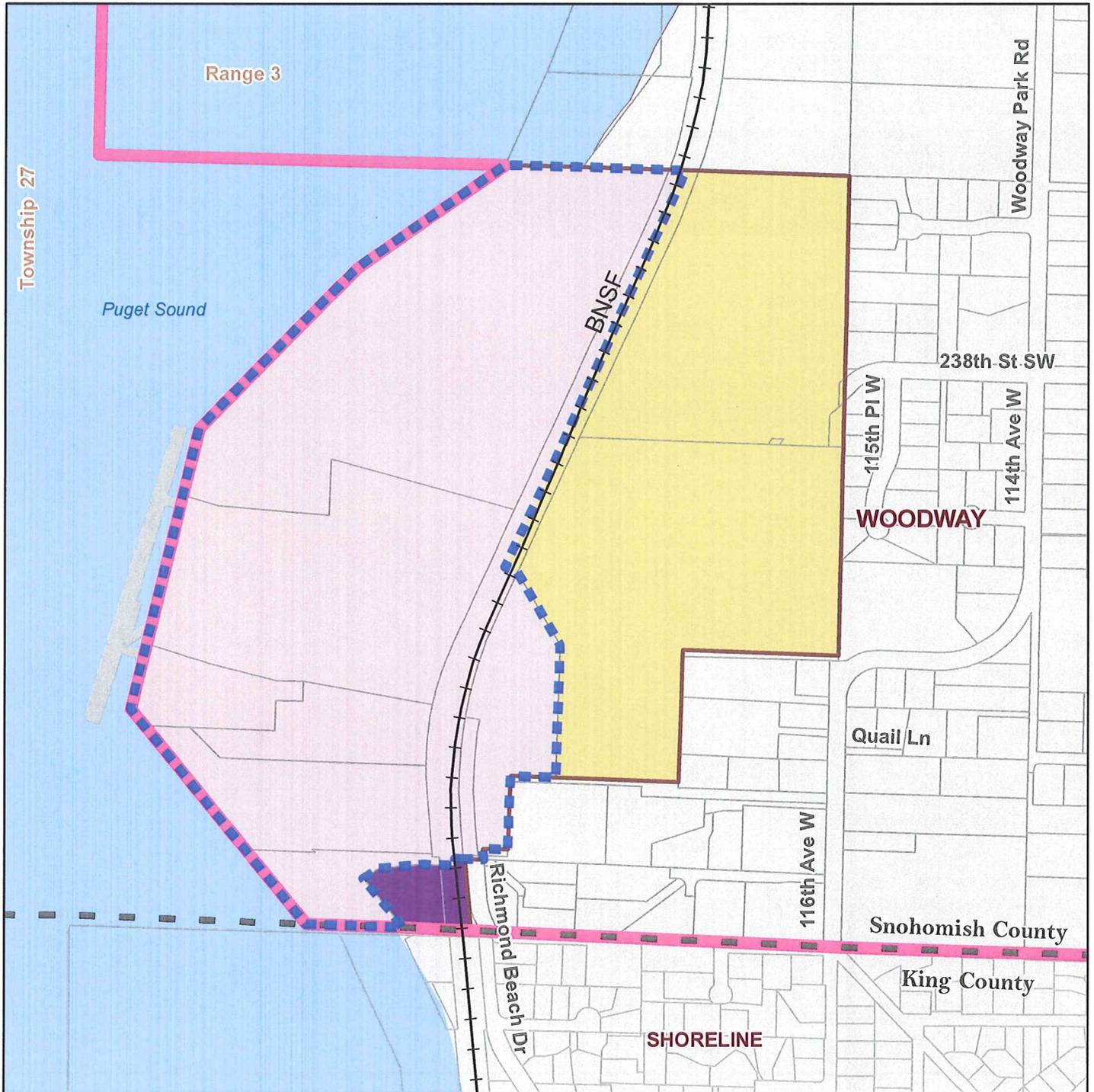
Point Wells

EXHIBIT B

Proposed Rezone



Snohomish County



Point Wells
Proposed rezone
from Urban Center
to Planned Community
Business

- Assessor Parcels
- Incorporated City
- Urban Growth Area Boundary
- Existing Zoning:**
- Residential 9,600
- Urban Center
- Heavy Industry



Produced by Snohomish County Department of Planning and Development Services, Cartography/GIS
 Map Document: (W:\p\g\carto\ZONING\Projects\2012\PointWells\PointWells_Zoning_UctoPCB_071712.mxd) 7/17/2012
 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.

Exhibit C

Ordinance No. 12-____

GPP Amendments to the Centers Section of the Land Use Chapter

Centers

~~((Urban—centers))~~ Centers have been identified by the county and its cities where significant population and employment growth can be located, a community-wide focal point can be provided, and the increased use of transit, bicycling and walking can be supported. These ~~((centers))~~ Centers are intended to be compact and centralized living, working, shopping and/or activity areas linked to each other by transit emphasis corridors. ~~((The concept of centers))~~ Centers ~~((is))~~ are pedestrian and transit ~~((orientation))~~ oriented with a focus on circulation, scale and convenience with a mix of uses.

An important component of ~~((centers))~~ Centers is the public realm. The public realm is the area ~~((within centers))~~ that the public has access to for informal rest and recreation activities such as walking, sitting, games and observing the natural environment. The public realm along with residential and employment uses help define a sense of place and give ~~((centers))~~ Centers an identity.

The pedestrian and transit oriented design of ~~((centers))~~ Centers helps reduce single-occupancy auto trips. Similar attention to the transit emphasis corridors ~~((than))~~ that connect the ~~((centers))~~ Centers can further reduce such trips and the resulting greenhouse gas emissions – a main contributor to climate change. A reduction in vehicle miles traveled helps the county in meeting its goals for climate change as detailed in the Natural Environment chapter of this comprehensive plan.

Specific ~~((centers))~~ Centers also promote the county's goals for sustainability by incorporating environmentally friendly building design and development practices according to Leadership in Energy and Environmental Design (LEED) building

certification and low impact development (LID) techniques into the development process.

The primary direction for the development of ~~((centers))~~ Centers came from the Puget Sound Regional Council's (PSRC) Vision 2020 regional growth strategy (as subsequently refined in Vision 2040). Specific guidelines for development were also derived from the Snohomish County Tomorrow Urban Centers paper and Transit Oriented Development Guidelines Report and are updated based on recent regional center development and the SW Snohomish County Urban Center Phase 1 Report (February 2001). The PSRC is an association of cities, towns, counties, ports, and state agencies that serves as a forum for developing policies and making decisions about regional growth and transportation issues in the central Puget Sound region encompassing King, Kitsap, Pierce and Snohomish counties. The PSRC is responsible for the long-range growth management, and the economic and transportation strategy for the four-county central Puget Sound region – most recently captured in Vision 2040. PSRC's Vision 2040 and the countywide planning policies provide further direction for the development of ~~((centers))~~ Centers.

Snohomish County initially designated ~~((centers))~~ Centers as a circle on the Future Land Use Map in the 1995 GMA Comprehensive Plan to provide a starting point for more detailed planning. ~~((Urban))~~ Centers were also designated in adopted UGA plans.

Snohomish County has ~~((three))~~ four types of ~~((centers))~~ Centers in unincorporated UGAs that are differentiated by purpose, location, intensity, and characteristics:

Of special note is the planning process for the Urban Village at Cathcart Way and State Route 9, which incorporates principles of sustainability and “green” building in accordance with Leadership in Energy and Environmental Design (LEED) certification. The goal is for the development at this site to serve as a model for “green” building and sustainable neighborhood development in Snohomish County.

