SNOHOMISH COUNTY PLANNING COMMISSION

June 20, 2016

The Honorable Dave Somers, County Executive
County Administration Building
M/S 407, 3000 Rockefeller Avenue
Everett, WA 98201-4046

SUBJECT: Planning Commission recommendation on GPP14 – Rural Urban Transition Area (RUTA)

Dear Executive Somers:

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendations regarding a proposal to eliminate the Rural Urban Transition Area (RUTA) overlay from the County's Future Land Use Map and amend associated policies in the General Policy Plan (GPP) and provisions in Title 30 of Snohomish County Code (SCC).

The Planning Commission had a staff briefing on April 26, 2016, and conducted a public hearing on May 24, 2016, to consider a proposal that would eliminate the RUTA map overlay, associated policies and code provisions by:

1. Amending Map 1 – Future Land Use Map of the Snohomish County Growth Management Act Comprehensive Plan (GMACP) General Policy Plan (GPP) to eliminate the RUTA map overlay.

2. Amending text in the Land Use, Urban Growth Areas, Rural Lands, Forest Lands, Future Land Use Map Designations, Glossary and Glossary Definition sections of the GPP to remove all RUTA references.

3. Amending SCC 30.23.040(24) (Reference Notes to the Bulk Matrices) to remove the maximum lot area for rural clusters in the RUTA.

4. Repealing SCC 30.23.220 (Minimum lot area for rural clusters in RUTAs).

5. Amending SCC 30.32A.100(3) (Subdivision restrictions) to remove the provision that allows clustering on lands designated Rural Residential – Rural Diversification (RR-RD) when inside the RUTA.
6. Amending 30.41C.020(2)(f) to remove Rural Diversification (RD) as a zone and amend 30.41C.020(3)(f) to remove RR-RD as a FLUM designation where clustering is permitted.

7. Amending 30.41C.090(3) (Restricted open space – general requirements) to remove the exception for land designated as RUTA.

8. Amending SCC 30.41C.130(1) (Rural cluster-bulk regulations) to remove RUTA references.

9. Repealing SCC 30.41C.140 (Bulks regulations and interim open space for rural clusters in the RUTA) and SCC Table 30.41C.140.

10. Amending SCC 30.41C.240(3) (Design standards – bonus residential density) to remove density bonus exemption on lands designated RR-RD within a RUTA overlay.


At the April 26, 2016, briefing, commissioners reviewed background information, policy issues, and three conceptual options provided by PDS in a staff report dated April 11, 2016. At the May 24, 2016, public hearing, commissioners received oral testimony from nine (9) landowners on the RUTA proposal. The Planning Commission closed public testimony and concluded deliberations on May 24, 2016. Minutes for these meetings are provided in Attachment 1 and 2.

The Planning Commission makes the following recommendation to the County Council after considering information presented during the public hearing process:

1. Motion #1 was made by Commissioner Ash and seconded by Commissioner Hannam to keep the RUTA “as is” and not eliminate it; no change should be made to the RUTA.

   **Vote on Motion #1:**
   
   3 in favor (Ash, Hannam, McLaughlin)
   7 opposed (Kaufman, Larsen, Norcott, Palumbo, Stanford, Strandy, Taft)
   0 abstentions
   1 absent (Fowler)
   **Motion #1 Failed**

2. Motion #2 was made by Commissioner Ash and seconded by Commissioner Hannam to recommend elimination of the RUTA and revise the rural cluster code allowing the interim open space provision to apply to all rural cluster subdivisions countywide.

   **Vote on Motion #2:**
   
   6 in favor (Ash, Hannam, Kaufman, Larsen, Norcott, Strandy)
   4 opposed (McLaughlin, Palumbo, Stanford, Taft)
   0 abstentions
   1 absent (Fowler)
   **Motion #2 Passed**
3. **Motion #3** was made by Commissioner Palumbo and seconded by Commissioner McLaughlin to add a commission finding to request that Council conduct more public outreach and education regarding the RUTA, including their plan moving forward if the RUTA is eliminated.

**Vote on Motion #3:**
- 9 in favor (Ash, Hannam, Kaufman, Larsen, Norcott, Palumbo, Strandy, Taft)
- 1 opposed (Stanford)
- 0 abstentions
- 1 absent (Fowler)

**Motion #3 Passed**

4. **Motion #4** was made by Commissioner Hannam and seconded by Commissioner Ash to add a commission finding that PDS staff draft a recommendation for where the interim open space should be allowed in terms of distance from the existing urban growth area.

