Index of Records Rural Cluster Subdivisions Ordinance 25-052 (ECAF 2025-2799) Hearing Date: Wednesday, September 17, 2025 @ 10:30 a.m. PDS Staff: Henry Jennings **Council Staff: Ryan Hembree DPA: Laura Kisielius** Click on exhibit number to view document # OF **EXHIBIT** RECORD TYPE DATE RECEIVED FROM **EXHIBIT DESCRIPTION PAGES** 2.0 Planning Commission Briefing to Planning Commission: Henry Jennings, PDS Rural Cluster Development Code 06/24/25 Staff Report 2.0003 7 Staff Amendments Planning Commission 2.0012 Planning Commission 07/23/25 Letter 2 Recommendation 3.1 ECAF and Materials Transmitting Executive initiated **ECAF** 3.1.001 08/25/25 Executive/PDS 2 Ordinance 3.1.002 Ordinance 08/25/25 Introduced Ordinance Executive/PDS Councilmember 3.1.003 08/25/25 Introduction Introduction Slip Nate Nehring 3.2 Council Planning Committee Materials Ryan Hembree, 3.2.001 Staff Report 09/02/25 Council Staff Report 1 Council Staff Link to Video of Planning Committee 3.2.002 Video 09/02/25 Council Staff 1 Meeting Planning Committee Agenda 3.2.002a Agenda 09/02/25 Council Staff 3 3.2.002b 09/02/25 Council Staff Planning Committee Minutes Minutes Henry Jennings, PDS 3.2.002c 09/02/25 PowerPoint Presentation 8 slides Presentation Staff Link to Video of General Legislative 3.2.003 Video 09/03/25 Council Staff 1 Session 3.2.003a 09/03/25 Council Staff General Legislative Session Agenda Agenda 2

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RCS Procedural Change Index # - File Name: 2.0003.pdf SNOHOMISH COUNTY COUNCIL

EXHIBIT # ____2.0003

FILE ORD 25-052



Planning and Development Services

3000 Rockefeller Ave., M/S 604 Everett, WA 98201-4046 (425) 388-3311 www.snoco.org

Dave Somers
County Executive

MEMORANDUM

TO: Snohomish County Planning Commission

FROM: Henry Jennings, Planner

SUBJECT: Briefing – Proposed Rural Cluster Development Code Amendments

DATE: June 24, 2025

Introduction

The purpose of this staff report is to brief the Planning Commission on proposed amendments to the rural cluster subdivision and short subdivision approval criteria in Snohomish County Code (SCC) Chapter 30.41C.030. The proposed amendments would change the third-party certification provisions to require that new dwellings within rural cluster subdivisions provide proof of enrollment in a third-party certification program prior to permit issuance and remove the requirement that rural cluster subdivisions and short subdivisions provide proof of enrollment in a third-party community certification program. The changes are consistent with the Growth Management Act (GMA) and the Multicounty County Planning Policies (MPPs) in VISION 2050.

The briefing is scheduled for June 24, 2025. A public hearing on the proposed rural cluster development code amendments is tentatively scheduled for July 22, 2025

Background

Snohomish County's implementing regulations for rural cluster development in the form of subdivisions or short subdivisions are located in Chapter 30.41C SCC. Rural cluster subdivisions offer reductions in standard lot sizes and bulk provisions. Rural cluster subdivisions also offer some increases in density based on the amount of land set aside as restricted open space. The development pattern limits the footprint of development to increase opportunities for open space and increased environmental and natural resource protection.

On August 28, 2024, Snohomish County Council held a public hearing and unanimously passed 2nd Substitute Ordinance 24-021. The effective date for the code changes contained in the ordinance was September 19th, 2024. The adopted amendments required that rural cluster

subdivisions provide documentation of third-party certification for subdivisions and individual dwellings from Built Green, LEED, or another third-party as approved by the director and adopted through administrative rule. Third-party certification provides additional review of environmental impact of dwellings and may help mitigate the environmental impact of new development. Shortly after adoption, Snohomish County's Planning and Development Services permitting division noted that the timeline put forth in code for third-party certification was not feasible. The timing of certification provided by the Built Green Program, which requires construction to be complete and the dwelling occupied for at least thirty days, does not align with the timing adopted in SCC 30.41C.030, which required certification to be provided prior to building permit issuance. The proposed amendments alter the requirement that subdivisions receive third-party certification, now requiring that only individual dwellings provide proof of enrollment in a third-party certification program prior to building permit issuance.

The proposed amendments adjust the code to bring the third-party timeline in SCC 30.41C.030 into alignment with the timing of certification provided by the Built Green Program. This change solves the issue currently present in adopted code by setting forth a timeline for certification that matches the timeline on which Built Green certification can be provided.

