

**CITY OF SNOHOMISH
Snohomish, Washington**

RESOLUTION 1224

A RESOLUTION OF THE SNOHOMISH CITY COUNCIL ESTABLISHING A NORTH PLANNING AREA (NPA) WITHIN THE RURAL-URBAN TRANSITION AREA ADJACENT TO THE CITY OF SNOHOMISH'S URBAN GROWTH AREA AND URGING SNOHOMISH COUNTY COUNCIL TO INCORPORATE THIS NPA BOUNDARY IN THE SNOHOMISH COUNTY COMPREHENSIVE PLAN

WHEREAS, the Snohomish County Comprehensive Plan designates the rural land between the current UGA boundaries of the Cities of Snohomish and Lake Stevens Rural-Urban Transition Area (RUTA); and

WHEREAS, the Cities of Snohomish and Lake Stevens and Snohomish County participated in a mediation process "To identify a politically, technically, legally, and financially acceptable, ultimate southern UGA (Urban Growth Area) boundary for the City of Lake Stevens and ultimate northern UGA boundary for the City of Snohomish, with or without a rural separator"; and

WHEREAS, during the mediation process, which took place from August 2008 through January 2009, the participants evaluated land conditions, and subsequently prepared and assessed seven (7) options for a sharing of the RUTA lands between the two cities; and

WHEREAS, the City of Snohomish participated in good faith to find a resolution to the overlap of planning area boundaries within the RUTA; and

WHEREAS, during the final mediation meeting held on January 30, 2009, the City of Lake Stevens rejected all seven options for allocating RUTA lands to both Snohomish and Lake Stevens, and effectively ended the mediation process by declaring that any options proposed for sharing of the RUTA lands would be unacceptable to the Lake Stevens City Council; and

WHEREAS, the City of Snohomish UGA and corporate boundary about the RUTA land in question while the Lake Stevens UGA and corporate boundary is 0.5 miles and 2.2 miles, respectively, from the land addressed by this Resolution; and

WHEREAS, at the conclusion of the mediation process, Snohomish County representatives emphasized goals to establish an ultimate UGA boundary between Snohomish and Lake Stevens, and thereby preclude the intergovernmental conflict experienced in areas of Snohomish County where MUGA (Municipal Urban Growth Area) boundaries overlap; and

WHEREAS, in March 2008, the City of Snohomish completed a public opinion survey of 250 property owners and residents in the southern portion of the RUTA, and the results can be summarized as follows:

- Response rate: 36 percent
- Overall, preference to ultimately annex to Snohomish: 64 percent
- Of persons who reside and own property in the area,

- preference to ultimately annex to Snohomish 97 percent
- Indicated strong opposition to ultimately annexing to Snohomish 13 percent
- Overall, preference to ultimately annex to Lake Stevens 8 percent
- Indicated strong opposition to ultimately annexing to Lake Stevens 70 percent; and

WHEREAS, during three joint workshops held in March and April 2008, the Snohomish City Council and Planning Commission met with interested property owners and residents of the RUTA, and developed a cohesive vision for future land development in the RUTA; and

WHEREAS, public comment obtained via the City of Lake Stevens' public outreach process in early 2008 demonstrated RUTA residents' strong aversion to annexation to Lake Stevens; and

WHEREAS, in November 2008 while mediation was actively underway, the Lake Stevens City Council, notwithstanding written comments from the City of Snohomish, enacted amendments to the Lake Stevens Comprehensive Plan relating to RUTA land adjacent to the City of Snohomish; and

WHEREAS, it is in the City of Snohomish's interests to complete the planning process suspended in 2008 for the three-party mediation referenced herein, and to ensure that lands within the south portion of the RUTA are ultimately developed and served under the jurisdiction of the City of Snohomish; and

WHEREAS, the proximity of City of Snohomish public infrastructure and public services will allow the City of Snohomish to provide urban services in a timely way to the RUTA land ultimately added to the City of Snohomish UGA; and

WHEREAS, in the absence of a mediated settlement, the City of Snohomish wishes to plan for sustainable development within the southern portion of the RUTA, the area readily capable of being served by the City of Snohomish; and

WHEREAS, the City's strategic plan, *Imagine Snohomish: Promoting Vitality and Preserving Character*, adopted in 2007, forecasts that without new sources of retail sales tax revenue, City expenses were expected to exceed City revenues by the year 2019; and

WHEREAS, new commercial development within the current UGA cannot provide an adequate amount of sales tax revenue, because: 1) undeveloped commercial properties in the City's UGA are highly constrained by streams and wetlands; and 2) the Density Fringe Flood Hazard Designation virtually precludes any new commercial development in the City's southern UGA; and

