

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2317

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON,
AMENDING THE LAND USE DESIGNATION MAP IN THE LAND USE
ELEMENT OF THE CITY OF SNOHOMISH COMPREHENSIVE PLAN
TO CHANGE THE DESIGNATION OF THE PROPERTY AT 2501
BICKFORD AVENUE TO HIGH DENSITY RESIDENTIAL FROM
BUSINESS PARK**

WHEREAS, as one of the cities in Snohomish County, the City of Snohomish is required to adopt and regularly update a comprehensive plan pursuant to the Washington State Growth Management Act (GMA); and

WHEREAS, under the GMA, the City is authorized to amend its Comprehensive Plan on an annual basis; and

WHEREAS, the Comprehensive Plan was substantially revised in March 2016 to ensure conformance with GMA requirements; and

WHEREAS, one request for a land use designation change was received by the City for the 2016 Comprehensive Plan amendment process; and

WHEREAS, on June 7, 2016, the City Council directed that the docket request be considered during the 2016 amendment process; and

WHEREAS, the City has reviewed the proposed amendment to the Comprehensive Plan for internal consistency; and

WHEREAS, acting as the City of Snohomish SEPA Responsible Official, the City Planning Director reviewed the proposed amendment to the Comprehensive Plan and Land Development Code and issued a Determination of Non-significance (DNS); and

WHEREAS, public notices of the proposed amendment, SEPA determination, and public hearings for the proposed non-project action was provided as required by law; and

WHEREAS, pursuant to SMC 14.15.070 and RCW 36.70A.106, the City has notified the Washington State Department of Commerce of the City's intent to consider the proposed amendment to the Comprehensive Plan;

WHEREAS, on November 2, 2016, a public hearing on the proposed amendment was held by the Planning Commission, and all persons wishing to be heard were heard, and the Planning Commission recommended City Council approval of the proposed amendment; and

WHEREAS, on November 15, 2016, a public hearing on the proposed amendment was held by the City Council, and all persons wishing to be heard were heard; and the City Council voted to approve the proposed amendment.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment to the Land Use Designation Map. The Land Use Designation Map (Map LU-1) within the Land Use Element of the City of Snohomish Comprehensive Plan is hereby amended for the properties identified as described in the attached Exhibit A. The land use designation for these properties is hereby changed to High Density Residential from Business Park as shown in Exhibit B.

Section 2. Findings, Conclusions, and Analysis. In support of the amendment to the Comprehensive Plan approved in this ordinance, the Snohomish City Council adopts the Findings of Fact & Conclusions, attached hereto as Exhibit C and incorporated herein by reference, and the analysis contained in the Staff Report on the amendment.

Section 3. Effective Date. This Ordinance shall take effect five days after publication by summary.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

ADOPTED by the City Council this _____ day of _____, 2016.

CITY OF SNOHOMISH

By _____
KAREN GUZAK, MAYOR

Attest:

By _____
PAT ADAMS, CITY CLERK

Approved as to form:

By _____
GRANT K. WEED, CITY ATTORNEY

EXHIBIT A – ORDINANCE 2317
LEGAL DESCRIPTION AND VICINITY MAP

PARCEL A

ALL THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING 878.19 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON,
THENCE NORTH 161.5 FEET,
THENCE WEST 940 FEET, MORE OR LESS, TO COUNTY ROAD,
THENCE SOUTHEASTERLY ALONG COUNTY ROAD TO A POINT DIRECTLY WEST OF POINT OF BEGINNING,
THENCE EAST 885.56 FEET MORE OR LESS, TO A POINT OF BEGINNING, EXCEPT STATE HIGHWAY #15,
AND EXCEPT THE FOLLOWING DESCRIBED TRACT:

BEGINNING 878.19 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON,
THENCE NORTH 161.5 FEET,
THENCE WEST TO A POINT THAT IS 150 FEET EAST OF THE EAST LINE OF PRIMARY STATE HIGHWAY NO 15, AS IT NOW EXISTS, THE TRUE POINT OF BEGINNING,
THENCE WEST 150 FEET TO THE EAST LINE OF PRIMARY STATE HIGHWAY NO 15,
THENCE SOUTHEASTERLY ALONG PRIMARY STATE HIGHWAY NO 15 FOR 101 FEET,
THENCE EAST 90 FEET,
THENCE NORTHEASTERLY 120 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

PARCEL B

BEGINNING 878.19 FEET NORTH OF THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 28 NORTH, RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON,
THENCE NORTH 161.5 FEET,
THENCE WEST TO A POINT THAT IS 150 FEET EAST OF THE WEST LINE PRIMARY STATE HIGHWAY NO 15, AS IT EXISTS NOW, THE TRUE POINT OF BEGINNING,
THENCE WEST 150 FEET TO THE WEST LINE OF PRIMARY STATE HIGHWAY NO 15,
THENCE SOUTHEASTERLY ALONG PRIMARY STATE HIGHWAY NO 15 FOR 101 FEET,
THENCE EAST 90 FEET,
THENCE NORTHEASTERLY 120 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

