

1 Adopted:

2 Effective:

3 SNOHOMISH COUNTY COUNCIL  
4 Snohomish County, Washington

5  
6 ORDINANCE NO. 25-056

7  
8 RELATING TO GROWTH MANAGEMENT; CONCERNING CLASS IV-GENERAL FOREST PRACTICES PERMIT  
9 APPLICATION EXTENSIONS; AMENDING SCC TABLE 30.70.140(1) AND SCC 30.86.505

10  
11 WHEREAS, for counties and cities that are required to plan under the Growth Management Act  
12 (GMA), RCW 36.70A.020(7) states that applications for both state and local permits should be processed  
13 in a timely and fair manner to ensure predictability; and

14  
15 WHEREAS, the Snohomish County ("County") GMA Comprehensive Plan (GMACP) states that the  
16 County shall establish regulations and incentives that encourage multiple uses of forest lands for a  
17 variety of natural resources and land use activities; and

18  
19 WHEREAS, SCC Table 30.70.140(1), concerning the expiration of applications, approvals, and  
20 permits, was adopted into Chapter 30.70 SCC in 2016 through Amended Ordinance No. 16-004; and

21  
22 WHEREAS, the current Class IV-General forest practices permit application expiration in SCC  
23 Table 30.70.140(1) is 18 months in length, with no permit application extensions allowed; and

24  
25 WHEREAS, Land Disturbing Activity (LDA) permits and Class IV-General forest practices permits  
26 are typically submitted concurrently, due to the nature of forest practices requiring land disturbing  
27 activity to occur; and

28  
29 WHEREAS, the LDA permit application expiration length is 18 months and can be extended an  
30 additional 18 months to equal 36 months; and

31  
32 WHEREAS, the amendments to SCC Table 30.71.140(1) contained within this ordinance align the  
33 application expiration timeframes for Class IV-General forest practices permits and LDA permits, which  
34 are often applied for concurrently, and reduce the amount of staff time required to re-process Class IV-  
35 General forest practices permit applications once they have expired; and

36  
37 WHEREAS, forest practices application fees in SCC 30.86.505 were adopted into Chapter 30.86  
38 SCC in 2015 through Amended Ordinance No. 15-033; and

39  
40 WHEREAS, this ordinance amends the Class IV-General forest practices application fees in SCC  
41 30.86.505 to add a Class IV-General forest practices permit application extension fee that matches the  
42 LDA permit application extension fee in SCC 30.86.510; and

1 WHEREAS, on February 25, 2025, the Snohomish County Planning Commission (the “Planning  
2 Commission”) was briefed by Planning and Development Services (PDS) staff about the proposed code  
3 amendments contained in this ordinance; and  
4

5 WHEREAS, the Planning Commission held a public hearing on March 25, 2025, to receive public  
6 testimony concerning the proposed code amendments contained in this ordinance; and  
7

8 WHEREAS, at the conclusion of the Planning Commission’s public hearing, the Planning  
9 Commission deliberated on the proposed ordinance and voted to recommend approval of code  
10 amendments relating to forest practices permit applications extensions as shown in its approval letter  
11 dated June 9, 2025; and  
12

13 WHEREAS, on \_\_\_\_\_, 2025, the Snohomish County Council (“County Council”) held a  
14 public hearing after proper notice, and considered public comment and the entire record related to the  
15 code amendments contained in this ordinance; and  
16

17 WHEREAS, following the public hearing, the County Council deliberated on the code  
18 amendments contained in this ordinance;  
19

20 NOW, THEREFORE, BE IT ORDAINED:  
21

22 **Section 1.** The County Council makes the following findings:  
23

- 24 A. The County Council adopts and incorporates the foregoing recitals as findings as if set forth fully  
25 herein.  
26
- 27 B. This ordinance amends SCC Table 30.70.140(1) to allow Class IV-General forest practices permit  
28 applications to be extended once for an additional 18 months, increasing the total application  
29 period from 18 months to 36 months. This change aligns the expiration timeline with that of LDA  
30 permit applications, which also allow an 18-month extension. This ordinance also includes minor  
31 non-substantive edits to SCC Table 30.70.140(1) to address technical grammar issues.  
32
- 33 C. Snohomish County’s regulation of forest practices was established in 2015 through adoption of  
34 chapter 30.43F SCC under the Forest Practices Act, chapter 76.09 RCW, and WAC 222-16-010 and  
35 222-16-050. Forest practices are generally defined in RCW 76.09.020 as any activity conducted on or  
36 directly pertaining to forestland and relating to growing, harvesting, or processing timber.  
37
- 38 D. Under chapter 30.43F SCC, the County regulates certain forest practices on lands intended for  
39 conversion to nonforestry uses. Because forest practices often involve land-disturbing activities,  
40 applications for LDA permits and forest practices permits are typically submitted concurrently.  
41 Amended Ordinance No. 22-073 extended LDA permit application expiration timelines to 36 months  
42 and permit approval expiration timelines to 60 months, which better aligns with the average  
43 duration needed to complete Department of Public Works (DPW) projects.

