

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

AMENDED ORDINANCE NO. 06-109

REVISING THE EXISTING URBAN GROWTH AREA
FOR THE CITY OF SULTAN, AMENDING
AMENDED ORDINANCE NO. 05-082 AND AMENDING AMENDED ORDINANCE NO. 05-069

WHEREAS, the Growth Management Act (GMA), RCW 36.70A.110 requires Snohomish County to designate urban growth areas (UGA) within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature (RCW 36.70A.110(1)) and (WAC 365-195-335 (1)(a)); and

WHEREAS, the Snohomish County Council designated a Final UGA for Sultan (Ordinance No. 94-124) on June 28, 1995, after holding public hearings from April 19, 1994, through January 18, 1995, in conformance with the requirements of the GMA; and

WHEREAS, on June 28, 1995, the county council approved Amended Ordinance No. 94-125 which adopted a GMA Comprehensive Plan (GMACP) including a General Policy Plan (GPP) and Future Land Use Map; and

WHEREAS, the Snohomish County Council amended the UGA for the City of Sultan in Amended Ordinance No. 98-115 on December 27, 1998, and in Amended Ordinance No. 05-082 on December 21, 2005 in conformance with the requirements of the GMA; and

WHEREAS, the planning goals of the GMA, which guide development of comprehensive plans and implementing ordinances, state that development shall be encouraged "in urban areas where adequate public facilities and services exist or can be provided in an efficient manner" (RCW 36.70A.020(1)), and that "the inappropriate conversion of undeveloped land into sprawling, low-density development" is to be reduced (RCW 36.70A.020(2)); and

WHEREAS, the GMA states that a UGA "may include territory that is situated outside of a city only if such territory already is characterized by urban growth or is adjacent to territory already characterized by urban growth" (RCW 36.70A.110(1)); and

WHEREAS, the GMA states that "[u]rban growth should be located first in areas already characterized by urban growth that have adequate existing public facility and service capacities to serve such development, second in areas already characterized by urban growth that will be served adequately by a combination of both existing public facilities and services and any additional needed public facilities and services that are provided by either public or private sources," (RCW 36.70A.110(3)); and

WHEREAS, the GMA requires that, based upon the population projection made for the county by the Washington State Office of Financial Management (OFM), the UGAs in the county "shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county . . . for the succeeding twenty-year period," (RCW 36.70A.110(2)); and

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WHEREAS, RCW 36.70A.110(2) requires that Snohomish County and its cities use the growth management population projection made for the county by the OFM as the basis for urban growth area determination; and

WHEREAS, OFM issued growth management population projections for Snohomish County in January 2002 that included a range for potential 2025 total county population that varied from a low of 795,725 to a high of 1,062,903; and

WHEREAS, Countywide Planning Policy UG-2 requires that the cities and the county engage in the cooperative planning process of Snohomish County Tomorrow (SCT) in order to establish a subcounty allocation of projected growth for coordination of growth management plans; and

WHEREAS, the Planning Advisory Committee (PAC) of SCT conducted a technical review of the preliminary 2025 growth target preferences for cities, unincorporated urban growth areas, unincorporated municipal urban growth areas, and the rural/resource area of Snohomish County and recommended by consensus an initial population and employment growth target allocation for the year 2025 targets to update Appendix B of the Countywide Planning Policies (CPPs); and

WHEREAS, on February 11, 2004, the Snohomish County Council amended Appendix B of the CPPs through Amended Ordinance No. 04-006 to include the 2025 initial growth targets as recommended by the SCT Steering Committee; and

WHEREAS, the territory added to the Sultan UGA herein is consistent with the requirements of RCW 36.70A.110(1) because it is either characterized by urban growth or adjacent to territory already characterized by urban growth; and

WHEREAS, these Sultan UGA expansions provide an adequate amount of land to accommodate the twenty-year population and employment allocation as required by RCW 36.70A.110(2); and