**Vote on Motion #4:**
- 9 in favor (Ash, Hannam, Kaufman, Larsen, Norcott, Palumbo, Strandy, Taft)
- 1 opposed (Stanford)
- 0 abstentions
- 1 absent (Fowler)

**Motion #4 Passed**

*Following making this motion, Commissioner Ash commented that imposing a distance requirement for the interim open space would not be necessary since the interim open space tract is only eligible for further division once it becomes part of an urban growth area and can be served with adequate utilities.*

The above recommendations are made after due consideration of the original proposal submitted by PDS (Attachment 3) and presented together with written and oral testimony received at the public hearing. Attached to this letter, please find a Minority Report on the GPP14 – RUTA vote prepared by Commissioner Stanford. The report was submitted within the ten days of the vote (as required by commission bylaws).

Thank you for considering our recommendations.

Respectfully submitted,

Daniel Strandy, Chair

Copy to: Barb Mock, Director, Planning and Development Services
Attachments:

Attachment 1 Planning Commission April 26, 2016, Briefing - Minutes
Attachment 2 Planning Commission May 24, 2016, Public Hearing - Draft Minutes
Attachment 3 Findings and Conclusions
Attachment 4 Minority Report (Planning Commissioner Stanford)
A. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENT OF THE AGENDA

Dan Strandy, Planning Commission Chairman, called the meeting to order at 5:35 p.m. Eight (8) of the currently appointed commissioners (11) were in attendance (a quorum being six (6) members and a majority being six (6) members).

Merle Ash
Angeline Fowler (arrived at 5:50 pm)
Doug Hannam
Ben Kaufman
Bob Larsen
Tom Norcott
Cheryl Stanford
Dan Strandy

Commissioner McLaughlin, Palumbo, and Taft had excused absences.

Josh Dugan, PDS LRP Manager, served as Planning Commission Secretary for this meeting.

B. APPROVAL OF MINUTES

Motion to approve the March 22, 2016, Planning Commission meeting minutes as written was made by Commissioner Norcott and seconded by Commissioner Larsen.

Vote:
7 in favor (Ash, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy)
0 opposed
0 abstentions

Motion Passed

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

Josh Dugan referred to a Memorandum listing recent Council County activities and briefly reviewed the following:

- Council approved Amended Ordinance No. 15-064 to amend SEPA exemptions. The ordinance went into effect April 11, 2016.
Council held a public hearing on Breweries/Distilleries/Winery Regulations, and continued that hearing to May 18, 2016. Several amendments have been introduced and will be considered at that time.

Council was briefed on recommended code amendments to Commercial and Industrial Standards Part I. A public hearing is scheduled for May 18, 2016.

Council was briefed on recommended 2015 code corrections. A public hearing is scheduled for May 18, 2016.

Mr. Dugan also reviewed topics currently planned to be included as part of upcoming Planning Commission agendas.

This complete presentation and resultant discussion is on file (via recording) in PDS.

D. PUBLIC COMMENT

None

E. UNFINISHED BUSINESS

1. Marijuana Amendment: Hearing

Alison Hodgkin, PDS Senior Planner, reminded commissioners that after the county council adopted (in 2013) permanent regulations for marijuana-related facilities and subsequently amended them (in 2015), the county realized that one of the amendments (#7) inadvertently and unintentionally imposed a minimum lot size on marijuana retail and medical dispensary uses. In order to ensure efficient administration of development regulations for these uses, the county determined an emergency existed and approved interim zoning regulations. Under SCC 30.73.090, these interim zoning regulations will expire on July 21, 2016, unless permanent regulations are adopted. At this meeting, the planning commission held a public hearing on the proposed permanent regulations.

Chairman Strandy opened the hearing to public comment at 5:45 p.m. There being no one present to offer written or verbal testimony, the comment period was closed at 5:46 p.m.

Motion was made by Commissioner Kaufman and seconded by Commissioner Hannam to recommend approval of the proposal as submitted by PDS staff. (Note: This recommendation includes the findings and conclusions as written.)

Vote:
8 in favor (Ash, Fowler, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy)
0 opposed
0 abstentions

Motion passed

This complete public hearing and resultant discussion is on file (via recording) in PDS.

