

**Snohomish County Planning and Development Services  
Docket XIX Initial Review and Evaluation of Docketing  
Proposal to the GMA Comprehensive Plan  
March 31, 2017**

**Applicant:** LDC, Inc.

**File:** SW3

16-118928-DA

**DESCRIPTION OF PROPOSAL**

**General Policy Plan (GPP) Future Land Use (FLU) Map Amendments:** Option 1: Proposed changes to the Southwest Urban Growth Area (SWUGA) to remove 230 acres from an unincorporated portion of the SWUGA and redesignate from Urban Low Density Residential (ULDR) to Rural Residential-5 (RR-5) and add 135 acres to an unincorporated portion of the SWUGA and redesignate from Rural Residential (RR) and Rural/Urban Transition Area (RUTA) to ULDR.

Option 2: Proposed changes to two UGAs that would remove 161 acres from an unincorporated portion of the Granite Falls UGA and redesignate from ULDR to RR-5 and add 135 acres to an unincorporated portion of the SWUGA and redesignate from RR to ULDR.

Option 3: Proposed expansion of an unincorporated portion of the SWUGA to add 135 acres and redesignate from RR to ULDR.

**Rezoning:**

Option 1: Proposed 230 acre rezone of an unincorporated portion of the SWUGA removal area from R-7,200, R-9,600, and Planned Residential Development (PRD) - 9,6007 to R-5 and rezone of the 135 acre SWUGA addition area from R-5 to R-7,200.

Option 2 Proposed 161 acre rezone of an unincorporated portion of the Granite Falls UGA removal area from R-9,600 to R-5 and rezone the 135 acre SWUGA addition area from R-5 to R-7,200.

Option 3 Proposed 135 acre rezone of an unincorporated portion of the SWUGA expansion area from R-5 to R-7,200.

**GPP Policy Amendments:** Option 1: No policy amendments proposed.

Option 2: Amend GPP Policy LU 1.A.14 to allow net capacity neutral UGA adjustments between separate UGAs.

Option 3: Amend LU 1.A.1, LU 1.C.1, and LU 1.D.1 to allow a minor UGA expansion that provides a distinct boundary between urban and rural areas. Add a new LU policy under Objective LU 1.A that identifies the criteria for allowing minor UGA expansions.

Option 1: No code amendments proposed.

**Code Amendments:**

Option 2: Amend SCC 30.74.020(2) to allow net capacity neutral UGA adjustments between separate UGAs.

Option 3: Amend SCC 30.74.020(2) to allow a minor UGA expansion that provides a distinct boundary between urban and rural areas subject to criteria.

**SITE RELATED INFORMATION**

**Location:**

Option 1: The UGA removal area is located within the unincorporated SWUGA along the west and southwest side of Lowell Larimer Road from the Everett city limits the intersection of Seattle Hill Road and Lowell Larimer Road. The SWUGA addition area is bounded on the north by Jewell Rd./196<sup>th</sup> St. SE, on the west by the existing SWUGA, on the south by Maltby Road (SR 524), and on the east by a powerline corridor that would be comparable to 46<sup>th</sup> Ave. SE.

Option 2: The UGA removal area is located within the unincorporated southeast portion of the Granite Falls UGA and bounded on the north

by Menzel Lake Road and Granite Falls city limits; on the west by city limits, on the east by Menzel Lake Road; and on the south, in part, by 84 St. NE. The SWUGA addition area is bounded on the north by Jewell Rd./196<sup>th</sup> St. SE, on the west by the existing SWUGA, on the south by Maltby Road (SR 524), and on the east by a powerline corridor that would be comparable to 46<sup>th</sup> Ave. SE.

Option 3: The SWUGA addition area is bounded on the north by Jewell Rd./196<sup>th</sup> St. SE, on the west by the existing SWUGA, on the south by Maltby Road (SR 524), and on the east by a powerline corridor that would be comparable to 46<sup>th</sup> Ave. SE.

**Existing Land Use:**

The proposed SW3 SWUGA addition area consists of single family residences with individual septic systems on a mix of suburban to larger rural sized parcels. The proposed SWUGA removal area consists of single family residences on rural sized lots with individual septic systems. The proposed Granite Falls UGA removal area consists of a mix of large undeveloped parcels as well as several single family residences with individual septic systems on smaller rural sized lots.