Proposed Code Amendments

<u>Approval procedure:</u> The code, as adopted, states that rural cluster subdivisions and short subdivisions must provide documentation of third-party community certification prior to receiving preliminary approval, and that all lots containing new buildings receive certification prior to issuance of individual building permits. The proposed changes alter the timeline to state that all dwellings demonstrate proof of enrollment in a third-party certification program prior to issuance of building permits and removes the requirement that subdivisions and short subdivisions receive third-party community certification.

(6) ((Rural cluster subdivisions and short
subdivisions must provide documentation of
enrollment in a third party certification
program prior to receiving preliminary
approval)). Conditions of approval for the
subdivision or short subdivision shall require
((proof of enrollment in a third party
certification program prior to final plat
approval, and)) that all lots containing new
buildings ((receive)) <u>provide proof of</u>
enrollment in a third-party certification
program prior to issuance of individual
building permits. Options for third-party
certification are:

Proposed SCC 30.41C.030(6)

(a) ((Built Green Community certification for the preliminary

Finding

Implementation of SCC 30.41C.030 as adopted is not feasible. Third-party certification of the rural cluster subdivision or short subdivision cannot be obtained until the subdivision process has been completed. As adopted, SCC 30.41C.030 specifies that evidence of thirdparty certification must be provided before a subdivision or short subdivision receives preliminary approval. Therefore, the change to SCC 30.41C.030 is necessary to reduce the scope of third-party certification to just review of individual dwellings. This change balances the third-party certification timelines with building permit approval timelines by only requiring proof of enrollment in a third-party certification program for dwellings, not entire

approval_subdivision or short	subdivisions.
subdivision and)) Built Green Single	
Family/Townhome certification for	
building permits;	
(b) ((LEED Neighborhood	
Development certification for the	
preliminary approval_subdivision or	
short subdivision and)) LEED Home	
certification for building permits; or	
(c) Additional third-party certification	
as approved by the director and	
adopted through administrative rule.	

The following analysis provides a summary of the proposed code amendments' compliance with state law, as well as regional, countywide, and county Comprehensive Plan policies.

Compliance with State Law

The GMA planning goals adopted in RCW 36.70A.020 guide the development and adoption of comprehensive plans and development regulations. The goals are not priority-listed. In particular, the GMA goals guide the policies in the Snohomish County's GMA Comprehensive Plan (GMACP) and require consistency between the GMACP and implementing development regulations. The proposed code amendments further Goal 7 (processing permits in a timely and fair manner to ensure predictability) by removing an infeasible third-party certification requirement.

Compliance with the Multi-County Planning Policies

Multi-County Planning Policies (MPPs) within Vision 2050 provide for coordination and consistency among the metropolitan counties sharing common borders and related regional issues. The following table identifies the reasonably related MPPs within Vision 2050 and describes how the proposed code amendments are consistent with and advance those goals.

MPP	Finding
MPP-DP-47: Streamline development standards and regulations for residential and commercial development and public projects, especially in centers and high-capacity transit station areas, to provide flexibility and to accommodate a broader range of project types consistent with the regional vision.	The proposed amendments simplify the standards for third-party certification, thereby streamlining development standards.
MPP-H-10: Encourage jurisdictions to review and streamline development standards and	The proposed amendments streamline development standards by bringing the

regulations to advance their public benefit,	timeline for when third-party certification
provide flexibility, and minimize additional	must be provided into alignment with permit
costs to housing.	review timelines.

Compliance with the Countywide Planning Policies

The Countywide Planning Policies (CPPs) establish a countywide framework for developing and adopting county, city, and town comprehensive plans. The role of the CPPs is to coordinate comprehensive plans of jurisdictions in the same county in regard to regional issues and issues affecting common borders (RCW 36.70A.100). The following table identifies the reasonably related CPPs and describes how the proposed code amendments are consistent with and advance those goals.

СРР	Finding
CPP HO-11: The county and cities should consider the economic implications of proposed building and land use regulations so that the broader public benefit they serve is achieved with the least additional cost to housing.	The proposed amendments removing the requirement to provide evidence of enrollment in third-party community certification may help reduce additional cost to housing.
CPP-ED-16: The expeditious processing of development applications shall not result in the reduction of environmental and land use standards.	The proposed amendments maintain requirements that applicants prove enrollment in a third-party environmental certification program for individual dwellings.

Compliance with the Snohomish County Comprehensive Plan

The proposed code amendments will better achieve, comply with, and implement the policies identified in the following table contained in the County's GMACP. The amendments are consistent with Objective ED 2.A, which calls for a "regulatory system that is fair, understandable, coordinated, and timely." The proposed amendments bring the requirements for third-party certification into alignment with the timelines for permit review, increasing coordination between internal and external review.