The plan designates Urban Villages at the following locations:

- Point Wells
- State Route 99 and Airport Road;
- State Route 99 and Center Road;
- 112th St SE and 4th Ave W;
- 164th St SW and 33rd Ave W;
- Cathcart Way and State Route 9;
- 148th St SE and Seattle Hill Road;
- State Route 527 and 185th St SE;
- Filbert Road and North Road;
- Maltby Road and 39th Ave SE; and
- 80th Ave NW and 284th St NW

Manufacturing/Industrial Centers are major existing regional employment areas of intensive, concentrated manufacturing and industrial land uses which cannot be easily mixed at higher densities with other land uses and located with good access to the region’s transportation system. The plan designates a Manufacturing and Industrial Center at Paine Field.

Whenever possible, it is the county's intent to support the efforts of the cities to preserve, enhance, or develop centers within their city limits. Centers within unincorporated UGAs will be established with special emphasis on areas within the Southwest UGA cognizant of the cities efforts for their own centers. The county will explore incentives and develop other techniques to make center development

- 1
- 2 ▪ Urban Centers (A subcomponent of
- 3 Urban Centers is the Transit
- 4 Pedestrian Villages)
- 5 ▪ Transit Pedestrian Village
- 6 ▪ Urban Villages
- 7 ▪ Manufacturing and Industrial Centers

8 **Urban Centers** provide a mix of high-density
9 residential, office and retail development with
10 public and community facilities and pedestrian
11 connections located along a designated high
12 capacity route and/or a transit emphasis
13 corridor. The plan designates Urban Centers
14 at the following locations:

- 15 • Interstate 5 and 128th St SE;
- 16 • Interstate 5 and 164th St SW;
- 17 • State Route 527 and 196th St SE;
- 18 • State Route 99 and State Route 525;
- 19 • State Route 99 and 152nd St SW; and
- 20 • Interstate 5 and 44th Avenue West ((;
- 21 and))
- 22 • ((Point Wells))

23 **Transit Pedestrian Villages** are the areas
24 within designated Urban Centers that
25 surround an existing or planned high
26 capacity transit station. They feature uses
27 that enhance and support the high capacity
28 transit station. Emphasis is placed on a
29 compact walkable area that is integrated with
30 multiple modes of transportation. The plan
31 designates a Transit Pedestrian Village at
32 the following location:

- 33 • 164th St SW and Ash Way

34 **Urban Villages** like other centers, promote a
35 reduction in vehicle miles traveled by
36 emphasizing pedestrian oriented, mixed-use
37 design within close proximity to transit. They
38 are smaller scale than urban centers, have
39 lower densities, allow mixed uses and may be
40 located on or outside a high capacity transit
41 station.

1 viable in the long term. Careful attention must
2 be given to the recreational and cultural
3 needs of those who will live and work in
4 unincorporated county areas.

5 **GOAL LU 3** **Establish a system of compact, clearly defined mixed-use**
6 **centers, linked by well-planned transit emphasis corridors,**
7 **that promote a neighborhood identification and support the**
8 **county’s sustainability goals.**

9 **Objective LU 3.A** **Plan for Urban Centers within unincorporated UGAs**
10 **consistent with Vision 2040 and the CPP’s.**

11 **LU Policies** 3.A.1 The Future Land Use Map (FLUM) and UGA land use plans shall
12 include designations and implementation measures for Urban
13 Centers , based on the characteristics and criteria below.

14 3.A.2 Urban Centers shall be compact (generally not more than 1.5
15 square miles), pedestrian-oriented areas within designated Urban
16 Growth Areas with good access to higher frequency transit and
17 urban services. Pedestrian orientation includes pedestrian
18 circulation, pedestrian scaled facilities and pedestrian
19 convenience. These locations are intended to develop and
20 redevelop with a mix of residential, commercial, office, and public
21 uses at higher densities, oriented to transit and designed for
22 pedestrian circulation. Urban Centers should also include urban
23 services and reflect high quality urban design. Urban Centers
24 shall emphasize the public realm (open spaces, parks and plazas)
25 and create a sense of place (identity). Urban Centers will
26 develop/redevelop over time and may develop in phases.

27 3.A.3 Urban Centers shall be located adjacent to a freeway/highway
28 and a principal arterial road, and meet within one-fourth mile
29 walking distance from a transit center, park-and-ride lot, or be
30 located on a regional high capacity transit route.

31 3.A.4 Residential net densities shall not be less than 12 dwelling units
32 per acre; maximum densities may be established as part of more
33 detailed planning. Population and employment size will be
34 consistent with criteria in the Countywide Planning Policies and
35 General Policy Plan.

36 3.A.5 Urban Centers are designated on the FLUM and additional Urban
37 Centers may be designated in future amendments to the
38 Comprehensive Plan.

39 3.A.6 Desired growth within Urban Centers shall be accomplished
40 through application of appropriate zoning classifications, provision
41 of necessary services and public facilities, including transit, sewer,
42 water, stormwater, roads and pedestrian improvements, parks,
43 trails and open space, and protection of critical areas. The County
44 will identify and apply methods to facilitate development within
45 designated Urban Centers, including supportive transit, parks,
46 road and non-motorized improvements.

1	Objective LU 3.B	Plan for Transit Pedestrian Villages within Urban Centers.
2	LU Policies	
3	3.B.1	Transit Pedestrian Villages are areas within designated Urban
4		Centers that surround an existing or planned high capacity transit
5		center. Transit Pedestrian Villages may be designated on the
6		FLUM.
7	3.B.2	Transit Pedestrian Villages will be located around existing or
8		planned transit centers.
9	3.B.3	Minimum densities within Transit Pedestrian Villages shall be
10		determined through more detailed planning and implementing
11		development regulations.
12	3.B.4	The county shall develop and adopt a detailed master plan for
13		each Transit Pedestrian Village as an amendment to the GPP.
14		State Environmental Policy Act review shall be conducted for each
15		plan. The plan and planning process shall include the following
16		elements:
17	(a)	a survey of local residents and property owners to identify
18		local issues;
19	(b)	analysis of land use, including an assessment of vacant
20		and redevelopment land potential, ownership patterns, and
21		a ranking of sites based on their potential for
22		development/redevelopment in the near and long terms;
23	(c)	analysis of demographic and market conditions, to help
24		identify the most feasible mix of land uses;
25	(d)	assessment of environmental constraints and issues (e.g.,
26		wetlands, streams, views);
27	(e)	identification and mapping of the geographic boundaries
28		for each Village center;
29	(f)	identification of and creation of a conceptual plan for the
30		Village area, indicating the general location and emphasis
31		of various land uses including residential, employment and
32		the public realm, and any potential phases of
33		development;
34	(g)	review and allocation or reallocation of targets for
35		population and employment growth and affordable
36		housing, in conjunction with land use planning;
37	(h)	identification of public service and capital facility needs
38		(e.g., drainage, sewerage facilities, parks,
39		cultural/educational facilities, transit facilities), and
40		development of a targeted, phased capital improvement
41		program;
42	(i)	development of a circulation plan, including street
43		improvements, parking management, and pedestrian and
		bicycle improvements;

- (j) recommendations to address specific design concerns and planning or regulatory issues; and
- (k) analysis of existing and potential transit service.

3.B.5 Transit Pedestrian Villages shall be regulated through appropriate zoning classification(s).

3.B.6 Snohomish County will work with key service providers and agencies to develop coordinated capital facility plans for each designated village. The county will also use its budgeting process to target and prioritize provision of adequate county services and facilities to designated centers.

Objective LU 3.C Plan for Urban Villages within unincorporated UGAs.