1  
2 E. This ordinance also amends the forest practices application fees in SCC 30.86.505 to add a \$500 fee  
3 for the new Class IV-General forest practices permit application extensions. This fee matches the  
4 existing LDA permit extension fee and reflects the comparable staff effort required to process such  
5 extensions.

6  
7 F. In developing the proposed amendments, the County considered the GMA goal:

8  
9 GMA Goal 7 – Permits. Applications for both state and local government permits should be  
10 processed in a timely and fair manner to ensure predictability.

11  
12 The proposed amendments support the permitting goal, as they would reduce the time and effort it  
13 takes to re-process Class IV-General forest practices permit applications that are submitted  
14 concurrently with LDA permit applications.

15  
16 G. The amendments are consistent with the following multicounty planning policy (MPP) from Puget  
17 Sound Regional Council (PSRC) VISION 2050:

18  
19 MPP-DP-39 Support long-term solutions for the environmental and economic sustainability of  
20 agriculture and forestry within rural areas.

21  
22 The code changes support utilizing the Class IV-General forest practices classification to harvest  
23 timber, complete road construction projects, or prepare land for future urban development, which  
24 promotes the economic sustainability of forested lands within agricultural and rural areas.

25  
26 H. The amendments are consistent with the following countywide planning policy (CPP):

27  
28 CPP-DP-15 – The County and cities should adopt policies, development regulations, and design  
29 guidelines that allow for infill and redevelopment of underutilized lands and other appropriate  
30 areas.

31  
32 The amendments to development regulations to align Class IV-General forest practices permit  
33 applications with LDA permit applications aid infill development of underutilized lands within the  
34 UGA, as it makes the process of development easier for staff and applicants.

35  
36 I. The amendments are consistent with and help implement several policies contained within the  
37 County's GMACP. The following policies apply to the code amendments in this ordinance:

38  
39 Policy ED 2.A.1 – Snohomish County shall work to ensure that the Snohomish County Code is an  
40 understandable, accessible, and user friendly document.

1 Policy ED 2.A.3 – To ensure timeliness, responsiveness, and increased efficiency, the county shall  
2 maintain a program of continuous review of the permitting process to eliminate unnecessary  
3 procedures that do not respond to legal requirements for public review and resident input.  
4

5 The changes in this ordinance streamline the permitting process through reducing the amount of  
6 time for permits to be re-processed due to expiring permit application deadlines.  
7

8 J. This ordinance is consistent with the record.  
9

- 10 1. This ordinance amends SCC Table 30.70.140(1) to establish an 18-month option for Class IV-  
11 General forest practices permit applications, increasing the total application period from 18 to  
12 36 months. Aligning expiration timelines for LDA permits and Class IV-General forest practices  
13 permits creates a more predictable permitting process and reduces the need for applicants to  
14 resubmit expired applications. Currently, mismatched timelines can result in unnecessary  
15 administrative work for both applicants and staff. This change improves efficiency by  
16 synchronizing timelines for projects that require both permit types, reducing processing time  
17 and streamlining review.  
18
- 19 2. This ordinance amends SCC 30.86.505 to add a \$500 fee for Class IV-General forest practices  
20 permit application extensions. This new fee matches the existing \$500 LDA permit extension fee  
21 and reflects a similar level of staff effort required for review. The original application fee for a  
22 Class IV-General forest practices permit is \$760, so offering a \$500 extension provides a cost-  
23 effective option for applicants while reducing the need for full reprocessing. The extension fee is  
24 consistent with other permitting fees tied to staff time for reviewing application extensions.  
25

26 K. The code amendments are consistent with the record as set forth in the PDS Staff Report dated  
27 February 5, 2025.  
28

29 L. The amendments have been evaluated for the potential to create barriers to the implementation of  
30 low impact development (LID) principles and measures for stormwater management. The updates  
31 to SCC will not impact LID principles or measures.  
32

33 M. The amendments will not have an impact on the demand for capital facilities and utilities. County  
34 and external service providers maintain long-range plans and financing strategies to meet projected  
35 service demands that will not be impacted by these amendments.  
36