Public Participation

The GMA requires early and continuous public participation (GOAL 11). Public participation on the proposed code amendments has been provided to date through:

 A 21-day public comment period on the preliminary draft amendments from XX, 2025 to XX, 2025

Environmental Review

A State Environmental Policy Act (SEPA) Determination is required for the proposed code amendments. A threshold determination for the proposed amendments will be issued in the coming months.

Notification of State Agencies

Pursuant to RCW 36.70A.106, a 60-day notice of intent to adopt the proposed code amendments was acknowledged by the Washington State Department of Commerce on XX, XX, 2025.

Staff Recommendation

Staff recommends approval of the proposed code correction amendments and findings contained in this staff report.

Action Requested

The Planning Commission is requested to hold a public hearing, consider the proposed code amendments, and provide a recommendation to the County Council. The Planning Commission can recommend approval of the amendments with supporting findings of fact as proposed or modified, deny the proposal with findings, or amend the proposal with appropriate findings.

cc: Ken Klein, Executive Director
Mike McCrary, PDS Director
Darren Groth, PDS Manager
Michael Dobesh, PDS Manager
Ryan Countryman, Council Legislative Analyst

Attachment A: Proposed Findings and Conclusions

Attachment A: Proposed Findings and Conclusions

- A. The County Council adopts and incorporates the foregoing recitals as findings as if set forth in full herein.
- B. This ordinance will amend regulations related to rural cluster subdivision and short subdivision requirements in chapter 30.41C SCC. The code amendments remove the requirement that rural cluster subdivisions receive third-party community certification and clarify the timing of requirements put forth in chapter 30.41C SCC.
- C. Implementation of SCC 30.41C.030 as adopted is not feasible. Third-party certification of the rural cluster subdivision or short subdivision cannot be obtained until the subdivision process has been completed. As adopted, SCC 30.41C.030 specifies that evidence of third-party certification must be provided before a subdivision or short subdivision receives preliminary approval. Therefore, the change to SCC 30.41C.030 is necessary to reduce the scope of third-party certification to just review of individual dwellings. This change balances the third-party certification timelines with building permit approval timelines by only requiring proof of enrollment in a third-party certification program for dwellings, not entire subdivisions.
- D. In developing the code amendments, the county considered the goals of the GMA identified in RCW 36.70A.020, specifically the goal related to permitting. The proposed amendments are reasonably related to and necessary for the efficient review of permit applications to advance the GMA planning goal.
- E. The code amendments will allow chapter 30.41C SCC to achieve, comply with, and implement the goals, objectives, and policies of the MPPs, CPPs, and Comprehensive Plan. In particular, the amendments will ensure consistent and efficient review of permits. The proposed amendments are consistent with:
 - 1. MPP-DP-47: "Streamline development standards and regulations for residential and commercial development and public projects, especially in centers and high-capacity transit station areas, to provide flexibility and to accommodate a broader range of project types consistent with the regional vision."
 - MPP-H-10: "Encourage jurisdictions to review and streamline development standards and regulations to advance their public benefit, provide flexibility, and minimize additional costs to housing."
 - CPP HO-11: "The county and cities should consider the economic implications of proposed building and land use regulations so that the broader public benefit they serve is achieved with the least additional cost to housing."
 - 4. CPP-ED-16: "The expeditious processing of development applications shall not result in the reduction of environmental and land use standards."
 - 5. Objective ED 2.A Develop and maintain a regulatory system that is fair, understandable, coordinated, and timely.
- F. Procedural requirements:

- 1. As required by RCW 30.70A.106(1), a 60-day notice of intent to adopt the proposed code amendments was transmitted to the Washington State Department of Commerce for distribution to state agencies on May XX, 2025.
- 2. The county has complied with all SEPA requirements in respect to this non-project action.
- 3. The public participation process used in the adoption of the proposed code amendments has complied with all applicable requirements of the GMA and SCC.
- 4. The Washington State Attorney General last issued an advisory memorandum, as required by RCW 36.70A.370, in October of 2024 entitled Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory and Administrative Actions to Avoid the 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 the County in objectively evaluating the regulatory changes proposed by this ordinance.

RCS Procedural Change Index # - File Name: 2.0012.pdf



EXHIBIT # 2.0012

FILE ORD 25-052

SNOHOMISH COUNTY COUNCIL

SNOHOMISH COUNTY PLANNING COMMISSION

July 23, 2025

Snohomish County Council County Administration Building 3000 Rockefeller Avenue, M/S 609 Everett, WA 98201-4046

SUBJECT: Planning Commission recommendation on proposed code amendments to

Rural Cluster Subdivision Third-Party Certification

Dear Snohomish County Council:

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendation to amend regulations for Rural Cluster Subdivision Third-Party Certification. The Planning Commission had a briefing on this topic on June 24, 2025 and conducted a public hearing on July 22, 2025.