Vicinity Map

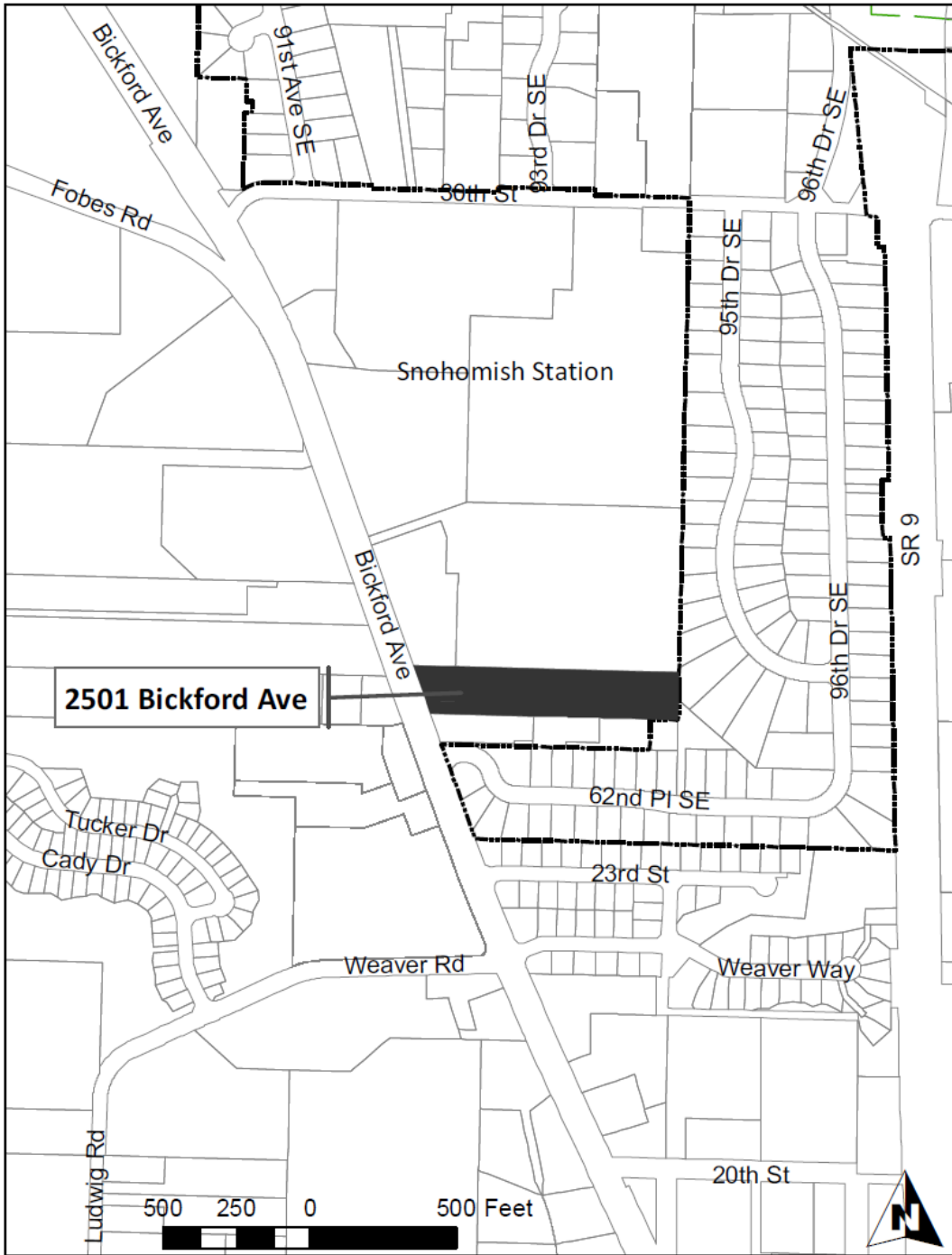
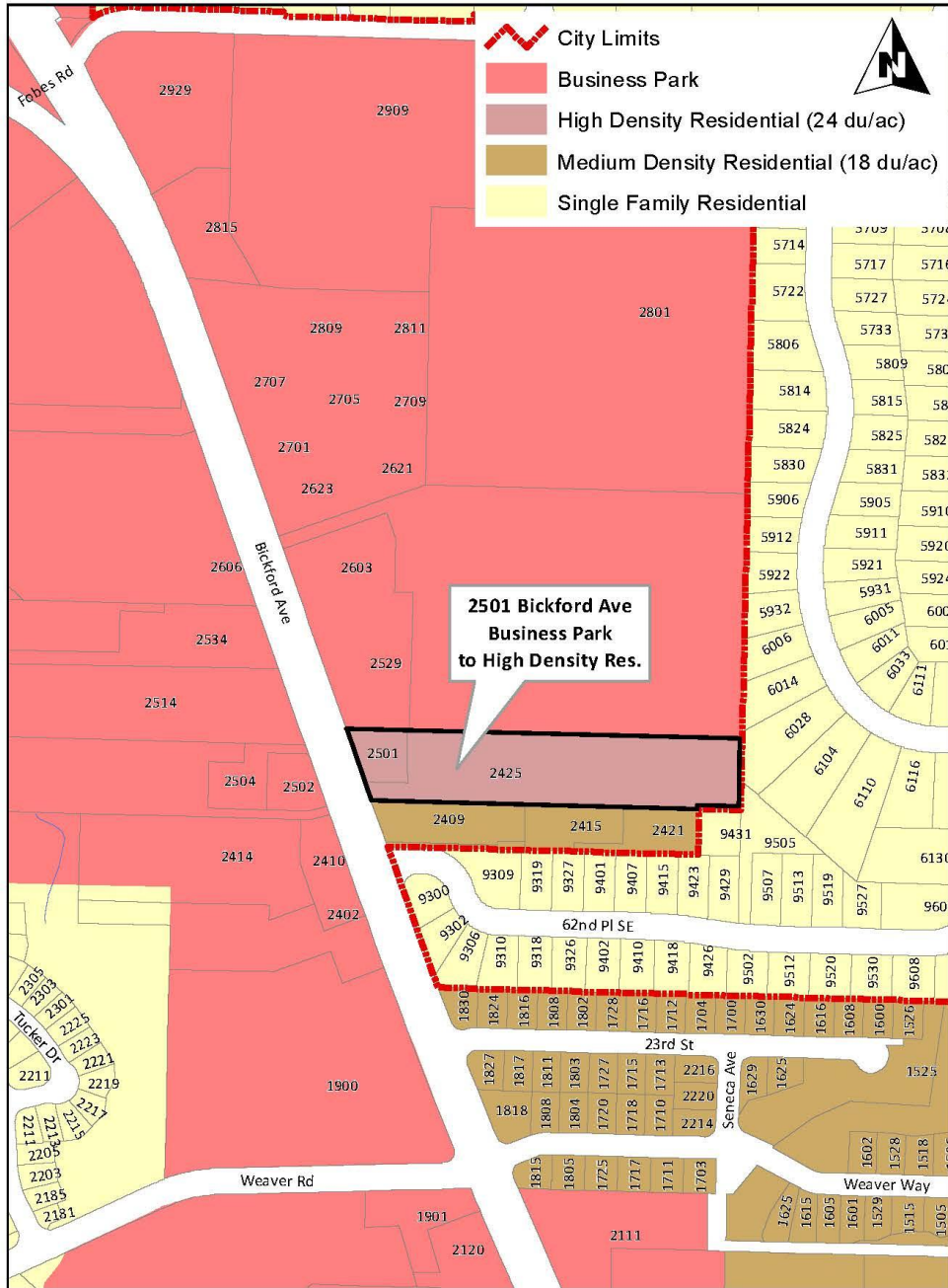