LU Policies 3.C.1 Urban Villages shall be planned as compact (~~approximately three to 25 acres in size;~~) pedestrian-oriented areas within designated Urban Growth Areas. Urban Villages are generally smaller than an Urban Center and provide an intermediate level of commercial or other services for an existing community, or take advantage of unique characteristics of an area that provide opportunities for higher intensity development with public benefits of open space or other public amenities. The development will include a variety of small-scale commercial and office uses, public buildings, high-density residential units, and public open space. Pedestrian orientation includes circulation, scale and convenience with connections between neighborhoods, communities and other centers. Urban Villages should also include urban services and reflect high quality urban design. Urban Villages serve several neighborhoods within a radius of about two miles. Urban Villages will develop/redevelop over time and may develop in phases.

3.C.2 Urban Villages shall be located where access to transportation facilities are available or can be improved based on the demands of the specific site and intensity of development and shall be designed to maximize use of nearby transit facilities. Locations may be on or adjacent to a ~~((principal))~~ minor arterial road, or within one-fourth mile of existing or planned access to local ~~((public))~~ transit service, or within one-half mile of a high capacity transit station.

3.C.3 Residential net densities shall be at least 12 dwelling units per acre; maximum densities may be established as part of more detailed planning.

3.C.4 Additional Urban Villages may be designated in the future through amendments to the comprehensive plan.

3.C.5 Urban Villages will be implemented through application of appropriate zoning classifications, provision of necessary services and public facilities (including transit, sewer, water, stormwater,

1 roads and pedestrian improvements, parks, trails and open space)
2 and protection of critical areas. The county will identify and apply
3 methods to facilitate development within designated Urban
4 Villages, including targeting of public facilities such as transit,
5 parks and road improvements. Provision of needed public
6 services provided by entities other than the county shall be
7 incorporated in the Capital Facilities Plans of the service providers
8 and may be planned and programmed in phases. Capital
9 Facilities Plans shall provide for urban services needed at the time
10 of development approval of specific phases of a project. The
11 intensity of development may be tied to implementation of specific
12 elements of Capital Facilities Plans including provision of roadway,
13 transit, utility and public service facilities.

14
15 3.C.6 The urban village at the county Cathcart site will be developed
16 with principles of sustainability and "green" building design to
17 serve as a vibrant community focal point for the surrounding
18 neighborhoods in the northeast areas of the Southwest UGA.
19 Neighborhood-serving businesses and service providers –
20 including public services such as library and postal service - will be
21 especially encouraged to locate at the village.

22
23 3.C.7 The Urban Village at Point Wells will be developed to provide a
24 location for high intensity residential development oriented to the
25 amenities of Puget Sound with a mix of uses to serve the
26 development and the surrounding neighborhoods. It will provide
27 neighborhood-serving businesses and service providers. The
28 urban village will provide public access to Puget Sound available
29 to the larger regional population and provide for ecological
30 restoration appropriate to the site. Uses proposed must be
31 supported by adequate transportation facilities including local bus
32 service or customized transit.

33
34 **Objective LU 3.D Identify and plan a network of transit emphasis corridors to**
35 **link significant concentrations of population and employment,**
36 **which may be in new and redeveloped neighborhoods,**
37 **centers, or existing neighborhoods, commercial development,**
38 **and employment areas.**

39 **LU Policies** 3.D.1 The county shall work with affected cities, transit service providers,
40 and other stakeholders to pursue integrated land use and
41 transportation planning along identified transit emphasis corridors,
42 consistent with policy direction concerning these corridors in the
43 Transportation chapter.

44 3.D.2 The county shall work to create pedestrian, bicycle and public
45 transportation linkages between new and redeveloped areas within
46 the corridors and adjacent neighborhoods to reduce the
47 dependence on the automobile.

1		3.D.3	The county shall work to link new and existing neighborhoods within
2			and near identified transit emphasis corridors creating a sense of
3			community and shall include sidewalks and paths, where
4			practicable, for safe passage to schools and other places of activity
5			in the community.
6	Objective LU 3.E		Plan for Manufacturing and Industrial Centers within the
7			unincorporated UGA.
8	LU Policies	3.E.1	Manufacturing and Industrial Centers shall be one to two square
9			miles in size and allow a mix of nonresidential uses that support the
10			center and its employees.
11		3.E.2	The Manufacturing and Industrial Centers shall be sized to allow a
12			minimum of 10,000 jobs at an average employment density of 20
13			employees per employment acre for new growth.
14		3.E.3	The Manufacturing and Industrial Centers shall be shown on the
15			Future Land Use Map as an overlay.
16		3.E.4	Within Manufacturing and Industrial Centers large retail or non-
17			related office uses shall be discouraged.
18		3.E.5	Manufacturing and Industrial Centers shall be supported by
19			adequate public facilities and service, including good access to
20			the regional transportation system.
21		3.E.6	The county shall designate the Paine Field-Boeing area as a
22			Manufacturing/Industrial Center in coordination with the City of
23			Everett.
24		3.E.7	Land uses and zoning of Paine Field will continue to be governed
25			by the Snohomish County Airport Paine Field Master Plan and
26			Snohomish County Zoning Code consistent with federal aviation
27			policies and grant obligations.
28	Objective LU 3.F		Support city efforts to preserve enhance or develop urban or
29			small town centers and main streets.LU Policy 3.F.1
30			Coordinate land use planning efforts with towns and cities
31			and encourage development within the unincorporated area that
32			enhances the vitality of a city's center or main street.
33	Objective LU 3.G		Investigate and develop techniques to ensure the long-term
34			success of center development.
35	LU Policies	3.G.1	The county shall recognize the importance of centers in setting high
36			priorities for development and installation of capital improvements
37			within urban centers, and shall encourage similar recognition by
38			other service providers.
39		3.G.2	The county shall coordinate the design and development of centers
40			and their connecting transit emphasis corridors in unincorporated
41			areas with developers, transit planning agencies, and service
42			providers, and other stakeholders to achieve compatibility of land

- 1 use, transportation, and capital facility objectives within centers.
 2 (See Urban Design Section)
- 3 3.G.3 The county shall develop and implement techniques within
 4 designated centers that allow the phasing of development and
 5 ensure the centers' long-term development potential.
- 6 3.G.4 The county shall investigate innovative methods that will facilitate
 7 center development such as land assembly, master planning, and
 8 urban redevelopment.
- 9 3.G.5 Centers should be located and designed to be connected to bicycle
 10 and pedestrian trails.
- 11 3.G.6 The county shall explore the suitability of incentives used by other
 12 jurisdictions to encourage mixed-use development for use in
 13 appropriate locations within unincorporated UGAs, such as along
 14 transit emphasis corridors connecting urban centers, in urban
 15 villages, and in other concentrations of employment and population.
- 16 3.G.7 The county shall codify suitable incentives for mixed-use
 17 development.
- 18 3.G.8 The county shall explore the use of floor area ratio (FAR) to
 19 determine density in centers. FAR is the relationship between the
 20 total amount of floor space in a multi-story building and the land
 21 area occupied by that building.
- 22 3.G.9 Snohomish County shall support city annexation of areas
 23 designated Urban Center, Transit Pedestrian Village, or Urban
 24 Village after the annexing city and the county adopt an interlocal
 25 agreement consistent with the annexation principles developed by
 26 Snohomish County Tomorrow. The interlocal agreement shall
 27 address the smooth transition of services from the county to the city
 28 and shall ensure that the city comprehensive plan and development
 29 regulations provide capacity for at least the same overall density
 30 and intensity of development provided by the county
 31 comprehensive plan and development regulations. If the area to be
 32 annexed includes an area designated as a receiving area under the
 33 county's Transfer of Development Rights (TDR) program, then the
 34 interlocal agreement shall also ensure that the area remains a TDR
 35 receiving area or that other areas of the city are designated TDR
 36 receiving areas so that the city development regulations provide
 37 equivalent or greater capacity for receiving TDR certificates and
 38 equivalent or greater incentives for the use of TDR certificates.
- 39 3.G.10 The county shall pursue lease, purchase and/or development
 40 agreements with all development partners at the county Cathcart
 41 site to support that county objectives for the site, generally, and the
 42 urban village in particular, are achieved.
- 43 3.G.11 The county shall explore potential incentives for small to medium-
 44 sized businesses that commit to employing local residents to locate

1 at the county Cathcart site as a means to reduce commute trips and
2 strengthen the local economy.