**Adjacent Land Use:**

Adjacent land uses to the proposed SW3 SWUGA addition area consist of: West – a mix of large lot single family residential, a church, and an elementary school; North – single family residential on rural lots; East and South – single family residential on rural lots. Adjacent land uses to the proposed SW3 SWUGA removal area consist of: West and South– single family residential plats on sanitary sewer; North – the city of Everett; East – agricultural land. Adjacent land uses to the proposed Granite Falls UGA removal area consist of: North and West - single family residential development served by sanitary sewer; and South and East – primarily large rural parcels with single family residences and one rural cluster subdivision.

**Adjacent GPP FLUM Designation:**

Adjacent plan designations for the proposed SW3 SWUGA expansion area consist of: West – Public/Institutional Use (P/IU), Urban Low Density Residential (ULDR), Urban Medium Density Residential (UMDR) and Urban Village (UV); North – Rural Residential (RR); South – P/IU and RR, East - RR. Adjacent plan designations for the proposed SW3 SWUGA removal area consist of: West – ULDR; North – city of Everett; South – ULDR; East – Riverway Commercial Farmland. Adjacent plan designations for the proposed Granite Falls UGA removal area consist of: North and West – city of Granite Falls; South and East – Rural Residential-5 and Rural/Urban Transition Area (RUTA).

**Site Characteristics:**

The proposed SW3 SWUGA addition area is primarily wooded, slopes east, and contains a tributary of Little Bear Creek. Little Bear Creek supports several species of salmon and trout with good water quality and stream habitat. The basin starts in Snohomish County and extends into King County. Snohomish County's portion covers 13 square miles. Stormwater runoff on the SW2 SWUGA addition site is primarily collected in drainage ditches and open channels. In order to protect Little Bear Creek's valuable water quality and habitat resources, Snohomish County Surface Water Management (SWM) is assessing the county's portion of Little Bear Creek to better understand how to manage stormwater as required by the county's National Pollutant Discharge Elimination System (NPDES) permit.

The proposed SW3 SWUGA removal area consists of wooded areas on steep slopes that drain east into the Snohomish River basin. There are numerous small intermittent and permanent streams that flow off of the hillside within the proposed SWUGA removal area.

The proposed SW3 Granite Falls UGA removal area is primarily wooded with pastured areas along the north and west portion of the site where houses are located. The westerly portion of the proposed removal area is adjacent to the Pilchuck River floodplain.

**Infrastructure:**

The proposed SW3 SWUGA addition area is within the Alderwood Water and Wastewater District boundaries and would be eligible for sanitary sewer service if the proposed addition area were added to the SWUGA. The residences within the proposed addition area are currently on individual septic systems. The district currently provides water service to the proposed UGA addition area.

The proposed SW3 SWUGA removal area is almost entirely within the Cross Valley Water District service area. The only service that Cross Valley provides at this time to the proposed UGA removal area is public water.

The proposed SW3 Granite Falls UGA removal area is within the city of Granite Falls sewer and water system planning area. Currently, there is limited water service within the unincorporated UGA. Sanitary sewer service would be extended to properties within the unincorporated Granite Falls UGA after annexation.

According to the Arterial Circulation map in the Transportation Element of the GMA comprehensive plan, the proposed SW3 SWUGA addition area is primarily accessed on the north by Jewell Rd./196<sup>th</sup> St. SE, a minor collector, and on the south by Maltby Road (SR 524), a minor arterial. Interior access to the addition area is provided by 43<sup>rd</sup> Ave SE, a minor collector.

Snohomish County Public Works is beginning a design study to evaluate improvements to 43<sup>rd</sup> Ave. SE including widening the street to a two lane rural roadway section from SR 524/Maltby Road to 188<sup>th</sup> St. SE. Construction on this project would begin in 2021. The county has temporarily closed 43<sup>rd</sup> Ave. SE at 188<sup>th</sup> St. SE to motor vehicles due to inadequate road width and rising traffic volumes. The closure will remain in effect until improvements are completed on 43<sup>rd</sup> Ave. SE. The SWUGA removal area is bordered by Lowell Larimer Road, a minor arterial.

The SWUGA removal area is bordered by Lowell Larimer Road, a minor arterial. The Granite Falls UGA removal area includes Robe Menzel Road, a minor collector, and Menzel Lake Road, a major collector.