2. 2016 County-Initiated Comprehensive Plan Amendments: Hearings

Steve Skorney, PDS Senior Planner, provided a brief review of the annual comprehensive plan amendment process, and the need to conduct separate public hearings for each hearing item on this agenda. Hearings were then held on the Batch 1 amendment items for 2016 as follows:
• **GPP4: Technical Corrections**

Steve Skorney, PDS Senior Planner, briefly reviewed information provided at the March 22, 2016, briefing on this item.

Chairman Strandy opened the hearing for public comment at 5:50 p.m. There being no one present to offer written or verbal testimony, the comment period was closed at 5:51 p.m.

Staff provided information requested at the March briefing on this item.

**Motion** was made by Commissioner Norcott and seconded by Commissioner Kaufman to recommend approval of the proposal as submitted by PDS staff. (Note: This recommendation includes the findings and conclusions as written.)

**Vote:**
8 in favor (Ash, Fowler, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy)
0 opposed
0 abstentions
**Motion passed**

Brief discussion took place regarding research done by staff to assure legal-related draft findings and conclusions for all topics are up-to-date and accurate.

This complete public hearing and resultant discussion is on file (via recording) in PDS.

• **GPP7: Wildlife Corridors – Map 4**

Terri Strandberg, PDS Principal Planner, briefly reviewed and answered questions about information provided at the March 22, 2016, briefing on this item. She also provided “map portfolios” that had been requested by the commissioners.

Chairman Strandy opened the hearing for public comment at 5:57 p.m. The following testimony was provided in both written and verbal form:

- Heather Nordell -Supported the proposal and provided additional recommendations related to connectivity.

There being no one else present to offer written or verbal testimony, the comment period was closed at 6:00 p.m.

**Motion** was made by Commissioner Stanford and seconded by Commissioner Fowler to recommend approval of the proposal as submitted by PDS staff. (Note: This recommendation includes the findings and conclusions as written.)

**Vote:**
8 in favor (Ash, Fowler, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy)
0 opposed
0 abstentions
**Motion passed**
This complete public hearing and resultant discussion is on file (via recording) in PDS.

- **GPP8: Public Lands – Map 5**

  Terri Strandberg, PDS Principal Planner, indicated she had no additional information to share other than what had been provided at the March 22, 2016, briefing and in the meeting packet for this item.

  **Chairman Strandy** opened the hearing for public comment at 6:05 p.m. There being no one present to offer written or verbal testimony, the comment period was closed at 6:06 p.m.

  **Motion** was made by Commissioner Norcott and seconded by Commissioner Stanford to recommend approval of the proposal as submitted by PDS staff. (Note: This recommendation includes the findings and conclusions as written.)

  **Vote:**
  8 in favor (Ash, Fowler, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy)
  0 opposed
  0 abstentions
  **Motion passed**

  This complete public hearing and resultant discussion is on file (via recording) in PDS.

- **GPP12: Supplemental Designations of ULDR Areas – Map 6**

  Steve Skorney, PDS Senior Planner, briefly reviewed information provided at the March 22, 2016, briefing on this item and also referred to the map provided in the meeting packet.

  **Chairman Strandy** opened the hearing for public comment at 6:10 p.m. There being no one present to offer written or verbal testimony, the comment period was closed at 6:11 p.m.

  **Motion** was made by Commissioner Norcott and seconded by Commission Ash to recommend approval of the proposal as submitted by PDS staff. (Note: This recommendation includes the findings and conclusions as written.)

  **Vote:**
  8 in favor (Ash, Fowler, Hannam, Kaufman, Larsen, Norcott, Stanford, Strandy)
  0 opposed
  0 abstentions
  **Motion passed**

  This complete public hearing and resultant discussion is on file (via recording) in PDS.

**NEW BUSINESS**

1. **2016 County-initiated Comprehensive Plan Amendments (Batch 2): Briefings**

  Briefings were held on following topics included in Batch 2 of the 2016 county-initiated comprehensive plan amendments for 2016:
• **GPP6: Housing**

Frank Slusser, PDS Senior Planner, reviewed the background of this project, what has been done to-date, and stakeholder outreach that has been conducted. He described the project topic areas related to affordable housing, including: tracking and monitoring, transit-oriented development support; and additional provisions to encourage affordable housing, and also briefly reviewed the proposed policy amendments for each. Mr. Slusser then outlined the next steps in the project and answered commission questions.