37 N. The amendments will not impact housing and job creation in the County.  
38

39 O. Procedural requirements.  
40

- 41 1. Under Snohomish County Code, this ordinance is a Type 3 legislative action pursuant to SCC  
42 30.73.010 and 30.73.020.  
43

2. As required by RCW 30.70A.106(1), a notice of intent to adopt the proposed code amendments was transmitted to the Washington State Department of Commerce for distribution to state agencies on March 11, 2025.
3. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with respect to this non-project action have been satisfied through the completion of an environmental checklist and the issuance of a determination of non-significance on March 11, 2025.
4. The public participation process used in the adoption of this ordinance complies with all applicable requirements of the GMA and SCC, including but not limited to, RCW 36.70A.035, RCW 36.70A.140, and chapter 30.73 SCC.
5. The Planning Commission was briefed on the proposed amendments at its February 25, 2025, meeting and conducted a public hearing on the proposed amendments at its March 25, 2025, meeting, resulting in its letter on June 9, 2025, recommending approval of the code amendments contained in this ordinance.
6. The Washington State Attorney General last issued an advisory memorandum, as required by RCW 36.70A.370, in October 2024 entitled "Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property" to help local governments avoid the unconstitutional taking of private property. The process outlined in the State Attorney General's 2024 advisory memorandum was used by Snohomish County in objectively evaluating the regulatory changes proposed by this ordinance.

**Section 2.** The County Council makes the following conclusions:

- A. The proposal complies and is consistent with the GMA, Washington State law, and the SCC.
- B. The proposal complies and is consistent with the MPPs and the CPPs.
- C. The proposal complies and is consistent with the GMACP.
- D. The County has complied with all SEPA requirements with respect to this non-project action.
- E. The public participation process used in the adoption of this ordinance complies with all applicable requirements of the GMA and Title 30 SCC.
- F. The amendments proposed by this ordinance do not result in an unconstitutional taking of private property for public purpose.

**Section 3.** The Snohomish County Council bases its findings and conclusions on the entire record of the County Council, including all testimony and exhibits. Any finding, which should be deemed a conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.

**Section 4.** Snohomish County Code Section 30.70.140, last amended by Amended Ordinance 24-065 on December 4, 2024, is amended to read:

**30.70.140 Expiration of applications, approvals, and permits.**

(1) This section shall apply to:

(a) New applications, approvals, and permits set forth in SCC Table 30.70.140(1); and

(b) Existing applications set forth in SCC Table 30.70.140(1) that were deemed complete but that were not approved or denied prior to April 1, 2016, provided that the department shall provide notice to the applicant one year prior to the expiration date of the application.

(2) SCC Table 30.70.140(1) establishes the expiration period for applications, approvals, and permits, except that:

(a) When an EIS is required, the expiration period of an application will be suspended until the FEIS is issued. The suspension of the expiration period for an application shall not exceed 18 months unless approved by the director; and

(b) Expiration of permits and approvals (but not of applications) may be modified by the hearing examiner at the time the hearing examiner issues a decision on the application for the permit or approval.

(3) The applicant is responsible for monitoring the expiration periods for an application, approval, or permit. The county is not required to inform an applicant when an application, approval, or permit will expire or has expired.

(4) For minor revisions under SCC 30.70.210 and major revisions under SCC 30.70.220, the term of expiration for an application shall be 12 months and shall not extend the term of the corresponding development application approval or concurrency determination.

**Table 30.70.140(1)**

<b>Approval Type</b>	<b><u>Application</u> Expiration ((<del>of application</del>))</b>	<b>Approval or Permit Expiration ((<del>of approval or permit</del>))</b>
Administrative Conditional Use Permit	36 months	5 years to commence construction or use

