

1 Point Wells and re-designated the site as an "Urban Village." The Board subsequently issued an
2 Order Finding Compliance and Rescinding Invalidity on December 20, 2012. However, in the
3 course of adopting Ordinances 12-068 and 12-069, Snohomish County also made several
4 significant changes to its Urban Village program, and applied those changes to the newly-
5 designated Urban Village at Point Wells. Among other things, the changes to the program
6 eliminate the upper size limit for Urban Villages and double the allowed residential density, all
7 while significantly weakening any transportation-related siting criteria. Those changes are the
8 subject of this Petition for Review.

9 10 **II. PARTIES**

11 1. Petitioner Save Richmond Beach, Inc., is a Washington non-profit corporation. Save
12 Richmond Beach is a grass-roots community organization dedicated to preserving quality of life
13 in Richmond Beach, Woodway and surrounding neighborhoods through responsible, sustainable
14 planning. The contact information for Save Richmond Beach is:

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16 P.O. Box 60191
17 Shoreline, WA 98177
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20 Save Richmond Beach is represented in this proceeding by:

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2. Respondent Snohomish County is a municipal corporation of the State of
Washington required to comply with all of the requirements of the Growth Management Act,

1 Chapter 36.70A RCW (GMA), and the State Environmental Policy Act, Chapter 43.21 RCW
2 (SEPA).

3 **III. CHALLENGED ACTION**

4 3. The actions challenged in this petition are:

5 a. Portions of Amended Ordinance 12-068, which consists of amendments to
6 the Snohomish County Growth Management Act Comprehensive Plan – General Policy Plan
7 (GMACP – GPP); amendments to the GMACP – GPP Future Land Use Map; amendments to the
8 area-wide zoning map; and amendments to the GMACP – GPP Appendix E (Glossary); and

9 b. Portions of Amended Ordinance 12-069, which consists of amendments to
10 Chapter 30.31A of the Snohomish County Code (SCC), and repeals SCC Section 30.34A.085.

11 4. Snohomish County Ordinances 12-068 and 12-069 were passed by the Snohomish
12 County Council on October 17, 2012 and signed by the County Executive on October 31, 2012.
13 Notice of Enactment of these ordinances was published on November 8, 2012, in the Everett
14 Herald. This Petition for Review is timely filed under and RCW 36.70A.290 and WAC 242-03-
15 220.

16 **IV. STATEMENT OF ISSUES**

17 5. Did Snohomish County Ordinances 12-068 and 12-069 violate RCW 36.70A.070,
18 36.70A.120 and/or 36.70A.040(3), and fail to be guided by 36.70A.020(1), (3), (10) and/or (12),
19 where the Ordinances are inconsistent with and fail to implement other aspects of the Snohomish
20 County GMACP – GPP by eliminating the maximum size for “Urban Villages” and potentially
21 doubling the maximum residential density, while simultaneously removing any requirement for
22 proximity to a principal arterial road or mass transit?

23 6. Did Snohomish County’s enactment of Ordinances 12-068 and 12-069 fail to
24 comply with RCW 36.70A.070, 36.70A.120 and/or 36.70A.040(3), and fail to be guided by
25 36.70A.020(1), (3), (10), and/or (12), where the adopted changes to the Urban Village program,
26 which among other things eliminate the upper size limit for “Urban Villages,” are inconsistent

1 with other provisions of the County's GMACP that establish a relationship among the various
2 types of "Centers," including, for example, that Urban Villages "are smaller scale than urban
3 centers, have lower densities, allow mixed uses and may be located on our outside a high
4 capacity transit station"?

5 7. Did Snohomish County's enactment of Ordinances 12-068 and 12-069 fail to
6 comply with RCW 36.70A.070, 36.70A.120 and/or 36.70A.040(3), and fail to be guided by
7 36.70A.020(1), (3), (10), and/or (12), where the adopted changes to the Urban Village program,
8 which among other things significantly weaken any transportation-related siting criteria, are
9 inconsistent with other provisions of the County's GMACP that establish certain goals and
10 criteria for all "Centers," including, for example, the that site be "pedestrian and transit oriented,"
11 help "reduce single-occupancy auto trips," and can support "the increased use of transit,
12 bicycling and walking"?

13 8. Did Snohomish County's enactment of Ordinances 12-068 and 12-069 fail to
14 comply with RCW 36.70A.070, 36.70A.120 and/or 36.70A.040(3), and fail to be guided by
15 36.70A.020(1), (3), (10), and/or (12), where the adopted changes to the "Urban Village" program
16 are inconsistent with other provisions of the County's GMACP that establish certain
17 transportation-related goals and criteria for Urban Villages, including, for example, the that site
18 "promote a reduction in vehicle miles traveled by emphasizing pedestrian oriented, mixed-use
19 design with close proximity to transit"?

20 9. Did Snohomish County's enactment of Ordinances 12-068 and 12-069 fail to
21 comply with RCW 36.70A.070, 36.70A.120 and/or 36.70A.040(3), and fail to be guided by
22 36.70A.020(1), (3), (10), and/or (12), where the designation of Point Wells as an "Urban
23 Village" is inconsistent with other provisions of the County's GMACP that establish certain
24 goals and criteria for all "Centers," including, for example, the that site be "pedestrian and transit
25 oriented," help "reduce single-occupancy auto trips," and can support "the increased use of
26 transit, bicycling and walking"?

1 members stand to be aggrieved or adversely affected by Snohomish County's action as defined
2 by RCW 34.05.530.

3 14. The members of Save Richmond Beach all use the public amenities in the
4 communities adjacent to Point Wells on a daily basis, including streets, schools, parks, libraries,
5 and other City- or County- services. Many of the Named Petitioners regularly walk or drive the
6 residential roads along Richmond Beach Road/NW 195th Street, 20th Ave. NW/Timber Lane, and
7 Richmond Beach Drive NW, and many of them live on or adjacent to these roads. Because these
8 roads currently provide the only access to Point Wells, members of Save Richmond Beach who
9 rely or live on them stand to be adversely impacted by the intensive development that the "Urban
10 Village" re-designation would allow. Such intensive development will almost certainly lead to
11 increased traffic congestion in the Richmond Beach neighborhood, which does not have adequate
12 transportation infrastructure or public facilities to support development at the new maximum
13 density for an "Urban Village." This will also lead to increased light- and noise-pollution, air
14 pollution, traffic accidents, crime, and other health and safety hazards. In sum, the re-designation
15 and development of Point Wells at this scale poses a very real threat to the property interests and
16 quality of life of Save Richmond Beach and its members. Because Snohomish County's Centers
17 program is expressly intended to promote transit-oriented development in locations with
18 adequate infrastructure and services, the interests of Save Richmond Beach's members – many of
19 whom live along the relatively remote, isolated two-lane drive providing the only access to Point
20 Wells – are among the interests that the county was required to consider when taking the actions
21 challenged in this Petition.

22 **VI. ESTIMATED TIME FOR HEARING**

23 15. The estimated length of hearing is four hours.
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1 **VII. RELIEF SOUGHT**

2 16. Save Richmond Beach requests that the Board rule that the offending portions of
3 Snohomish County Ordinances 12-068 and 12-069 are not in compliance with the GMA, issue an
4 order of invalidity, and remand the challenged action to Snohomish County for action consistent
5 with the GMA. Save Richmond Beach also seeks such other and further relief that the Board
6 deems just and equitable.

7 Save Richmond Beach and its undersigned attorneys have read this petition and believe
8 its contents to be true.

9 RESPECTFULLY SUBMITTED THIS 7th day of January, 2013.

10 GRAHAM & DUNN PC

11
12
13 By 

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