Discussion ensued, with commissioners requesting the following information prior to the May public hearing:

- Area Median Income (AMI) for Snohomish County
- Number of housing units at 50% of the AMI
- Number of housing units at 80% of the AMI
- Number of units in production at this time
- Average monthly rents and mortgages in Snohomish County

Commissioners also offered suggestions regarding some potential revisions to the proposal language.

This complete briefing and the resultant discussion (including questions and answers) are on file (via recording) in PDS.

A Planning Commission public hearing on this topic is scheduled for May 24, 2016.

• **GPP9: Tulalip Tribes**

Alison Hodgkin, PDS Senior Planner, stated that the intent of this “preliminary” briefing was to provide background information that would be helpful to the commissioners when receiving their more formal briefing (scheduled for May 24, 2016) on this topic. To that end, she reviewed:

- Historical context of the Tulalip Indian Reservation
- Federal Indian Policy and land ownership patterns
- Jurisdiction at Tulalip today
- History of joint planning with the Tulalip Tribes (started in 2010)
- Need for coordination
- 2013 Memorandum of Understanding (between Snohomish County and the Tulalip Tribes)
- MOU implementation
- Public outreach (open house held in March 2016)

Workgroup member Barbara Dykes Ehrlichman conveyed that her open house experience included hearing a lot of positive feedback on the efforts being made by the county and the Tribes to work positively and collaboratively.

Ms. Hodgkin stated that it is hoped that policy and map amendments will be advanced at the next briefing on this topic, which is currently scheduled for May 24, 2016.

This complete briefing and the resultant discussion (including questions and answers) are on file (via recording) in PDS.

Chairman Strandy recessed the meeting at 7:20 p.m. The meeting was reconvened at 7:30 p.m.
• **GPP10: Growth Target Reconciliation**

Steve Toy, PDS Principal Demographer, briefed commissioners on this county-initiated proposal to amend Appendix D, Growth Targets, and Map 3, Municipal Urban Growth Area (MUGA) boundaries, of the Snohomish County GMA Comprehensive Plan General Policy Plan (GPP), as a result of the population, housing and employment target reconciliation process through Snohomish County Tomorrow (SCT). He described the process for development of the proposed reconciliation amendments, explained the adjustments, and reviewed the SCT Planning Advisory Committee’s rationale for recommending each of them.

Mr. Toy specifically addressed the proposed reconciled 2035 growth targets for Brier, Gold Bar, Granite Falls, Snohomish, Stanwood, Mill Creek, Monroe, Arlington, and the Meadowdale Gap.

This complete briefing and the resultant discussion (including questions and answers) are on file (via recording) in PDS.

• **GPP11: Innovative Water Supply**

Steve Skorney, PDS Senior Planner, explained that this county-initiated comprehensive plan amendment promotes innovative water supplies including individual rainwater catchment systems for drinking and other household purposes. The purpose of GPP11 is to include policy language under Objective NE 9.A (included in the Natural Environment chapter of the county’s General Policy Plan) in which the county would encourage innovative water supplies such as rainwater catchment as a sole source of domestic potable water for new residential development. Potable is defined as meeting the quality and treatment requirements as drinking water. The GPP11 proposal provides county policy support for efforts by Snohomish Health District to consider rainwater catchment systems as a potable water supply source for residential use.

Discussion ensued with the following information requested prior to the May public hearing on this issue:
- Copy of a Department of Ecology memorandum changing that agency’s view that running water belongs to the public and that no one has the right to catch it.
- Information on the area in north county where there is no water available and the “scope and scale” of that situation.

This complete briefing and the resultant discussion (including questions and answers) are on file (via recording) in PDS.

• **GPP14: Rural Urban Transition Area (RUTA)**

Alison Hodgkin, PDS Senior Planner, explained that the county council specifically asked PDS to develop alternative amendments to either eliminate the RUTA or amend the RUTA policies to resolve previously identified issues. Ms. Hodgkin provided background information and a RUTA explanation (including what it is not), discussed RUTA issues and options for change, and described recent public outreach efforts.

The RUTA is an overlay on the county’s Future Land Use map, comprised of approximately 17,500 acres of land designated for rural residential use. Properties within the RUTA are within one-half mile of an urban growth area. The RUTA was adopted to comply with the Central Puget Sound Growth Management Hearings Board
(Board) decision and remand of the county’s 1995 Growth Management Act Comprehensive Plan, in which the county was required to:

- Reduce rural residential densities,
- Retain flexibility in rural areas adjacent to the UGA to permit the potential future expansion of the urban growth area, and
- Assure that any future residential clustered development in rural areas adjacent to the UGA constitute compact rural development rather than “a pattern or urban growth.”