WHEREAS, by increasing the rate-payer base for the City of Snohomish water and wastewater utilities, the cost of essential and mandated infrastructure improvements can be dispersed over a larger number of customers; and

WHEREAS, the City of Snohomish's UGA that remains unincorporated is relatively small compared to many other Snohomish County communities and without an enlargement of the UGA boundary, the City may not be capable of achieving the goals and directives specified in its adopted strategic plan; and

WHEREAS, the Growth Management Act (GMA) directs that urban development occur where urban infrastructure and services can be provided, and the southern portion of the RUTA, with its proximity to the intersection of SR-9 and US-2, and also to the City of Snohomish, constitutes land suitable for urbanization at some time in the future; and

WHEREAS, separate planning processes initiated by the Cities of Snohomish and Lake Stevens for the RUTA have both produced long-term scenarios that include urban development in the south portion of the RUTA; and

WHEREAS, the considerable distance separating Lake Stevens from the southern portion of the RUTA makes it highly uncertain when, and if, the City of Lake Stevens will be capable of annexing and serving that area; and

WHEREAS, with the benefit of the: a) analysis conducted pursuant to Resolution 1145; b) City of Snohomish public outreach and visioning process; and c) information gathered during mediation, the City has identified an appropriate "Planning Area" boundary that shall demark the City's "ultimate northern UGA boundary", a goal and objective of mediation undertaken in good faith by the City; and

WHEREAS, for the benefit of affected property owners and public agencies, the City of Snohomish desires to proceed with the planning process for the portion of the RUTA most appropriate for potential, future inclusion within the City's UGA, corporate limits, and utility service areas; and

WHEREAS, by integrating rather than prejudging the preferences of property owners, and without prejudging the time at which Snohomish's UGA is moved northward and property owners ultimately choose to annex to Snohomish to avail themselves of urban services; the City of Snohomish can effectively plan for future urbanization and development near the intersection of SR-9 and US-2; and

WHEREAS, the purpose of such planning would be to further the goals contained in RCW 36.70A.020; and

WHEREAS, the GMA does not preclude or discourage cities from engaging the public in order to plan for eventual urban development in areas adjacent to UGA boundaries where urban infrastructure exists or is expected; and

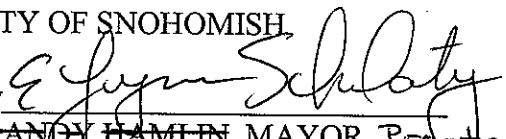
WHEREAS, continued planning for the lands within the Planning Area boundary prescribed herein shall not preclude integration and coordination with planning activities for the remainder of the RUTA, and the City of Snohomish wishes and intends to plan with other affected agencies in any manner deemed mutually beneficial; and

WHEREAS, during negotiations independently conducted in 2007 between Snohomish and Lake Stevens, Lake Stevens was also not willing to accept any of the options offered by Snohomish for an equitable sharing of RUTA land.

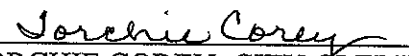
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON AS FOLLOWS:

1. The recitals and provisions contained within City of Snohomish Resolutions 1145, 1165, and 1201 are incorporated herein by reference.
2. The Snohomish City Council hereby adopts a North Planning Area (NPA) boundary as depicted by Exhibit A.
3. The City of Snohomish shall proceed with comprehensive planning for land within the NPA, in anticipation of its eventual inclusion within the City of Snohomish UGA and corporate boundary.
4. The City of Snohomish expresses its willingness to collaborate with other agencies to plan for future land development in the RUTA between Snohomish and Lake Stevens to establish coordinated plans for land use, infrastructure, urban governmental services, protection of the environment, etc.
5. The Snohomish City Council hereby urges the Snohomish County Council to recognize the NPA adopted by Section 2 of this Resolution and to incorporate this boundary in the Snohomish County Comprehensive Plan.
6. The Snohomish City Council hereby directs staff to prepare amendments to the City of Snohomish Comprehensive Plan necessary and to take all other necessary steps to incorporate the NPA adopted by Section 2 of this Resolution.

PASSED by the City Council and **APPROVED** by the Mayor this 3rd day of February, 2009.

CITY OF SNOHOMISH
By 
RANDY HAMLIN, MAYOR Pro-tem
E. Lynn Schilaty

Attest:

By 
TORCHIE COREY, CITY CLERK

Approved as to form:

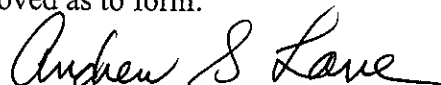
By 
ANDREW LANE, SPECIAL COUNSEL

Exhibit A Resolution 1224

City of Snohomish North Planning Area