## **EVALUATION**

PDS shall recommend to the county council that an amendment be further processed only if all of the following criteria are met.

### **Initial Review and Evaluation Criteria (SCC 30.74.030(1)):**

**Criterion “a”:** The proposed amendments are consistent with the countywide planning policies (CPPs), the multicounty planning policies (MPPs), the Growth Management Act (GMA), and other applicable state and federal laws.

**SW3 Option 1:** No. The SW3 Option 1 proposal to adjust the boundary of the SWUGA to achieve a no net increase of population land capacity will result in a net increase of population land capacity. Option 1 is inconsistent with the GMA, the MPPs and the CPPs as described below.

### **GMA**

The Option 1 proposal, which results in an expansion of the SWUGA, is inconsistent with the UGA requirements in RCW 36.70A.110(2):

*(2) Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.*

*Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.*

...

The expansion of the SWUGA is inconsistent with the requirements of the GMA as documented in the *Snohomish County UGA Land Capacity Analysis Technical Report* as amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs within the SWUGA have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity

(the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

### MPPs

The Option 1 proposal, which results in an expansion of the SWUGA, is inconsistent with the following *Vision 2040* MPPs:

*DP-2: Encourage efficient use of urban land by maximizing the development potential of existing urban lands, such as advancing development that achieves zoned density.*

*DP-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision.*

*Vision 2040 and the Regional Growth Strategy* were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2040. The MPPs which implement *Vision 2040* and the *Regional Growth Strategy*, including MPP DP-2 and DP-4, make it clear that any expansion of a UGA within the region's planning horizon should get only limited consideration.

The Option 1 proposal is inconsistent with DP-2 and DP-4 as it allows residential development at urban densities outside of the existing SWUGA without first evaluating opportunities to maximize residential development potential within existing urban areas.

### CPPs

The Option 1 proposal, which results in an expansion of the SWUGA, is inconsistent with CPPs DP-2 and DP-3:

*DP-2 An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:*

*a. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*

*b. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*

*c. The expansion otherwise complies with the Growth Management Act;*

*d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and*

- e. *One of the following conditions is met:*
1. *The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*
  2. *The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*
  3. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*
    - (a) *Population growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional population capacity estimated for the UGA at the start of the planning period. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*
    - (b) *An updated residential land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent residential capacity estimates and assumptions, and any new information presented at public hearings that confirms or revises the conclusions is considered.*
  4. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
    - (a) *Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
    - (b) *An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
  5. *The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong site of a right-of-way that is expected to be annexed to a city.)*
  6. *Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may*

*take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*

- 7. In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
- 8. The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
- 9. The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*
- 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
- 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

Criterion "a": The Option 1 proposal which results in a UGA expansion is not supported by a land capacity analysis. PDS determined that the UGA expansion would result in an additional population of 244 to the SWUGA, which already has a projected surplus of 60,114, based on the current 2035 growth forecast.

Criterion “b”: The UGA expansion provides additional population capacity which is not supported by the county composite UGA population safety factor. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. Recent amendments to the CPPs adopted by the County Council in 2016 included amendments to DP-2. These amendments recognize that the UGA population safety factor limit of 15% for surplus capacity of the composite county UGA is more appropriately applied when UGA expansions to create additional capacity are being considered. The intent of the limit on surplus capacity is to prohibit oversizing of UGAs. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Criterion “c”: The UGA expansion does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient areas and densities to accommodate growth for the 2015 to 2035 planning period.

Criterion “d”: The UGA expansion and reduction areas are adjacent to the city of Bothell’s and the city of Everett’s municipal urban growth areas (MUGAs), respectively. Both cities will be notified of the SW3 docket proposal as required by the public participation procedures in chapter 30.74 SCC in advance of a county council public hearing to consider the SW3 proposal for placement on Final Docket XIX. Further consultation with Bothell and Everett will occur if the SW3 proposal is placed on Final Docket XIX.