3 **Objective LU 3.H**

4 **Encourage transit-supportive land uses that are compatible**
5 **with adjacent neighborhoods to locate and intensify within**
6 **designated centers and along transit emphasis corridors.**

7 **LU Policies 3.H.1**

8 The county shall encourage mixed-use and/or higher density
9 residential development in appropriate locations along transit
10 emphasis corridors. Corridor planning can help identify those
11 locations where higher densities and mixed uses can best support
12 transit and non-motorized access.

13 **3.H.2**

14 Projects within or near designated centers or along transit
15 emphasis corridors shall provide pedestrian and bicycle
16 connections to transit facilities and/or the center to encourage
17 pedestrian activity, support transit use and decrease auto trips.
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Exhibit D
Ordinance No. 12-_____

GPP Amendments to the Small Area and Neighborhood Section of the Land Use Chapter
Small Area and Neighborhood Structure

5 Land Use Policies 1-4 address overall
6 development patterns, location, type and
7 design. Large areas and single development
8 sites are guided by those principles.

9 However, in the past, smaller areas of the
10 county have needed and future areas may
11 need planning studies and attention, in a way
12 that is not addressed through Policies LU 1-4.
13 These small areas are cohesive because of a
14 variety of factors such as early history,
15 topography, shared facilities such as schools,
16 roads and crossroads, types of land uses,
17 natural features, and human interactions. For
18 example, there are a number of discreet
19 neighborhoods within the larger Southwest
20 unincorporated UGA. Even within a discreet
21 city's UGA, there may be several
22 neighborhoods, such as the Mill Creek East
23 area and the Mill Creek A area.

24 This section of the Land Use chapter
25 acknowledges and treats earlier smaller area
26 plans done by the county. It also identifies
27 the potential for future small
28 area/neighborhood level plans and provides a
29 way to integrate these plans into the overall
30 GPP.

31 In the past, the county completed plans for 13
32 subareas. Some plans date from the early
33 1980s, pre-GMA and five were adopted from
34 the 1995-2005 period, under the GMA. But
35 some of the more recent plans have
36 established goals and policies that address
37 special structures and needs of the
38 neighborhood and are retained. The pre-GMA
39 plans no longer have any legal effect and are
40 repealed. Some plans are outdated and are
41 repealed. This section of the plan addresses
42 these issues.

43 Beginning in 1995, the county initiated and
44 adopted more detailed planning with several
45 cities and the unincorporated portions with

adjacent UGA's. These plans provide
important background information on land
uses, infrastructure and policy direction. They
include the Gold Bar UGA Plan; Snohomish
UGA Plan; Mill Creek "A" UGA Plan; Lake
Stevens UGA Plan; and the Mill Creek "East"
UGA Plan. The plans also provided a
framework for enhancing the neighborhood
structure specifically through localized policy
direction. Although these UGA plans were
repealed in the 2005 update of the GMA
comprehensive plan, some important land use
policies in these UGA plans have been
incorporated within this section, as well as
other sections of the GPP, and are intended
to provide guidance for the adoption of
development regulations that lead to the
enhancement of neighborhood structure
within the respective UGA.

Policies which enhance specific neighborhood
structures and address specific needs are
retained in this section of the Land Use
Chapter for the Maltby area, the Cathcart
area, the area around 35th Avenue SE and
132nd Street SW in the SW UGA, in the
Marysville area, and the Tulalip area.

The southeast portion of the Tulalip
Reservation, a federally designated
reservation of a federally recognized Indian
tribe, at the Marine Drive NE and I-5
interchange has traditionally been the main
entry onto the reservation to access
businesses, residential areas and tribal
government offices. This particular area of
the reservation contains a small viable
commercial community with a pattern of
urban development that is served by urban
infrastructure including sanitary sewer and is
outside of an urban growth area. This unique
commercial community is a jurisdictional
patchwork of lands held in trust by the federal
government for tribal members and the tribe,

1 fee-simple lands under tribal member
2 ownership and not subject to county
3 jurisdiction and fee-simple lands under non-
4 tribal ownership which are subject to county
5 jurisdiction. Land use policies are contained
6 in the Neighborhood Structures section,
7 including the recommendation of a
8 Reservation Commercial designation that
9 apply only to this unique commercial area of
10 the reservation. Neither a UGA designation
11 nor a designation as a Limited Area of More
12 Intense Rural Development (LAMIRD) is
13 appropriate for this area. A UGA designation
14 implies annexation to a city. The subject lands
15 within the Reservation Commercial
16 designation are integrally associated with
17 Tribal lands and not city areas. Because the
18 area is urban in nature and served by urban
19 services, it is not appropriate for a LAMIRD
20 designation. Applying the Reservation
21 Commercial designation is more appropriate
22 because it fits the character of the existing
23 land uses and is compatible with adjoining
24 parcels that are held in trust by the United
25 States government for the benefit of the
26 Tulalip Tribes.

27 Finally, this section gives overall policy
28 guidance for potential neighborhood plans,
29 which may be needed in the future. These
30 plans would be integrated into the GPP
31 through inclusion in the Small Area and
32 Neighborhood Structure section and would
33 not be stand-alone documents.

34

The county's challenge will be to further define and enhance existing neighborhood areas and create new neighborhoods in the unincorporated UGAs. Specifically, the county's approach to neighborhood development will:

- ensure an adequate distribution and variety of land uses necessary to establish neighborhood identity and functionality including a mix of residential densities, focal points, centers and villages, and nearby employment areas;
- coordinate more detailed land use, transportation, parks, open space, and capital facilities plans to ensure the creation of viable neighborhood areas;
- encourage that natural features, open spaces, environmentally sensitive areas, and landscaped boulevards are integrated into neighborhoods to enhance their identity; and
- encourage new neighborhoods with distinctive geographic, historic or cultural features to be connected to existing neighborhoods with similar distinctive features.