Current issues with the RUTA include:

- RUTA policies are unclear.
- RUTA outreach will be substantial.
- RUTA implementation is minimal.
- UGA expansion criteria has evolved.

Based on the following, PDS currently recommends elimination of the RUTA:

- Elimination best represents direction expressed in multiple, previous attempts to resolve this issue,
- It is the most cost-effective solution given resources available, and
- It can be accomplished within the August 2016 timeline.

Individual commissioners had the following comments/questions:

- Consideration should be given to an additional option that includes possible expansion of the RUTA.
- Criteria for urban growth area expansions.
  - (NOTE: this information was included as Attachment 1 to April 11, 2016, memo).
- Status of the open space tract in Quail Ridge and Roosevelt Ridge.
  - (NOTE:
    - Quail Ridge was annexed to the City of Arlington in 2007.
    - Subdivision application has been submitted for the open space tract of Roosevelt Ridge [Monroe Woodlands])

This complete briefing and the resultant discussion (including questions and answers) are on file (via recording) in PDS.

G. ADJOURN REGULAR MEETING

This regular meeting adjourned at 9:00 p.m.
A. CALL TO ORDER, ROLL CALL, AND ANNOUNCEMENT OF THE AGENDA

Dan Strandy, Planning Commission Chairman, called the meeting to order at 5:30 p.m. Ten (10) of the currently appointed commissioners (11) were in attendance (a quorum being six (6) members and a majority being six (6) members).

Merle Ash         Tom Norcott
Doug Hannam         Guy Palumbo (arrived at 5:37 p.m.)
Ben Kaufman
Bob Larsen
Darrel McLaughlin

Commissioner Fowler had an excused absence.

Barb Mock, PDS Interim Director, served as Planning Commission Secretary for this meeting.

B. APPROVAL OF MINUTES

Motion to approve the April 26, 2016, Planning Commission meeting minutes as written was made by Commissioner Norcott and seconded by Commissioner Hannam.

Vote:
8 in favor (Ash, Hannam, Kaufman, Larsen, McLaughlin, Norcott, Stanford, Strandy)
0 opposed
1 abstention (Taft)

Motion Passed

C. STATUS OF PAST RECOMMENDATIONS AND FUTURE AGENDA ITEMS

Barb Mock referred to a Memorandum listing recent Council County activities and briefly reviewed the following:

- Council voted to approve the Code Corrections ordinance at a public hearing held May 11, 2016.
Council continued its May 18, 2016, public hearing on Breweries/Distilleries/Wineries Regulations to August 31, 2016. Public testimony remains open and Council has requested a recommendation from the Agricultural Advisory Board.

Council continued its May 18, 2016, public hearing on Commercial and Industrial Standards Part 1 to August 31, 2016. Public testimony remains open and Council has requested additional information on this topic.

Council has scheduled a public hearing on Medical Marijuana Amendments for June 8, 2016.

Council has been briefed on 2016 Marijuana Amendment - Making Interim Official Control Permanent and will schedule a public hearing at the June 1, 2016, General Legislative Session.

Council has not yet been briefed on or scheduled a public hearing for Adjust Duplex Lot Area in UGAs. The Planning Commission recommendation has been transmitted to Council.

Ms. Mock also reviewed topics currently included as part of upcoming Planning Commission agendas.

This complete presentation and resultant discussion is on file (via recording) in PDS.

D. PUBLIC COMMENT
None

E. UNFINISHED BUSINESS

2016 County-initiated Comprehensive Plan Amendments (Batch II): Hearings

Steve Skorney, PDS Senior Planner, reviewed the annual comprehensive plan amendment process. He specified that separate public hearings would be held for three (GPP14, GPP6, and GPP11) of the five Batch 2 items at this meeting. Mr. Skorney explained that public hearings for the remaining two Batch 2 items (GPP9 and GPP10) would be delayed until June for the following reasons:

- GPP9 – Tulalip Tribes: Hearing delay to be explained under the New Business agenda item.
- GPP10 – Growth Target Reconciliation: Hearing delayed to reconcile Arlington’s growth target issues since the city has withdrawn its UGA docket expansion and will retain existing UGA boundaries.