WHEREAS, RCW 36.70A.130(3) directs counties planning under the GMA to take legislative action to review and, if needed, revise its comprehensive plan and development regulations to ensure that the plan is capable of accommodating forecasted population growth for the succeeding 20-year period; and

WHEREAS, in the spring of 2003 the county provided general notice it was, pursuant to RCW 36.70A.130, undertaking a review of its comprehensive plan as part of the seven-year compliance review along with the separate 10-year update process, through its widely disseminated *Focus on Tomorrow Newsletter* and through updates to the county website; and

WHEREAS, public open houses concerning the seven-year compliance review and the 10-year update, were held in Everett on February 4, 2003, in Lynnwood on February 6, 2003, Monroe on February 10, 2003, and Arlington on February 19, 2003; and

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WHEREAS, on July 22, 2003, the county council and planning commission conducted a joint public meeting in Everett concerning the seven-year compliance review and 10-year update; and

WHEREAS, on November 8, 2003, an all-day event referred to as "Planners in the Library" was held in Lynnwood, Marysville, and Monroe, for the purpose of discussing the seven-year compliance review and 10-year update with the public; and

WHEREAS, in April 2004, the county updated the public on the seven-year compliance review and 10-year update process through its widely disseminated *Focus on the Future Newsletter* and placed on the county website and through updates to the county website; and

WHEREAS, the county held public hearings concerning the seven-year compliance review and 10-year update in Arlington on June 1, 2004, and June 8, 2004, as well as in Everett on June 3, 2004; and

WHEREAS, on May 15, 2004, an all-day event known as "Planners in the Library" was held in Lynnwood, Marysville, and Monroe, for the purpose of discussing the seven-year compliance review update and 10-year update with the public; and

WHEREAS, Snohomish County Department of Planning and Development Services ("PDS") staff hosted public workshops on the seven-year compliance review and 10-year update in Lynnwood on June 14, 2004, in Monroe on June 16, 2004, and in Arlington on June 17, 2004; and

WHEREAS, on June 29, 2004, the county council and planning commission conducted a joint public hearing in Everett concerning the seven-year compliance review and 10-year update; and

WHEREAS, on July 27, 2004, PDS presented overviews of the seven-year compliance review and 10-year update to the planning commission and the County Council Planning Committee; and

WHEREAS, on October 12, 2004, PDS unveiled its "preferred alternative" future land use map at an advertised public meeting before the planning commission; and

WHEREAS, on October 14 and 20, 2004, PDS held public open houses to facilitate public knowledge of, and to receive public input concerning the "preferred alternative" future land use map; and

WHEREAS, on November 3, 4, 9 and 18, 2004, PDS held public workshops with city and county planning commissioners to discuss key policy issues related to the comprehensive plan, including infrastructure challenges for transportation, parks and drainage, economic development, resource land preservation, fully-contained communities, and others; and

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WHEREAS, on April 19, 21, and 28, 2005, PDS held public open houses on the department's recommended package of comprehensive plan amendments for the 10-Year update, including amendments to the GPP, the Transportation Element, the Capital Facilities Plan, the Comprehensive Park and Recreation Plan, the Future Land Use Map, the county zoning map, and selected sections of the code; and

WHEREAS, on May 24 and 26, and June 1 and 2, 2005, the planning commission and the county council held joint public hearings to receive public testimony concerning the proposed amendments to the comprehensive plan; and

WHEREAS, on June 7, 9, 14, and 21, 2005, the planning commission deliberated on the PDS recommended package of comprehensive plan amendments at an advertised public hearing; and

WHEREAS, at the conclusion of the public hearing the planning commission voted to recommend adoption of the proposed package of comprehensive plan amendments, with certain modifications as enumerated in its recommendation letter of July 26, 2005; and

WHEREAS, the county council held public hearings on October 3, 4, 5 and 6, 2005 and December 7, 2005, to hear public testimony and consider the entire record, including the planning commission's recommendations on the full package of comprehensive plan amendments; and