1	GOAL LU 5	Encourage land use patterns that create connected, identifiable neighborhoods and communities in UGAs through a consolidated system of past and future neighborhood plans.
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4	Objective LU 5.A	Revitalize or create identifiable, pedestrian-oriented neighborhood areas with focal points, mixed-use centers, and employment areas that are linked with each other.
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7	LU Policies	
8	5.A.1	Repeal subarea land use plans dated prior to 1995.
9	5.A.2	Use of former subarea plans dated prior to 1995 should be for reference purposes only.
10	5.A.3	Consolidate portions of former subarea plans dated 1995-2002 that are applicable countywide into appropriate chapters of the 2025 plan.
11		
12	5.A.4	Recognize unique land use issues within UGAs as identified in former sub-area plans dated 1995-2002 in the Neighborhood Structure section.
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15	5.A.5	For planning and zoning proposed within Urban Growth Areas, more detailed planning processes may be developed for identified neighborhoods with the following characteristics:
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18		(a) areas encompassing 200 to 500 acres and a population of 4,000 to 8,000 people;
19		(b) varied densities and character;
20		(c) a mix of housing types and architecturally compatible styles yielding an average of at least 6 dwelling units per acre; and
21		(d) focal points such as parks, meeting halls, churches, libraries, fire stations, schools and other uses within one quarter mile of neighborhood residents.
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26	5.A.6	For planning and zoning proposed within Urban Growth Areas-more detailed planning processes may be developed for identified Neighborhood Commercial Centers with the following characteristics:
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30		(a) a variety of small-scale commercial uses, public buildings, and mixed-use development within one-half mile or a fifteen minute walking distance for the majority of neighborhood residents;
31		(b) approximately 3 acres in size;
32		(c) served by public transportation; and
33		(d) compatible with adjacent uses.
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37	5.A.7	For planning and zoning purposes within Urban Growth Areas, more detailed planning processes may be developed for identified Commercial Centers with the following characteristics:
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39		
40		(a) approximately 20 to 25 acres in size;
41		(b) serving several neighborhoods within a radius of approximately two miles;
42		

- (c) providing for public open space;
- (d) accommodate mixed-use commercial and multi-family residential; and
- (e) served by public transportation, including connections between neighborhoods and major urban centers.

5.A.8 Natural features, open space and critical areas shall be preserved to enhance neighborhood identity.

5.A.9 Infrastructure improvements shall be coordinated and shall be provided, where financially feasible, to support the creation of neighborhoods, focal points, and Neighborhood and Community Commercial Centers.

5.A.10 Large-scale, auto-oriented commercial uses and employment areas shall be located on the periphery of centers or else, where feasible, linked to centers by pedestrian and bicycle paths and public transit.

5.A.11 Cultural and historical resources shall be preserved to enhance neighborhood identity.

5.A.12 Urban and site design features will be employed at the county Cathcart site to encourage and promote access to the urban village via transit, bicycle and walking, as well as the automobile, and to enhance the village's function as a neighborhood gathering place.

Objective LU 5.B Recognize unique land use issues within specific Urban Growth Areas as identified in previously adopted sub-area plans and/or studies.

LU Policies 5.B.1 New development on property within the Snohomish UGA and designated Urban Industrial and zoned General Commercial (GC) shall be approved with site development plan according to the standards and procedures for the Planned Community Business (PCB) zone. The site development plan shall delineate limited access points to properties and demonstrate compatibility with existing adjacent commercial and residential uses through such measures as landscaping, natural buffers, berms, fencing, sign and lighting control.

5.B.2 Industrial development within the Mill Creek UGA that involves construction of new building, expansion of existing buildings, or a change of use that is clearly visible from adjacent residential property shall provide adequate screening and buffering along the common property lines. Adequate screening and buffering shall generally mean any one or combination of dense plantings, decorative walls or solid fences, and landscaped berms that serve to visually screen and acoustically shield the residential property from the industrial uses.

- 1 5.B.3 The county should adopt incentive programs to encourage the
2 reservation or dedication of land through either fee or easement
3 for a pedestrian trail corridor with the general alignment depicted
4 on the parks and open space map of the former Mill Creek East
5 UGA Plan. The actual location of the trail shall be determined on
6 a site-by-site basis, and may vary from the general alignment due
7 to site-specific natural features or project design as long as the
8 connectivity of the entire trail is not compromised.
- 9 5.B.4 Within the Southwest County UGA, the Urban Commercial
10 designations in the northeast and southeast quadrants of the
11 intersection of 35th Ave. SE and 132nd St. SE shall be zoned to
12 the Planned Community Business zone. Transportation impacts
13 of development within these Urban Commercial designations shall
14 be mitigated consistent with GPP transportation policies, SCC
15 Title 30.66B, and the mitigation measures identified in the
16 Supplemental EIS issued for the Snohomish County 1996
17 Amendments to the GMA Comprehensive Plan and Development
18 Regulations, as deemed necessary by the Department of Public
19 Works.
- 20 5.B.5 Within the Southwest County UGA, the Urban High Density
21 Residential designations in the northwest quadrant of the
22 intersection of 35th Ave. SE and 132nd St. SE shall be rezoned to
23 the Multiple Residential zone. Those parcels that will be zoned
24 Multiple Residential only partially due to flood prone areas within
25 those parcels may be rezoned by an applicant in their entirety to a
26 Planned Residential Development-Multiple Residential zone. Unit
27 yield for the entire Planned Residential Development zone shall
28 be based on the Multiple Residential zone in the Urban High
29 Density Residential designation and the R-9,600 zone in the
30 Urban Low Density Residential designation with an additional
31 Planned Residential Development bonus as permitted by the
32 zoning code. The unit yield allowed in the Urban Low Density
33 Residential designation shall be transferred to the non-flood prone
34 portions of a rezone site. Transportation impacts of development
35 within these Urban High Density Residential designations shall be
36 mitigated consistent with GPP transportation policies, SCC Title
37 30.66B, and the mitigation measures identified in the
38 Supplemental EIS issued for the Snohomish County 1996
39 Amendments to the GMA Comprehensive Plan and Development
40 Regulations, as deemed necessary by the Department of Public
41 Works
- 42 5.B.6 The county shall develop an action program for the county's
43 Cathcart site to guide the development of a mix of public and
44 private uses. Consideration will be given to the following
45 objectives:

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- provide a model for environmentally-sensitive development practices in Snohomish County;
- create a mix of uses that complements and strengthens the predominantly single-family residential neighborhood that surrounds the site;
- create a model “urban village,” following the policy direction of GPP Objective LU 3.C by providing a neighborhood focal point with a mix of community services, retail opportunities, and expanded residential choices;
- provide opportunities for local employment that can help reduce commuter traffic in the local area;
- through partnerships with local transit agencies, develop new transit facilities and enhanced transit services for the area; and
- protect natural areas of the site to preserve wildlife habitat and to enhance open space opportunities for local residents;
- assess the need for a year-round farmers market and ball fields for kids (either public or private) during development planning, and provide opportunities to address identified unmet needs; and
- undertake an affordable housing demonstration project.

The county shall keep area residents and the general public informed of progress made in implementing the action program. In creating this program the county will address on-site and off-site circulation for all forms of motorized and non-motorized travel modes, land use, public services and utilities, design and development standards, and other factors related to the development of the site.

5.B.6a The county shall assess the potential impacts of the planned development of the Cathcart site on surrounding properties as part of the environmental review process for the site. In particular, the properties to the northeast of the Cathcart site currently designated “Other” on the Future Land Use map will be included in this assessment, and alternative land use designations for those properties will be explored and evaluated. Issues to be evaluated include access and circulation, utilities, future land use, and environmental protection. In planning the access and circulation for the county Cathcart site, the county shall make no decisions which preclude the future development of these properties. Additional changes to the Transportation Element, Capital Improvement Program, and other elements of the Comprehensive Plan may result from this assessment.

5.B.7 Within the Maltby UGA, only industrial uses shall be allowed in areas that are designated on the Future Land Use Map for industrial use and are served or can be served by a railway spur line.