The three public hearings part of this meeting agenda proceeded:

- GPP14 – Rural Urban Transition Area (RUTA)

Alison Hodgkin, PDS Senior Planner, summarized information presented at the April 26, 2016, briefing on this item. She reviewed the three options presented by PDS:

1. Eliminate the RUTA
2. Eliminate the RUTA and Augment Rural Cluster Code
3. Maintain and Clarify the Purpose of the RUTA
Ms. Hodgkin stated that PDS recommends Option 1 as it best represents direction expressed in previous attempts to resolve this issue; it is the most cost-effective solution given resources available; and it can be accomplished within the given timeline of the 2016 Comprehensive Plan Update Project. Public outreach that took place regarding this project was also reviewed.

Chairman Strandy opened the hearing to public comment at 5:48 p.m. and the following testimony was provided:

- Coby Dilling
  - Does not support adoption and suggests PDS take more time to research the issues in order to address future growth.

- Patricia Daanen
  - Requested there be no recommendation to allow future expansion in the RUTA; suggested adoption of Option 3.

- Stan Heydrick
  - Supported the PDS recommendation.

- Jean Roberts
  - Supported the PDS recommendation.

- Susan Davis
  - Supported “a form” of Option 3.

- Bob Golden
  - Expressed concern that the County puts too many restrictions on peoples’ property and livelihood.

- Jerry Sebranke
  - Expressed concern regarding traffic on the 35th corridor and suggested extension of 45th.

- Clifford Morris
  - Expressed concern about lack of notification of outreach meetings on this topic. Notices should be sent certified mail.

- Scott Lee
  - Spoke against legalese in documentation; not in favor of higher density.

There being no one else present wanting to provide testimony, the hearing was closed to public comment at 6:13 p.m.

Motion #1 was made by Commissioner Ash and seconded by Commissioner Hannam to keep the RUTA “as is” and not eliminate it; no change should be made to the RUTA.

Prior to a vote being taken, discussion ensued, including but not limited to the following:

- Need for additional outreach and education by the county.
- Advisability of retaining the RUTA as a tool when planning for future land use; it allows for future development when needed.
- Impact on the city of Marysville of eliminating the RUTA (with visual aid provided by Commissioner Ash).
- Retaining the RUTA as the most cost-effective of the three options suggested by PDS.
- Eliminating the RUTA forces future development to pass over it and into other urban areas.
• Retaining the RUTA should be done until the rural cluster code is revised.
• Protection of open spaces in perpetuity for rural clusters needs to have priority.

**Vote:**
3 in favor (Ash, Hannam, McLaughlin)
7 opposed (Kaufman, Larsen, Norcott, Palumbo, Stanford, Strandy, Taft)
0 abstentions

**Motion #1 failed**

**Motion #2** was made by Commissioner Ash and seconded by Commissioner Hannam to recommend Option 2 to eliminate the RUTA and revise the rural cluster code to allow the interim open space provision to apply to all rural cluster subdivisions countywide.

**Vote:**
6 in favor (Ash, Hannam, Kaufman, Larsen, Norcott, Strandy)
4 opposed (McLaughlin, Palumbo, Stanford, Taft)
0 abstentions

**Motion #2 passed**

**Motion #3** was made by Commissioner Palumbo and seconded by Commissioner McLaughlin to add a commission finding to request that Council conduct more public outreach and education regarding the RUTA, including their plan moving forward if the RUTA is eliminated.

**Vote:**
9 in favor (Ash, Hannam, Kaufman, Larsen, McLaughlin, Norcott, Palumbo, Strandy, Taft)
1 opposed (Stanford)
0 abstentions

**Vote Motion #3 passed**

**Motion #4** was made by Commissioner Hannam and seconded by Commissioner Ash to add a commission finding that PDS staff draft a recommendation for where the interim open space should be allowed in terms of distance from the existing urban growth area.

Commissioner Ash commented that imposing a distance requirement for the interim open space provision would not be necessary since the interim open space tract is only eligible for further division once it becomes part of an urban growth area and can be served with adequate utilities.

**Vote:**
9 in favor (Ash, Hannam, Kaufman, Larsen, McLaughlin, Norcott, Palumbo, Strandy, Taft)
1 opposed (Stanford)
0 abstentions

**Vote Motion #4 passed**

This complete hearing, the discussion, and the recommendation are on file (via recording) in PDS.
GPP6 – Housing

Frank Slusser, PDS Senior Planner, stated that this proposal had not changed since the April 26, 2016, briefing received by the planning commission. He provided additional information commissioners had requested at that briefing, and that is included in the Staff Report dated May 11, 2016.