EXHIBIT B – ORDINANCE 2317
AMENDMENT TO THE LAND USE DESIGNATION MAP



2016 Comprehensive Plan Amendment
2501 Bickford Avenue
Comprehensive Plan Land Use Designation Map (Map LU-1) Detail

EXHIBIT C

Snohomish City Council Findings of Fact & Conclusions for Ordinance 2317

Based on the review of the proposed amendment to the final draft of Ordinance 2317 amending the Snohomish Comprehensive Plan, the Snohomish City Council makes the following Findings of Fact.

1. The Snohomish City Council approved the 2016 Comprehensive Plan Amendment docket with the proposed amendment to the Land Use Designation Map on June 7, 2016.
2. The City of Snohomish Planning Commission held a public hearing on November 2, 2016, to receive public testimony concerning the proposed amendment.
3. At the conclusion of the public hearing, the Planning Commission voted 5-0 to recommend approval of the proposed amendment.
4. The Snohomish City Council held a public hearing on November 15, 2016, to receive public testimony concerning the proposed amendment.
5. After considering the public comments and the Planning Commission recommendation, the City Council voted _____ to approve the proposed amendment.
6. The proposed amendment will change the land use designation and zoning of the property located at 2501 Bickford Avenue from Business Park (BP) to High Density Residential (HDR).
7. The proposed amendment implements GMA planning goal 1 related to urban growth, “(1) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.”
8. The proposed amendment implements the following goals and policies contained in the Snohomish Comprehensive Plan:
 - a. Goal LU 1: Designate adequate lands for existing and future land use needs of Snohomish.
 - b. Policy LU 1.3: Land use boundaries. Establish logical boundaries between land use designations that account for existing land uses, access, topography and natural features.
 - c. Policy LU 2.1: Innovative zoning. Utilize innovative zoning models to increase density and achieve other policy goals where it will not adversely affect the character of existing neighborhoods.
 - d. Policy MF 5.1: Density range. Provide a range of density options for multi-family development types.

- e. Policy MF 5.2: Multi-family location. Medium and high density development should be located near public amenities in order to provide easy access.
 - f. Policy MF 5.4: Transitional land use. Multi-family designations may be used to provide a transition between areas of differential intensity of land use where existing or future adjacent land uses will not compromise the health or quality of life for multi-family residents.
9. Procedural requirements.
- a. The proposed amendment is consistent with state law.
 - b. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt the consider amendment was transmitted to the Washington State Department of Commerce for distribution to state agencies on October 4, 2016.
 - c. Pursuant to WAC 197-11-300, a Determination of Non-Significance (DNS) was issued on September 12, 2016.
 - d. The public process used in the adoption of the proposed amendment has complied with all applicable requirements of the GMA and the SMC.

Based on the foregoing Findings of Fact, the Snohomish City Council hereby makes the following conclusions:

- 1. The proposed amendment is consistent with Washington State law and the SMC.
- 2. The proposed amendment implements and is consistent with the goals and policies of the Comprehensive Plan.
- 3. The proposed amendment protects the public health, safety, and general welfare.
- 4. The proposed amendment does not result in an unconstitutional taking of private property for a public purpose and they do not violate substantive due process guarantees.