- 1 5.B.8 Within the Maltby UGA, the Urban Industrial plan designation shall
- 2 be implemented through the Light Industrial or Industrial Park
- 3 zones. Areas zoned Light Industrial are those areas located (1)
- 4 under the Bonneville power line transmission easement and
- 5 between Broadway and the eastern boundary of the SR-522 right-
- 6 of-way, (2) between 206th St. SE, Broadway, 207th St. SE, and
- 7 88th Dr. SE or their extensions; (3) north of 212th St. SE in which
- 8 the Light Industrial zone existed as of December 12, 1996; and (4)
- 9 south of 212th St. SE and designated Urban Industrial by the
- 10 Future Land Use Map. The Urban Commercial plan designations
- 11 within the Maltby UGA shall be implemented through the Planned
- 12 Community Business zone

- 13 5.B.9 Within the Maltby UGA, the parcel located at the terminus of 219th
- 14 St. SE and west of 85th Avenue SE shall be designated as Urban
- 15 Industrial and zoned to the Light Industrial zone. Transportation
- 16 impacts of development within this Urban Industrial designation
- 17 and Light Industrial zone, shall be mitigated consistent with GPP
- 18 transportation policies, SCC Title 30.66B, and the mitigation
- 19 measures identified in Addendum No. 16 to the County's GMA
- 20 Comprehensive Plan/General Policy Plan.

- 21 5.B.10 Within the Maltby UGA, any future development of urban
- 22 industrial land which abuts the UGA boundary shall provide the
- 23 following undeveloped buffer: visual screening comprised of
- 24 dense plantings, decorative walls, landscaped berming and/or
- 25 other buffering techniques to make urban development
- 26 compatible with adjacent rural residential uses.
- 27 5.B.11 Within the Marysville UGA, parcels zoned light industrial located
- 28 between 43rd Ave. NE and the railroad right of way shall be limited
- 29 to no more than 50% lot coverage for new developments or as
- 30 defined by environmental analyses. All new developments shall
- 31 mitigate for all drainage impacts, degradation of water quality and
- 32 loss of fish and wildlife habitat.

- 33 5.B.12 Within the Southwest UGA, parcels designated Urban Industrial
- 34 (on Point Wells) shall be considered for future redesignation from
- 35 Urban Industrial to Urban ((Center)) Village designation upon
- 36 issuance of a programmatic non-project environmental impact
- 37 statement addressing environmental impacts, infrastructure and
- 38 the provision of urban services.

- 39 5.B.13 New development, excluding single-family residential building
- 40 permits, proposed within any portion of a Southwest UGA
- 41 expansion area approved on or after December 20, 2006, located
- 42 in the Little Bear Creek Watershed shall, when site conditions
- 43 allow, use low-impact development techniques consistent with the
- 44 Puget Sound Action Team's Low Impact Development Technical
- 45 Guidance Manual for Puget Sound to meet storm water
- 46 management standards instead of conventional methods.

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Objective LU 5.C **Recognize the unique development characteristics of certain commercial lands located on fee-simple lands under County jurisdiction within the Tulalip Reservation.**

LU Policies 5.C.1 Develop a Reservation Commercial (RC) designation and apply this designation to certain fee-simple lands under county jurisdiction located on the Tulalip Reservation in an area characterized by a unique patchwork of lands under tribal and county jurisdiction, containing urban commercial land uses, supported by urban infrastructure including sanitary sewer and public water, and bordered on the west and north by Quilceda Creek, on the south by Ebey Slough and on the east by Interstate-5. Due to its unique characteristics, this area is not appropriate for designation as a UGA or LAMIRD. The Reservation Commercial designation shall only apply to lands described in this policy within the Tulalip Reservation.

5.C.2 Vacant or under utilized properties designated Reservation Commercial shall be zoned General Commercial. All new development on any property designated Reservation Commercial shall be approved with an official site plan according to the requirements of Chapter 30.31B SCC.

5.C.3 New development on property designated Reservation Commercial and adjacent to Quilceda Creek and associated wetlands is subject to a minimum 150 foot wide buffer of undisturbed native vegetation as measured from the ordinary high water mark or wetland edge.

1 Exhibit E
2 Ordinance No. 12-____
3 GPP Amendments to the Definitions Section of the Glossary – Appendix E
4

5 **Glossary – Appendix E**

6
7 **Definitions**

8
9 **Centers:** A compact and centralized living, working, shopping and/or activity area. Centers
10 include Manufacturing/Industrial Centers, Transit Pedestrian Villages, Urban Centers, and Urban
11 Villages.
12

13 **Local Transit Service:** Transit service designed to connect local neighborhoods with higher
14 levels of transit service such as regional express bus, higher frequency corridor based transit,
15 or light rail. Local transit service typically has headways of thirty minutes or less.



Snohomish County
Planning and Development Services

Aaron Reardon
County Executive

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MEMORANDUM

To: Snohomish County Council
From: David Killingstad, Principal Planner
Date: August 3, 2012
RE: Staff Report for the proposed ordinance titled:

ACTING TO COMPLY WITH THE FINAL DECISION AND ORDER ISSUED BY THE GROWTH MANAGEMENT HEARINGS BOARD CENTRAL PUGET SOUND REGION IN COMBINED CASE NOS. 09-3-0013c AND 10-3-0011c; AMENDING THE FUTURE LAND USE MAP AND ZONING MAP DESIGNATION FOR THE POINT WELLS PROPERTY; AMENDING THE CENTERS AND SMALL AREA AND NEIGHBORHOOD STRUCTURE SECTIONS OF THE LAND USE CHAPTER OF THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN GENERAL POLICY PLAN AND ADOPTING DEFINITIONS OF "CENTERS" AND "LOCAL TRANSIT SERVICE" IN THE GLOSSARY

This staff report is provided for your review in advance of an as yet to be scheduled Planning and Community Development Committee briefing. The Department of Planning and Development Services (PDS) recommends approval of the attached ordinance.

Introduction

This is a nonproject proposal to amend Snohomish County Growth Management Act (GMA) Comprehensive Plan Future Land Use Map (FLUM) and zoning map for the Point Wells property, along with the "Centers" and "Small Area and Neighborhood Structure" sections of the Land Use chapter of the Snohomish County GMA Comprehensive Plan General Policy Plan (GMACP – GPP), and adopting definitions of "Centers" and "local transit service" in the Glossary.

Background

On August 12, 2009, the County Council adopted Amended Ordinance No. 09-038 as part of its 2009 docket process authorized by the GMA concerning amendments to the FLUM and zoning map relating to the Point Wells property. This ordinance amended the FLUM designation of the

Point Wells property from Urban Industrial to Urban Center and amended the zoning map from Heavy Industrial (HI) to Planned Community Business (PCB). Also on August 12, 2009, the Council adopted Amended Ordinance No. 09-051, which adopted amendments to the Land Use (LU) chapter of the GMACP – GPP for Urban Centers.

On May 12, 2010, the Council adopted Amended Ordinance No. 09-079 and Amended Ordinance No. 09-080. Amended Ordinance No. 09-079 adopted Urban Center design standards, established a new zone for Urban Centers, amended bulk regulations for the Neighborhood Business (NB) zone, amended and repealed definitions to Subtitle 30.9 SCC and amended sections in Title 30 SCC. Amended Ordinance No. 09-080 amended the zoning map from Planned Community Business (PCB) to Urban Center (UC) for the Point Wells property.

Subsequent to the above Council actions, the City of Shoreline, Town of Woodway and resident organizations and individuals from the Richmond Beach neighborhood (referred to as Save Richmond Beach) separately appealed the adoption of Amended Ordinance Nos. 09-038, 09-051, 09-079 and 09-080 related to the Point Wells property to the Growth Management Hearings Board (Board) Central Puget Sound Region, which appeals were consolidated in the cases of City of Shoreline, Town of Woodway and Save Richmond Beach, et al. v. Snohomish County, Nos. 09-3-0013c (*Shoreline III*) and 10-3-0011c (*Shoreline IV*).