Criterion e: The UGA expansion is not supported by any of the applicable conditions under Criterion “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the SWUGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. Only 6% of the additional population capacity estimated for the SWUGA has been used since the start of the 2015 to 2035 planning period.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

*DP-3 Following consultation with the affected city or cities, the County may adjust urban growth areas – defined in this policy as concurrent actions to expand an Urban Growth Area (UGA) in one location while contracting the same UGA in another location – without resulting in net increase of population or employment land capacity. Such action may be permitted when consistent with adopted policies and the following conditions:*

- a. *The area being removed from the UGA is not already characterized by urban development, and without active permits that would change it to being urban in character; and*
- b. *The land use designation(s) assigned in the area removed from the UGA shall be among the existing rural or resource designations in the comprehensive plan for Snohomish County.*

The SW3 Option 1 docket proposal was submitted as a SWUGA adjustment that would result in a no net increase of population land capacity under DP-3. The proposed SWUGA removal area along Lowell Larimer road would result in a population reduction of 368. The proposed SWUGA addition area would add a population of 612. The proposed SWUGA adjustment is considered a UGA expansion as there would be a net increase of population capacity by 244 and, therefore, is inconsistent with DP-3.

The cities of Everett and Bothell are the nearest cities, respectively, to the SWUGA removal area and the SWUGA addition area. Both cities will need to be consulted in advance of the county council public hearing and action on a motion to consider the SW3 proposal for placement on Final Docket XIX. Further consultation with Everett and Bothell will occur if the SW3 proposal is placed on Final Docket XIX.

Although the SW3 Option 1 proposal is not consistent with the UGA adjustment requirement in DP-3 of a no net increase of population, the Option 1 proposal is consistent with DP-3 conditions “a” and “b”. Under condition “a”, the proposed removal area is not characterized by urban development as the area contains single family residences on rural lots that are served by individual on-site sewage disposal systems. There are no active permits for urban development as the area is not served by urban infrastructure, including sanitary sewers. Consistent with condition “b”, the RR-5 land use designation assigned to the area proposed for removal from the UGA is an existing rural land use designation in the GPP.

**SW3 Option 2:** No. The SW3 Option 2 proposal to: a) amend GPP Policy LU 1.A.14 and Snohomish County Code (SCC) 30.74.020(2) to allow no net gain in population or employment capacity as the result of adjustments between separate UGAs; and b) amend the FLU map and implementing zoning to adjust both the SWUGA and the Granite Falls UGA and not result in a net increase of population land capacity for the two UGAs combined, is consistent with the GMA and MPPs and inconsistent with the CPPs as described below.

#### GMA

The Option 2 proposal is consistent with the UGA requirements in RCW 36.70A.110(3):

*(3) Urban 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, and third in the remaining portions of the urban growth areas. Urban growth may also be located in designated new fully contained communities as defined by RCW 36.70A.350.*

The proposed combined SWUGA and Granite Falls UGA adjustments would remove a designated urban area that is not currently provided with urban infrastructure, including sanitary sewer, and would add a rural area where nearby urban infrastructure, including sanitary sewer, can be extended to service this area. The proposed Granite Falls UGA removal area is within the city's sanitary sewer service area boundaries. Given the city's sewer extension policies, there would be no consideration of extending sewer service to this area unless annexed to the city. Urban services, including sanitary sewer, could be extended to the proposed SWUGA addition as this area is within the Alderwood Water and Wastewater District boundaries.

### MPPs

The Option 2 proposal is consistent with the following *Vision 2040* MPP:

*DP-1: Provide a regional framework for the designation and adjustment of the urban growth area to ensure long-term stability and sustainability of the urban growth area consistent with the regional vision.*

The proposed adjustments to the SWUGA and the Granite Falls UGA are consistent with MPP DP-1 which allows for adjustments to UGAs in order to plan for more efficient land uses and infrastructure to better accommodate population and growth within UGAs.

### CPPs

The Option 2 proposal is inconsistent with CPP DP-3:

*Following consultation with the affected city or cities, the County may adjust urban growth areas – defined in this policy as concurrent actions to expand an Urban Growth Area (UGA) in one location while contracting the same UGA in another location – without resulting in net increase of population or employment land capacity. Such action may be permitted when consistent with adopted policies and the following conditions:*

- a. The area being removed from the UGA is not already characterized by urban development, and without active permits that would change it to being urban in character; and*
- b. The land use designation(s) assigned in the area removed from the UGA shall be among the existing rural or resource designations in the comprehensive plan for Snohomish County.*

The Option 2 proposal to adjust both the SWUGA and Granite Falls UGA and proposed amendments to GPP Policy LU 1.A.14 and implementing regulations to allow UGA adjustments between separate UGAs that would not increase land capacity is inconsistent with CPP DP-3.