Chairman Strandy opened the hearing to public comment at 7:17 p.m. and the following testimony was provided:

- Mark Smith -Supported passage of the proposal on behalf of the Housing Consortium.

There being no one else present wanting to provide testimony, the hearing was closed to public comment at 7:20 p.m.

Following brief discussion, Motion was made by Commissioner McLaughlin and seconded by Commissioner Stanford to recommend approval of this proposal as written, including findings and conclusions.

Vote:
10 in favor (Ash, Hannam, Kaufman, Larsen, McLaughlin, Norcott, Palumbo, Stanford, Strandy, Taft)
0 opposed
0 abstentions
Motion passed

This complete hearing, the discussion, and the recommendation are on file (via recording) in PDS.

GPP11 – Innovative Water Supply

Steve Skorney, PDS Senior Planner, reviewed information the planning commissioners had received at the April 26, 2016, briefing on this topic. He provided additional information commissioners had requested at that briefing, and that is included in the Staff Report dated May 11, 2016.

Chairman Strandy opened the hearing to public comment at 7:30 p.m. and the following testimony was provided:

- Mike Pattison -Supported passage of the proposal on behalf of the Master Builders Association.

There being no one else present wanting to provide testimony, the hearing was closed to public comment at 7:32 p.m.

Motion was made by Commissioner Ash and seconded by Commissioner McLaughlin to recommend approval of the proposal as written, including findings and conclusions.
Vote:
10 in favor (Ash, Hannam, Kaufman, Larsen, McLaughlin, Norcott, Palumbo, Stanford, Strandy, Taft)
0 opposed
0 abstentions
Motion passed

This complete hearing, the discussion, and the recommendation are on file (via recording) in PDS.

F. NEW BUSINESS

Agreement to Hold a Briefing and Hearing on the Same Topic: Commission Vote

Alison Hodgkin, PDS Senior Planner, requested a commission vote to allow both a briefing and hearing on GPP9 – Tulalip Tribes at the June 28, 2016, Planning Commission meeting. A vote to hold a briefing and hearing on the same topic at the same meeting is required by Commission Bylaw 1.1.0.

Ms. Hodgkin stated that this request was due to:
- Delay in finalization of the policy proposals associated with implementation of the 2013 Memorandum of Understanding.
- Desire to avoid a scheduling conflict for the larger 2016 Comprehensive Plan Amendment Project that would result from postponing Part II of the briefing to June and moving the hearing to July.
- Preference to complete hearings on all 2016 County-initiated Comprehensive Plan Amendments in June so ordinances can be prepared in July and proposals transmitted in August.
- Need to take action no later than September on the complete package of 2016 Comprehensive Plan amendment proposals, in advance of council budget season that begins in October.

Ms. Hodgkin also explained that, even with this extension, it is possible that the GPP9 proposals may not be finalized in time for the June Planning Commission meeting. The vote at this May meeting would be just in case proposals are finalized in time to allow for discussion and consideration at the June meeting. Options for what might happen should this vote not pass were also outlined.

Discussion ensued, with concern expressed about the commissioners having enough time to digest the proposals prior to making a recommendation. Another concern was the amount of time that the public would have to give comment/testimony. Following this discussion:

Motion was made by Commissioner McLaughlin and seconded by Commissioner Larsen to allow a one-time change in Commission Bylaw 1.1.0 in order to hold both a briefing and hearing on GPP9-Tulalip Tribes at the June 28, 2016, Planning Commission meeting. This motion was made with the understanding that the hearing would be continued to a special planning commission meeting in July (date to be announced) should it be determined more time is needed for public comment and/or commission deliberation.
Vote:
9 in favor (Ash, Hannam, Kaufman, Larsen, McLaughlin, Norcott, Stanford, Strandby, Taft)
1 opposed (Palumbo)
0 abstentions
Motion passed passed

This complete discussion and vote is on file (via recording) in PDS.

G. ADJOURN REGULAR MEETING

This regular meeting was adjourned at 8:00 p.m.
The Department of Planning and Development Services (PDS) has identified the following recommended substantive findings and conclusions that support the GPP14 – RUTA proposal.