On April 25, 2011, the Board issued a Final Decision and Order (FDO) in the *Shoreline III* and *Shoreline IV* cases finding the County's re-designation and rezoning of the property to be out of compliance with the GMA and the State Environmental Policy Act (SEPA). The Board invalidated and remanded Amended Ordinance Nos. 09-038 and 09-051 to Snohomish County with direction to take legislative action to come into compliance with the requirements of the GMA and SEPA with respect to the Point Wells property. In addition, the Board found Amended Ordinance Nos. 09-079 and 09-080 out of compliance with SEPA and remanded those to the County.

Discussion

The Board ruled that the County's designation of Point Wells as an Urban Center was inconsistent with the criteria in the GMACP – GPP policies for designating an Urban Center. In particular, Policies LU 3.A.2 and LU 3.A.3 contain locational criteria for designating an Urban Center. The criteria in these policies state that an Urban Center must be located on a principal arterial/freeway and have "good" access to higher frequency, high capacity transit. The Urban Center land use designation is intended to be reserved for more intense development that is well served by transportation and provides consistency between "Urban Centers" as identified in the County's GMACP – GPP, FLUM and zoning code on the one hand, and the term "Centers" as used in the Puget Sound Regional Council's multi-county planning document Vision 2040 on the other. The Board also ruled that the County's designation of Point Wells as an Urban Center violated SEPA because the County failed to consider another alternative other than the No Action alternative and the property owner's requested Urban Center designation. (FDO at 58). Also, in order to designate Point Wells as an Urban Center the current policies related to Urban Centers would need to be modified significantly because, as a practical matter, it would be very difficult to serve Point Wells with a principal arterial or high frequency, high capacity transit as set forth in the Urban Center policies. For these reasons an alternative approach to compliance has been developed.

This alternative approach proposes to re-designate Point Wells as an Urban Village, amend the Urban Village policies to provide additional flexibility to designate new Urban Villages, ensure capital facilities are planned for in Urban Villages, and rezone the Point Wells property to PCB. This approach also relies on a SEPA addendum that analyzes the less dense alternative designation of Urban Village for Point Wells. By taking this alternative approach many of the concerns raised by the Board become moot since the question is then not whether Point Wells

meets the criteria for designation as an Urban Center but whether it meets the proposed criteria for designation as an Urban Village. The following discussion describes the proposed policy amendments and the extent to which such amendments support the designation of Point Wells as an Urban Village.

Re-Designate Point Wells as an Urban Village and Amend the Policies

Snohomish County has four types of “Centers” listed in the comprehensive plan (Urban Center, Urban Village, Transit Pedestrian Village and Manufacturing Industrial Center). The Urban Village is the least intense of these four Centers. The Urban Village designation allows a type of development that is similar to that in an Urban Center, but with somewhat more relaxed standards. The differences between these two designations are that Urban Villages are anticipated to serve a much smaller geographic area (up to two miles), are smaller scale than Urban Centers, have lower densities, and have less strict criteria for proximity to transit centers. The Point Wells property is better suited as an Urban Village and consistent with the Urban Villages policies. The proposed ordinance would re-designate Point Wells as an Urban Village. However, additional policy amendments are needed to strengthen support for this designation.

Policy LU 3.C.1 provides guidance on the intent and purpose of Urban Villages. It currently sets thresholds for the size of an Urban Village at three to 25 acres. Of the currently designated Urban Villages, two exceed this 25-acre threshold. Amendments are proposed to eliminate the size threshold and replace it with more universal criteria which specify that Urban Villages are generally intended to be smaller than Urban Centers (which are up to 1.5 square miles) and “...provide an intermediate level of commercial or other services...” Re-designation of Point Wells (which is approximately 60 acres, including tidelands) to an Urban Village is consistent with this policy, as revised.

Policy LU 3.C.2 is proposed to be amended to broaden the locational criteria to include not only locations along a minor arterial or within one-fourth mile of existing or planned access to local transit but also within one-half mile of high capacity transit. The policy is also amended to clarify that access can be provided by local transit. A new definition as added to Appendix E (Glossary) to define “local transit service.” Local transit service refers to the headway which is the frequency of service in terms of the period of time between arriving vehicles. Metro currently provides local bus service within the City of Shoreline. One route that provides morning and late afternoon/early evening service travels within approximately ½ mile of the property. Another form of local transit service is customized service such a one operated by a private company. (Within the Puget Sound region Microsoft operates this kind of service). This service could be extended to the Point Wells property or alternatively customized transit could be provided to meet the revised policy and support designation as an Urban Village.

The Board’s FDO also ruled that the County’s designation of Point Wells as an Urban Center resulted in Shoreline’s capital facilities plan being noncompliant with the GMA because Shoreline had no plans to fund the necessary road projects to maintain the required level of service standards. (FDO at 36-37, 47.) Policy LU 3.C.5 is amended and strengthened to add language regarding programming of capital facilities not controlled by the County into the respective service providers plans. This policy includes language tying the intensity of development within Urban Villages to implementation of specific elements of a capital facilities plan. This policy also acknowledges that some capital facility improvements may be planned and programmed in phases. As a companion to this policy change, a SEPA addendum was completed which includes an analysis of an additional alternative and other mitigation measures designed to reduce trip generation from the Point Wells property as a result of the re-designation from Urban Center to Urban Village. This analysis shows consistency with Shoreline’s capital facilities plan.

New Policy LU 3.C.7 is specific to Point Wells and provides guidance on the development of the property including types of uses, public access to shorelines and the provision of transit service. This policy addresses concerns raised in the in the FDO including consistency with Goals 1, 3, and 12. New policy LU 3.C.7 is a companion to Policy LU 5.B.12 which re-designates the Point Wells property from Urban Center, which the Board invalidated, to Urban Village. Lastly, the GPP LU chapter for Urban Centers is amended to revise the introductory text to capitalize the term “Centers”. Capitalization of the term “centers” will assist in distinguishing a “center” from an “Urban Center.” The term “Urban Center” is a specific type of Center, and the word “Center” is an umbrella or overarching term for the different types of Centers designated in the comprehensive plan. As a companion to these changes, Appendix E-Glossary of the GMACP — GPP is amended to add a definition of the term “Centers.”

Vision 2040 defines many types of centers all serving specific and different purposes and are required to meet different criteria. Most significant are the Regional Growth Centers, which are designated by the Puget Sound Regional Council based on specific criteria including minimum levels for population and employment, and requirements for mix of uses and a compact size. These centers are served by regional high-capacity transit, rail, major highways, and other transportation services. No Regional Growth Centers have been designated by PSRC in unincorporated Snohomish County. Vision 2040 also defines subregional “Larger Cities” and “Small City” centers. These centers are not designated by PSRC but through a local process to serve more localized needs. These centers serve as subregional hubs with a moderately dense mix of housing and services and are served regional express transit or by local bus transit. Snohomish County has designated centers that fit the concept of the Vision 2040 subregional centers. The purpose of these centers is the provision of compact and centralized living, working, shopping, activity center for a more localized community. There four types of county centers including Urban Centers, developed at a higher intensity, serving a larger area with higher levels of transit and roadway facilities, and Urban Villages which are developed at a lower intensity for smaller service area and with more localized roadway and transit facilities.

Rezone Point Wells to PCB

The FLU Map section of the GPP LU chapter provides that the Urban Village plan designation is implemented through the NB and PCB zones. Both zones allow a similar range of uses including retail, office and residential. The PCB zone was a previous implementing zone for the Urban Center designation prior to Amended Ordinance No. 09-080, which adopted an areawide rezone for the seven designated Urban Centers including Point Wells. In order to maintain consistency with the GPP and development regulations a concurrent areawide rezone is necessary to rezone Point Wells from UC to PCB. A separate ordinance covers amendments to the PCB zone when it implements the Urban Village designation. Please see the staff report for that ordinance for more information.