DP-3 is a recently adopted policy as part of the 2011 update of the CPPs that provides cities a process for concurrently expanding and contracting the boundaries of their individual UGA without resulting in a net increase of population or employment capacity. This adjustment process allows cities to more efficiently plan the land uses and infrastructure within their UGAs in order to accommodate their adopted growth targets.

Amendments to CPP DP-3 would be required in order to achieve consistency with the Option 2 proposal. Revising CPP DP-3 to allow net population capacity neutral adjustments between separate UGAs would be a major change in the countywide vision in the CPPs for managing future growth in both the county and the cities.

If there was an established CPP policy direction that would allow a net capacity neutral UGA adjustment between different UGA boundaries, the proposed Option 2 UGA adjustments between the Granite Falls UGA and the SWUGA would be consistent with such a policy. The Option 2 proposal, as submitted, would result in a net decrease of population capacity for the two UGAs combined. For the proposed Granite Falls UGA removal area, there would be a population reduction of 700. The proposed SWUGA addition area would add a population of 612. This adjustment would result in a decrease in the net combined population capacity of the two UGAs by 88 persons.

A population reduction of 700 in the Granite Falls UGA population capacity would result in a population capacity shortfall of 522 for the Granite Falls UGA relative to its reconciled 2035 population target. Adoption of the SW3 Option 2 proposal would necessitate the need for the city of Granite Falls to work with the county through Snohomish County Tomorrow to consider either reducing the Granite Falls UGA 2035 population growth target and/or increasing the population capacity through upzoning of remaining areas within the Granite Falls UGA to compensate for the Granite Falls UGA reduction.

The cities of Granite Falls and Bothell are the nearest cities, respectively, to the Granite Falls removal area and the SWUGA addition area. These two cities will need to be consulted in advance of the county council public hearing and action on a motion to consider the SW3 proposal for placement on the Final Docket XIX. Further consultation with Bothell and Granite Falls will occur if the SW3 proposal is placed on Final Docket XIX.

The Option 2 proposal is consistent with DP-3 conditions “a” and “b”. Under condition “a”, the proposed removal area is not characterized by urban development as the area contains single family residences on rural lots that are served by individual on-site sewage disposal systems. There are no active permits for urban development as the area is not served by urban infrastructure, including sanitary sewers. Under condition “b”, the RR-5 land use designation assigned to the area proposed for removal from the UGA is an existing rural land use designation in the GPP.

**SW3 Option 3:** No. The SW3 Option 3 proposal: a) amends GPP Policies LU 1.A.1, LU 1.C.1, and LU 1.D.1 and adds a new GPP Policy under Objective LU 1.A and amends implementing regulations that together would allow a minor expansion of a UGA that would not be subject to the 15% county composite UGA population safety factor limitation, if the expansion creates a more definable and distinct edge between urban and rural areas; and b) amends the FLU map, and implementing zoning, to expand the SWUGA to add 135 acres of residential capacity. The Option 3 proposal is inconsistent with the GMA, MPPs and CPPs as described below.

#### GMA

The Option 3 proposal is inconsistent with the UGA requirements in RCW 36.70A.110(2):

*(2). Based upon the growth management population projection made for the county by the office of financial management, the county and each city within the county shall include areas and densities sufficient to permit the urban growth that is projected to occur in the county or city for the succeeding twenty-year period, except for those urban growth areas contained totally within a national historical reserve. As part of this planning process, each city within the county must include areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including as appropriate, medical, governmental, institutional, commercial, service, retail, and other non-residential uses.*

*Each urban growth area shall permit urban densities and shall include greenbelt and open space areas. In the case of urban growth areas contained totally within a national historical reserve, the city may restrict densities, intensities, and forms of urban growth as determined to be necessary and appropriate to protect the physical, cultural, or historic integrity of the reserve. An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.*

...

The Option 3 SWUGA expansion proposal is inconsistent with the GMA and *Snohomish County UGA Land Capacity Analysis Technical Report* amended on October 12, 2016. The *Report* states that all individual cities, unincorporated UGAs, and unincorporated MUGAs with the SWUGA have sufficient population capacity within the composite UGA to accommodate the 2035 growth targets. The *Report* also states that the additional composite UGA population capacity (the UGA population safety factor) exceeds the projected 2035 UGA population growth by 33.6%.