Findings:

1. On July 15, 2015, in Motion No. 15-226, the Snohomish County Council directed PDS to develop amendments to either eliminate the Rural Urban Transition Area (RUTA) or amend RUTA policies to resolve identified issues.

2. In response to Council’s initiative, PDS researched the history of the RUTA, developed an early analysis of options intended to address RUTA issues and conducted public outreach. Based on this preliminary analysis, PDS recommends to eliminate the RUTA.

3. The GPP14 proposal would amend Map 1 – Future Land Use of the GPP to remove the RUTA overlay.

4. The GPP14 proposal would amend the Urban Growth Areas (UGA), Rural Lands and Forest Lands sections in the Land Use Chapter and Appendix E (Glossary) of the Snohomish County General Policy Plan (GPP) to remove all language referencing the RUTA.

5. The GPP14 proposal would also repeal Snohomish County Code (SCC) 30.23.220 (Minimum lot area for rural clusters in RUTAs), 30.41C.140 (Bulk regulations and interim open space for rural clusters in the RUTA) and 30.91R.280 (Definition) to remove references to the RUTA.

6. The GPP14 proposal would also amend remaining code references to the RUTA in SCC 30.23.040 (Reference Notes to the Bulk Matrices), SCC 30.32A.100 (Subdivision Restrictions in Forest Lands), SCC 30.41C.020 (Rural Cluster Applicability), SCC 30.41C.090 Rural Cluster Restricted Open Space (General Requirements), SCC 30.41C.130 (Rural Cluster Bulk Regulations) and SCC 30.41C.240 (Design Standards – Bonus Residential Density).

7. The GPP14 proposal is consistent with GMA Planning Goal 1 to encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner and GMA Planning Goal 2 to reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

8. The GPP14 proposal would better achieve, comply with, and implement Puget Sound Regional Council’s (PSRC) Vision 2040 and Multicounty Planning Policy (MPP) DP-22 to not allow urban net densities in rural and resource areas and MPP-DP-26 to ensure that development occurring in rural areas is rural in character and is focused into communities and activity areas.

9. The GPP14 proposal is consistent with Snohomish County Countywide Planning Policy DP-2 which establishes the conditions necessary for an expansion of Urban Growth Area (UGA) boundaries.

11. The GPP14 proposal is consistent with and implements GMACP GPP Goal LU1 to establish and maintain compact, clearly defined, well designed UGAs and Objective LU 1.A to establish UGAs with sufficient capacity to accommodate the majority of the county's projected population, employment, and housing growth over the next 20 years.

Conclusions:

1. The amendments are consistent with and comply with the procedural and substantive requirements of the GMA.

2. The amendments are consistent with and comply with the MPPs, the CPPs and the goals, objectives and policies of the GMACP GPP.
June 3, 2016

The Honorable Dave Somers, County Executive  
County Administration Building  
3000 Rockefeller Avenue, M/S 407  
Everett, WA  98201-4046

SUBJECT: Planning Commission recommendations on RUTA

Dear Executive Somers:

The Snohomish County Planning Commission recently voted 6:4 to recommend to the County Council that the Rural Urban Transition Area (RUTA) be eliminated while also creating new places in the county that utilize the same interim open space rule currently allowed only in the RUTA, so essentially creating new RUTA areas.

As staff has indicated, the RUTA has shown to be confusing and may give the impression that the property contained will one day be included in the Urban Growth Area. I also find the creation of “interim open space” to be problematic.

When residents have open space in their community, particularly if it is adjacent to their homes and includes trails or wooded areas with wildlife, they become very fond of it. When development moves into the community and open spaces become fewer, residents often wish to find ways to protect the remaining natural areas.

The concept of interim open space seems quite likely to increase conflict between land owners/developers and nearby residents over these natural areas. There are many places in the county now (outside of the RUTA) where residents are fighting to preserve land that has served as open space. Cities, counties, and the state are then asked to intervene and buy up the land in question to properly conserve it but the land is valuable and funds for conservation are scarce.

Open space in perpetuity should be the rule with clustered subdivisions wherever they occur in the county, because those homeowners rely on the open space which is an inherent part of their subdivision.

I believe the County Council should instead adopt the PDS staff recommended proposal “to remove the RUTA overlay from the FLU Map and delete all associated text and policy language in the General Policy Plan”.

Sincerely,

Cheryl A. Stanford  
Snohomish County Planning Commission