WHEREAS, the county council deliberated on the planning commission recommendations, executive alternatives, and public testimony on October 10, 11, 12, 17, 18, 19, 20 and 31, 2005 and November 3 and 9, 2005 and December 14, 19 and 21, 2005; and

WHEREAS, the Snohomish County Council approved amendments to the comprehensive plan through the 10-Year Update to the GMA Comprehensive Plan process (Amended Ordinance No. 05-069) on December 21, 2005; and

WHEREAS, the GMA Comprehensive Plan was last amended by Ordinance No. 06-053 on July 19, 2006; and

WHEREAS, the Snohomish County Council approved amendments to the Final UGA for Sultan (Amended Ordinance No. 05-082) on December 21, 2005, after holding public hearings from February 4, 2003, through December 7, 2005, in conformance with the requirements of the GMA; and

WHEREAS, in Motion No. 05-601, the Snohomish County Council determined that final action on two proposed UGA expansion areas 3A and 3B from the County Council's Map Options List should be deferred pending the following actions in 2006:

- (1) the population reconciliation process, as provided for in Countywide Planning Policy UG-2 and General Policy Plan Policies PE-3 through PE-5;
- (2) joint county-city utility service planning and/or study to determine whether appropriate urban services can be provided within a reasonable timeframe; or
- (3) the completion and/or refinement of environmental review required under SEPA; and

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WHEREAS, in Motion No. 05-601, the Snohomish County Council further directed the planning commission to (1) hold one or more public hearings regarding the proposed UGA expansion areas, (2) coordinate the timing of its public hearings with Planning & Development Services and the county council, and (3) develop new recommendations concerning these proposed expansion areas based on testimony and stakeholder input and the outcome of the actions identified above; and

WHEREAS, the City of Sultan has coordinated with Snohomish County to take the above actions; and

WHEREAS, Amended Ordinance No. 04-006 adopted the Initial 2025 Population Growth Target for the Sultan UGA at 11,119 in Appendix B of the Countywide Planning Policies (CPPs); and

WHEREAS, on December 21, 2005, in Motion No. 05-601, the Snohomish County Council remanded the proposed UGA expansions that would provide the capacity to meet the Initial 2025 Population Growth Target of 11,119 for the Sultan UGA, thereby requiring a lower population allocation and a lower adopted population target to the City of Sultan; and

WHEREAS, on December 21, 2005, consistent with the adopted UGA boundaries in Amended Ordinance No. 05-082, which did not include the areas identified as 3A and 3B in Motion No. 05-601, the Snohomish County Council adopted Appendix D of the General Policy Plan through Amended Ordinance No. 05-069, setting the 2025 population target for the Sultan UGA at 10,840;

WHEREAS, the increased population capacity within the Sultan UGA if areas 3A and 3B are included supports the adoption of a 2025 population growth target of 11,119, consistent with the initial 2025 population growth target in Appendix B of the CPPs; and

WHEREAS, the City of Sultan and Snohomish County agree to a reconciled population target of 11,119 for an area encompassing the currently adopted UGA boundary, area 3A, and area 3B, as shown in Exhibit A; and

WHEREAS, Snohomish County Tomorrow recommended a reconciled population target of 11,119 to the Snohomish County Council on May 24, 2006; and

WHEREAS, the City of Sultan has conducted utility service planning by developing a General Sewer Plan Amendment dated April 2006, a General Water Plan Amendment dated March 2006, a Wastewater Treatment Plant Upgrade Engineering Report adopted September 2006, and a Capital Facilities Plan amendment adopted December 2006; and

WHEREAS areas 3A and 3B received environmental review as required under SEPA in the Draft Environmental Impact Statement (DEIS), dated May 2004, for the 10-Year Update to the GMA Comprehensive Plan, the Final Environmental Impact Statement (FEIS) dated December 2005, and the Addendum to the FEIS dated September 2006; and

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