Administrative Conditional Use Permit – Temporary Dwelling During Construction	12 months	As determined in decision
Administrative Conditional Use Permit – Temporary Dwelling For Relative	12 months	Shall be subject to annual renewal
Administrative Conditional Use Permit – Other Temporary Uses	12 months	As determined in decision
Administrative Site Plan (pursuant to chapter 30.23A SCC)	36 months	5 years to commence construction or use
Binding Site Plan	36 months	6 months to record
Boundary Line Adjustment	12 months	12 months to record. The department may grant up to one 12-month extension.
Building Permit	Per subtitle 30.5 SCC	Per subtitle 30.5 SCC
Conditional Use Permit	36 months	5 years to commence construction or use
Cottage Housing (pursuant to chapter 30.41G SCC)	36 months	5 years to commence construction or use
Flood Hazard Permit & Flood Hazard Variance	18 months, but may be extended for an additional 18 months. <sup>(1)</sup>	18 months from the date of issuance. Start of construction, as defined in SCC 30.91S.570, must commence within 180 days.
Forest Practices (Class IV-General)	18 months, but may be extended for an additional 18 months. <sup>(2)</sup>	36 months
Land Disturbing Activity	18 months, but may be extended for an additional 18 months. <sup>((42)) (3)</sup>	36 months
	36 months, for Snohomish County Department of Public Works projects only	60 months, for Snohomish County Department of Public Works projects only
Official Site Plan and Site Plans (pursuant to chapters 30.31A, 30.31B, and 30.31G SCC)	36 months	5 years to commence construction or use
Planned Residential Development	36 months	5 years to commence construction or use
Pre-application Concurrency Determination	6 months	Per SCC 30.66B.155
Rezoning	36 months	Not applicable
Shoreline Conditional Use Permit	36 months	Per chapter 30.44 SCC

Shoreline Substantial Development Permit	36 months	Per chapter 30.44 SCC
Single Family Detached Units	36 months	5 years to commence construction or use
Special Use Permit (pursuant to chapter 30.42F SCC)	36 months	5 years to commence construction or use
Subdivisions	48 months	Per RCW 58.17.140, except that:
		May be extended for an additional two years. <del>(((2)))</del> (4)
Short Subdivisions	48 months	60 months, except that:
		May be extended for an additional two years. <del>(((4)))</del> (5)
Urban Center Development	36 months	5 years to commence construction or use
Variance	36 months	Not applicable

**Reference notes for SCC Table 30.70.140(1):**

**1** The department may grant a one-time 18-month extension. The applicant must submit the extension request to the department prior to the expiration. The applicant shall pay a fee for the extension pursuant to SCC 30.86.300.

**2** The department may grant a one-time 18-month extension. The applicant must submit the extension request to the department prior to the expiration. The applicant shall pay a fee for the extension pursuant to SCC 30.86.505.

**3** The department may grant a one-time 18-month extension. The applicant must submit the extension request to the department prior to the expiration. The applicant shall pay a fee for the extension pursuant to SCC 30.86.510.

~~**((3))4**~~ The department may grant a one-time two-year extension. The applicant must submit the extension request to the department prior to the expiration. The applicant shall pay a fee for the extension pursuant to SCC 30.86.100.

~~**((4))5**~~ The department may grant a one-time two-year extension. The applicant must submit the extension request to the department prior to the expiration. The applicant shall pay a fee for the extension pursuant to SCC 30.86.110.

**Section 5.** Snohomish County Code Section 30.86.505, last amended by Amended Ordinance 15-033 on June 3, 2015, is amended to read:

**30.86.505 Forest practice fees.**



1 **30.86.505 Forest Practices Application Fees**

2  
3 Forest practice permits and approvals may require other permits or approvals and associated fees not  
4 listed in this section.  
5

Application for Class IV-General forest practices permit	\$ 760
<u>Class IV-General forest practices permit application extension</u>	<u>\$ 500</u>
Application for conversion option harvest plan (COHP) approval	\$ 900
Application to lift a six-year development moratorium	\$ 1,600
Application for single-family dwelling moratorium waiver	\$ 760

6  
7 **Section 6.** Severability and Savings. If any section, sentence, clause, or phrase of this ordinance  
8 shall be held to be invalid by the Growth Management Hearings Board (Board), or unconstitutional by a  
9 court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or  
10 constitutionality of any other section, sentence, clause, or phrase of this ordinance. Provided, however,  
11 that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or  
12 court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the  
13 effective date of this ordinance shall be in full force and effect for that individual section, sentence,  
14 clause or phrase as if this ordinance had never been adopted.  
15

16  
17 PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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19  
20 SNOHOMISH COUNCIL  
21 Snohomish, Washington  
22  
23

24 \_\_\_\_\_  
25 Council Chair

26 ATTEST:

27  
28  
29 \_\_\_\_\_  
30 Asst. Clerk of the Council

31  
32 ( ) APPROVED  
33 ( ) EMERGENCY  
34 ( ) VETOED

DATE:

35  
36  
37 \_\_\_\_\_  
38 County Executive

1 ATTEST:

2  
3 \_\_\_\_\_

4  
5 Approved as to form only:

6  
7  
8 /s/Christina Richmond 9/9/25

9 Deputy Prosecuting Attorney