#### MPPs

The Option 3 proposal is inconsistent with the following *Vision 2040* MPPs:

*DP-2: Encourage efficient use of urban land by maximizing the development potential of existing urban lands, such as advancing development that achieves zoned density.*

*DP-4: Accommodate the region's growth first and foremost in the urban growth area. Ensure that development in rural areas is consistent with the regional vision.*

*Vision 2040 and the Regional Growth Strategy* were developed with the assumption that, with good planning and efficient land use, existing urban growth areas can accommodate the population and employment growth expected by 2040. The MPPs which implement *Vision 2040* and the *Regional Growth Strategy*, including MPPs DP-2 and MPP DP-4, make it clear that any expansion of a UGA within the region's planning horizon should get only limited consideration.

The Option 3 proposal is inconsistent with DP-2 and DP-4 as the proposal promotes residential development at urban densities outside of the existing SWUGA without first evaluating opportunities to maximize residential development potential within existing urban areas.

### CPPs

The Option 3 proposal is inconsistent with CPP DP-2:

*An expansion of the boundary of an individual Urban Growth Area (UGA) that results in a net increase of residential, commercial or industrial land capacity shall not be permitted unless:*

*c. The expansion is supported by a land capacity analysis adopted by the County Council pursuant to RCW 36.70A.110;*

*d. The resulting additional population capacity within the Snohomish County composite UGA as documented by both City and County comprehensive plans does not exceed the total 20-year forecasted UGA population growth by more than 15 percent;*

*c. The expansion otherwise complies with the Growth Management Act;*

*d. Any UGA expansion should have the support of affected cities. Prior to issuing a decision on a UGA boundary change, the County shall consult with affected cities and give substantial weight to a city's position on the matter. If the County Council approves an expansion or contraction of a UGA boundary that is not supported by an affected city, it shall include in its findings how the public interest is served by the UGA expansion or contraction despite the objection of an affected city; and*

*e. One of the following conditions is met:*

*1. The expansion is a result of the most recent buildable lands review and evaluation required by RCW 36.70A.215 and performed per policy GF-7 following the procedures in Appendix E.*

*2. The expansion is a result of the review of UGAs at least every eight years to accommodate the succeeding twenty years of projected growth, as projected by the State Office of Financial Management, and adopted by the County as the 20-year urban allocated population projection as required by RCW 36.70A.130(3).*

*3. Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional residential land:*

*(a) Population growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional population capacity estimated for the UGA at the start of the planning period. Acceptable sources of documentation are the most recent Snohomish County Tomorrow (SCT) Growth Monitoring Report (GMR) or the buildable lands review and evaluation (Buildable Lands Report [BLR]), and*

*(b) An updated residential land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding*

*using more recent residential capacity estimates and assumptions, and any new information presented at public hearings that confirms or revises the conclusions is considered.*

4. *Both of the following conditions are met for expansion of the boundary of an individual UGA to include additional employment land:*
  - (a) *Employment growth in the UGA (city plus unincorporated UGA) since the start of the twenty-year planning period, equals or exceeds fifty percent of the additional employment capacity in the UGA at the start of the planning period. Acceptable sources of documentation are the most recent SCT GMR or the buildable lands review and evaluation (BLR), and*
  - (b) *An updated employment land capacity analysis conducted by city and County staff for the UGA confirms the accuracy of the above finding using more recent employment capacity estimates and assumptions.*
5. *The expansion will correct a demonstrated mapping error. (Errors where the UGA line incorrectly bisects an existing building or parcel, where it inadvertently follows an arbitrary feature such as a section line, or where the boundary is on the wrong side of a right-of-way that is expected to be annexed to a city.)*
6. *Schools (including public, private and parochial), churches, institutions and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plans should be located in an urban growth area. In the event that it is demonstrated that no site within the UGA can reasonably or logically accommodate the proposed facilities, urban growth area expansions may take place to allow the development of these facilities provided that the expansion area is adjacent to an existing UGA.*
7. *In UGAs where the threshold in Condition 4 has not been reached, the boundary of an individual UGA may be expanded to include additional industrial land if the expansion is based on the criteria contained in RCW 36.70A.365 for the establishment of a major industrial development. This assessment shall be based on a collaborative County and city analysis of large developable industrial site needs in relation to land supply. "Large developable industrial sites" may include land considered vacant, redevelopable, and/or partially-used by the Buildable Lands Program (per GF-7 and Appendix E of these CPPs) and may include one or more large parcels or several small parcels where consolidation is feasible.*
8. *The expansion will result in the realization of a significant public benefit as evidenced by Transfer of Development Rights (TDR) to the expansion area from Agriculture or Forest lands designated as TDR sending areas. The expansion area shall not be a designated forest or agricultural land of long-term significance.*
9. *The expansion will permanently preserve a substantial land area containing one or more significant natural or cultural feature(s) as open space adjacent to the revised UGA boundary and will provide separation between urban and rural areas. The presence of significant natural or cultural*