Analysis

The following sections provide the proposed policy amendments

GPP LU Policies

LU Policies	3.C.1	Urban Villages shall be planned as compact (((approximately three to 25 acres in size,))) pedestrian-oriented areas within designated Urban Growth Areas. <u>Urban Villages are generally smaller than Urban Centers and provide an intermediate level of commercial or other services for an existing community, or take advantage of unique characteristics of an area that provide opportunities for higher intensity development with public benefits of open space or other public amenities.</u> The development will include a variety of
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small-scale commercial and office uses, public buildings, high-density residential units, and public open space. Pedestrian orientation includes circulation, scale and convenience with connections between neighborhoods, communities and other centers. Urban Villages should also include urban services and reflect high quality urban design. Urban Villages serve several neighborhoods within a radius of about two miles. Urban Villages will develop/redevelop over time and may develop in phases.

3.C.2 Urban Villages shall be located where access to transportation facilities are available or can be improved based on the demands of the specific site and intensity of development and shall be designed to maximize use of nearby transit facilities. Locations may be on or adjacent to a ((principal)) minor arterial road, or within one-fourth mile of existing or planned access to local ((public)) transit service, or within one-half mile of a high capacity transit station.

3.C.5 Urban Villages will be implemented through application of appropriate zoning classifications, provision of necessary services and public facilities (including transit, sewer, water, stormwater, roads and pedestrian improvements, parks, trails and open space) and protection of critical areas. The county will identify and apply methods to facilitate development within designated Urban Villages, including targeting of public facilities such as transit, parks and road improvements. Provision of needed public services provided by entities other than the county shall be incorporated in the Capital Facilities Plans of the service providers and may be planned and programmed in phases. Capital Facilities Plans shall provide for urban services needed at the time of development approval of specific phases of a project. The intensity of development may be tied to implementation of specific elements of Capital Facilities Plans including provision of roadway, transit, utility and public service facilities.

3.C.7 The Urban Village at Point Wells will be developed to provide a location for high intensity residential development oriented to the amenities of Puget Sound with a mix of uses to serve the development and the surrounding neighborhoods. It will provide neighborhood-serving businesses and service providers. The Urban Village will provide public access to Puget Sound available to the larger regional population and provide for ecological restoration appropriate to the site. Uses proposed must be supported by adequate transportation facilities including local bus service or customized transit.

5.B.12 Within the Southwest UGA, parcels designated Urban Industrial (on Point Wells) shall be considered for future re-designation from Urban Industrial to Urban ((Center)) Village designation upon issuance of a programmatic non-project environmental impact statement addressing environmental impacts, infrastructure and the provision of urban services.

Appendix E-Definitions

Centers: A compact and centralized living, working, shopping and/or activity area. Centers include Manufacturing/Industrial Centers, Transit Pedestrian Villages, Urban Centers, and Urban Villages.

Local Transit Service: Transit service designed to connect local neighborhoods with higher levels of transit service such as regional express bus, higher frequency corridor based transit, or light rail. Local transit service typically has headways of thirty minutes or less.

Compliance with State Law and Snohomish County Comprehensive Plan

GMA Planning Goals

The GMA planning goals in RCW 36.70A.020 guide the development and adoption of comprehensive plans and development regulations. The goals are not priority listed. The GMA goals guide the policies in the GMACP -- GPP and the development regulations that are required by RCW 36.70A.130(1)(d) to be consistent with those policies. The new and amended policies proposed by this ordinance are reasonably related to and necessary for the advancement of the following GMA goals:

- GMA Goal 1 “Urban growth” – Encourage urban growth “where adequate public facilities and services exist or can be provided in an efficient manner.” The proposed policy amendments to LU 3.C.1 and 3.C.2 are intended to maintain consistency with Goal 1 by designating Urban Villages only where adequate public facilities and services exist or can be provided in an efficient manner. The proposed re-designation of the Point Wells property to Urban Village and rezone to PCB are consistent with Goal 1 by encouraging compact urban growth only in areas where it is appropriate.
- GMA Goal 3 “Transportation” – “Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.” The proposed amendments to Policies LU 3.C.1, 3.C.2, 3.C.5 and 3.C.7 as well as LU 5.B.12 are intended to ensure the integration of land use and transportation, coordination with neighboring jurisdictions’ plans and supporting existing and planned transit service.
- GMA Goal 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.” Amendments to Policies LU 3.C.2, 3.C.5 and 3.C.7 add language to ensure that the designation of an Urban Village assumes that public facilities and services to support development will be in place at the time of occupancy. The proposed Point Wells Urban Village is currently served by public water and sewer, and other services not currently available to the site will be in place at the time of occupancy. In addition, amendments to LU 5.B.12 ensure that adequate environmental review has been completed including the provision of public facilities services in considering the re-designation of Point Wells to Urban Village.

Ordinance

The attached draft ordinance is approved as to form by the Snohomish County Prosecuting Attorney’s Office.

Constitutional Issues

Potential constitutional issues related to the policies and areawide rezone proposed by this ordinance was considered. The proposed policies and areawide rezone will not result in a permanent or temporary physical occupation of private property. They would not deprive affected property owners of all economically viable uses of their properties. The proposed policies and areawide rezone will not deny or substantially diminish a fundamental attribute of property ownership. They will not require a property owner to dedicate a portion of property or to grant an easement and will not have a severe impact on the property owners' economic interests. The proposed regulations and areawide rezone benefits the health, safety, and welfare of the general public, and do not benefit any particular person or class of persons.

Environmental Review

A SEPA Determination is required for the proposed amendments. A SEPA addendum was prepared to address the shortcomings of the previous environmental documents that were identified by the Board in the FDO. The SEPA addendum includes analysis on the impacts associated with the proposed changes. In addition to the addendum, previously issued environmental documentation supporting the proposed changes includes the 2009 Draft and Final Supplemental Environmental Impact Statement for Paramount of Washington LLC.

The previous environmental documents issued in 2009 considered the impacts of a designation change for Point Wells to Urban Center. This represents an upper bookend for environmental impacts. The SEPA addendum shows that the impacts of the proposed changes results in fewer environmental impacts than that shown for the 2009 re-designation to Urban Center. This documentation provides additional support for the re-designation of Point Wells to an Urban Village and rezone to PCB.

Notification of State Agencies

Pursuant to RCW 36.70A.106, a notice of intent to adopt the proposed regulations and standards was transmitted to the Washington State Department of Commerce for distribution to state agencies.

Recommendation

Planning and Development Services recommends approval of the proposed amendments.

Attachments

Attachment 1 Proposed Draft Ordinance titled ACTING TO COMPLY WITH THE FINAL DECISION AND ORDER ISSUED BY THE GROWTH MANAGEMENT HEARINGS BOARD CENTRAL PUGET SOUND REGION IN COMBINED CASE NOS. 09-3-0013c and 10-3-0011c; AMENDING THE FUTURE LAND USE MAP AND ZONING MAP DESIGNATION FOR THE POINT WELLS PROPERTY; AMENDING THE CENTERS AND SMALL AREA AND NEIGHBORHOOD STRUCTURE SECTIONS OF THE LAND USE CHAPTER OF THE SNOHOMISH COUNTY GROWTH MANAGEMENT ACT COMPREHENSIVE PLAN GENERAL POLICY PLAN AND ADOPTING NEW DEFINITIONS OF "CENTERS" AND "LOCAL TRANSIT SERVICE" IN THE GLOSSARY