*features shall be determined by the respective legislative bodies of the county and the city or cities immediately adjacent to the proposed expansion, and may include, but are not limited to, landforms, rivers, bodies of water, historic properties, archeological resources, unique wildlife habitat, and fish and wildlife conservation areas.*

- 10. The expansion is a response to a declaration by the County Executive, or the County Council by resolution, of a critical shortage of affordable housing which is uncurable in a timely manner by the implementation of reasonable measures or other instrumentality reasonably available to the jurisdiction, and the expansion is reasonably calculated to provide affordable housing.*
- 11. The expansion will result in the economic development of lands that no longer satisfy the designation criteria for natural resource lands and the lands have been redesignated to an appropriate non-resource land use designation. Provided that expansions are supported by the majority of the affected cities and towns whose UGA or designated MUGA is being expanded and shall not create a significant increase in total employment capacity (as represented by permanent jobs) of an individual UGA, as reported in the most recent Snohomish County Tomorrow Growth Monitoring Report in the year of expansion.*

The proposed SWUGA expansion under Option 3, which includes proposed amendments to GPP Policies LU 1.A.1, LU 1.C.1, and LU 1.D.1 and the addition of a new GPP Policy under Objective LU 1.A, and amendments to implementing regulations, is not supported by the criteria and conditions for expansion of a UGA that results in a net increase of residential land capacity under CPP DP-2. The proposed expansion would result in an increased SWUGA population capacity of 612. Amendments to CPP DP-2 that mirror the proposed GPP policy amendments would first need to be adopted in order for the proposal to be consistent with the CPPs.

Criterion “a”: The UGA expansion proposal is not supported by a land capacity analysis. PDS determined that the expansion area would result in an additional population of 612 to the SWUGA which already has a projected surplus of 60,114, based on the current 2035 growth forecast.

Criterion “b”: The proposed UGA expansion and supporting GPP policy changes exempting minor UGA expansions from the population safety factor are not supported by this criterion, unless amended. The county composite safety factor currently exceeds the total 20-year forecasted UGA population growth by more than 15%. Recent amendments to the CPPs adopted by the County Council in 2016 included amendments to DP-2. These amendments recognize that the UGA population safety factor limit of 15% for surplus capacity of the composite county UGA is more appropriately applied when UGA expansions to create additional capacity are being considered. The intent of the limit on surplus capacity is to prohibit oversizing of UGAs. According to the *Snohomish County UGA Land Capacity Analysis Technical Report*, amended in 2016, the composite UGA population safety factor is 33.6%.

Criterion “c”: The UGA expansion proposal does not comply with GMA provisions in RCW 36.70A.110(2) as the county currently has sufficient land area within the SWUGA

to permit urban growth that is projected to occur during the 2015 to 2035 planning period.

Criterion “d”: The UGA expansion proposal is adjacent to the city of Bothell’s municipal urban growth area (MUGA). Bothell will be notified of the SW3 docket proposal as required by the public participation procedures in chapter 30.74 SCC in advance of a county council public hearing to consider the SW3 proposal for placement on Final Docket XIX. Further consultation with Bothell will occur if the SW3 proposal is placed on Final Docket XIX.

Criterion e: The UGA expansion proposal is not supported by any of the applicable conditions under Criterion “e” for expansion of a UGA in order to increase residential capacity. The most applicable conditions are:

- Condition 1: The expansion is not the result of the most recent buildable lands review.
- Condition 2: The expansion is not the result of a county review of UGAs as part of the eight year comprehensive plan update.
- Condition 3: The expansion is not the result of population growth in the SWUGA that equals or exceeds fifty percent of the additional population capacity estimated for the UGA since the start of the planning period. Only 6% of the additional population capacity estimated for the SWUGA has been used since the start of the 2015 to 2035 planning period.
- Condition 5: The expansion does not correct a demonstrated mapping error.
- Condition 9: The expansion does not preserve significant natural or cultural features.
- Condition 10: The expansion is not in response to a declaration by the county executive of a critical shortage of affordable housing.

Policy DP-2 replaced a previous CPP policy (UG-14) in the 2011 update of the CPPs. DP-2 is a major modification to the pre-2011 CPP UG-14 policy criteria for considering expansions of UGAs to accommodate projected growth. One UG-14 expansion criteria that was considerably narrowed in DP-2 was condition “5” which addresses corrections to UGA boundaries. In the prior CPP UG-14.d.6, minor UGA expansions were allowed for technical correction purposes in order to create a more identifiable UGA boundary as long as the expansion did not increase total residential capacity by the lesser of 0.5% or 20 acres. Condition “5” in DP-2 now limits this type of expansion only to correct a demonstrated mapping error. The intent of this now very limited condition of expansion under DP-2 was to increase consistency with multicounty planning policies in Vision 2040.

The applicant has stated that CPP DP-2 would have to be amended to allow this type of UGA expansion. Revising DP-2 to allow a minor expansion of the boundary of an individual UGA would be a major change in the countywide vision in the CPPs for managing future growth in both the county and the cities. More importantly, this revision to DP-2 would have to be consistent with the GMA and the MPPs.

**Criterion “b”**: Any proposed change in the designation of agricultural lands, forest lands, and mineral resource lands is consistent with the designation criteria of the GMA and the comprehensive plan.

N/A. This criterion is not applicable. The SW3 proposal will not change any GMA resource lands designation.

**Criterion “c”:** If the proposed amendments have been reviewed by the planning commission or county council as part of a previous proposal, circumstances related to the current proposal have significantly changed and support a plan or regulation change at this time.

N/A. This criterion is not applicable. The SW3 proposed amendments have not been previously reviewed by the planning commission or county council as part of a previous proposal.

**Criterion “d”:** If the next docket cycle to be set is limited to minor amendments by SCC 30.74.015(2)(a), the proposal satisfies all of the following conditions:

N/A. This criterion is not applicable to the SW3 proposal since Docket XIX, the next docket cycle to be set, is scheduled for processing of both major and minor amendments according to SCC 30.74.015(2)(c).

**Initial Review of Rezone Requests (SCC 30.74.040):**

**(1) The rezone request is for an implementing zone consistent with a concurrent proposed amendment to the future land use map that meets the criteria of SCC 30.74.030.**

No. Since the SW3 rezone requests are for zones that implement concurrent proposed future land use map amendments that do not meet all of the criteria of SCC 30.74.030(1), the proposed rezones are not consistent with this criterion.

**(2) Public facilities and services necessary for development of the site, as defined in applicable capital facilities plans, are available or programmed to be provided consistent with the comprehensive plan and development regulations as determined by applicable service providers.**

No. The SW3 proposal has not demonstrated that public facilities and services to serve urban levels of development, particularly urban transportation improvements, are available or programmed to serve the proposed SWUGA addition area. The county has temporarily closed 43<sup>rd</sup> Ave.SE, the primary access to the proposed SWUGA addition area, to thru traffic due to inadequate road width and rising traffic volumes. Only rural road improvements are currently planned for 43<sup>rd</sup> Ave. SE.

**(3) Site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.**

Yes, site plan approval would not be required concurrent with the rezone under chapters 30.31A, 30.31B, or 30.31F SCC.

**Summary of Consistency with Review Criteria**

Consistent with Initial Docket Review Criteria: SCC 30.74.030(1)				Consistent with Rezone Criteria: SCC 30.74.040		
"a"	"b"	"c"	"d"	"1"	"2"	"3"
N	N/A	N/A	N/A	N	N	Y

**Recommendation:**

According to SCC 30.74.030 and 30.74.040, PDS is required to recommend to the county council that proposed docket amendments be further processed only if all of the initial review and evaluation criteria are met. Options 1, 2 and 3 of the SW3 docket proposal **do not** meet all of the initial review and evaluation criteria; therefore, PDS recommends that the SW3 proposal not be further processed.