The proposed code amendments would remove the requirement that rural cluster subdivisions receive third-party community certifications while leaving in place the requirement that individual dwellings in rural cluster subdivisions receive third-party certification. The proposed code amendments also resolve an issue in adopted code relating to the timeline on which proof of enrollment in a third-party certification program must be provided.

There were zero (0) written comments received by the Planning Commission from the public prior to the July 22, 2025 hearing, and one (1) member of the public commented at the public hearing.

PLANNING COMMISSION RECOMMENDATION

At the July 22, 2025, Planning Commission meeting, Commissioner Campbell made a motion, seconded by Commissioner James, recommending **APPROVAL** of the proposed rural cluster subdivision third-party certification code amendments contained in the staff report.

Vote (Motion):

8 in favor (Larsen, Sheldon, Niemela, Chandler, Campbell, Ash, James, Bush) 0 opposed 0 abstentions

Motion passed

This recommendation was made following the close of the public hearing and after due consideration of information presented and is based on the findings and conclusions presented in the June 3, 2025, staff report, with which the Commission concurred.

RCS Procedural Change Planning Commission Recommendation Letter Index de Ale Plannents to Chapter 30.41C.030 July 23, 2025

Respectfully submitted,

Robert W Larsen

SNOHOMISH COUNTY PLANNING COMMISSION Robert Larsen, Chairman

cc: Dave Somers, Snohomish County Executive Mike McCrary, Planning and Development Services Director

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EXHIBIT #	3.1.001
FILE OR	D 25 052

Executive/Council Action Form (ECAF)

ITEM TITLE:				
Title Ordinance 25-052, relating to Growth Management; concerning rural cluster subdivisions and short subdivisions; amending Chapter 30.41C of the Snohomish County Codebody				
DEPARTMENT: Planning and Development	t Services			
ORIGINATOR: Henry Jennings				
EXECUTIVE RECOMMENDATION: Approv	ed by Ken Klein 8/2	22/25		
PURPOSE: This ordinance will amend regula subdivision requirements to remove the requirements to remove the requirements containing of recognition and clarify the timing of the recognition and t	irement that rural cluirements for enrol	luster subdivisions Iment in third-party ed is not feasible. T	receive third- certification hird-party	
certification of a rural cluster subdivision or s subdivision process has been completed.	hort subdivision car	nnot be obtained ur	ntil the	
FISCAL IMPLICATIONS:				
EXPEND : FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS	
TOTAL				
REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS	
TOTAL				
DEPARTMENT FISCAL IMPACT NOTES:	Click or tap here to	enter text.		
CONTRACT INFORMATION:				
ORIGINAL CONTRACT#		AMOUNT		
AMENDMENT CONTRACT#		AMOUNT		

START END END

Contract Period

AMENDMENT

ORIGINAL

OTHER DEPARTMENTAL REVIEW/COMMENTS: Reviewed/approved by Finance (Nathan Kennedy 8/22/25) and Prosecuting Attorney's Office as to form only (Laura Kisielius 8/20/25)

EXHIBIT # 3.1.002

FILE ORD 25-052

ADOPTED: EFFECTIVE:

SNOHOMISH COUNTY COUNCIL Snohomish County, Washington

ORDINANCE NO. 25-052

RELATING TO GROWTH MANAGEMENT; CONCERNING RURAL CLUSTER SUBDIVISIONS AND SHORT SUBDIVISIONS; AMENDING CHAPTER 30.41C OF THE SNOHOMISH COUNTY CODE

WHEREAS, counties are required to adopt development regulations that are consistent with and implement the comprehensive plan under the Growth Management Act (GMA), chapter 36.70A RCW; and

WHEREAS, RCW 36.70A.070(5) of the GMA requires counties to include a rural element in the comprehensive plan for lands that are not designated for urban growth, agriculture, forestry, or mineral resources; and

 WHEREAS, RCW 36.70A.070(5)(b) of the GMA requires that the rural element provide for a variety of rural densities with clustering and design guidelines as two of the innovative techniques that can be used to accommodate appropriate rural densities and uses that are consistent with rural character; and

 WHEREAS, chapter 30.41C of Snohomish County Code (SCC) provides regulations and standards for rural cluster subdivisions and short subdivisions that are an alternative method for developing rural residential property. Landowners and developers are given incentives to cluster lots on the most buildable and least environmentally sensitive portions of a site while retaining a substantial portion of each site, including resource lands and critical areas, in open space tracts; and

WHEREAS, on August 28, 2024, the Snohomish County Council ("County Council") unanimously passed second substitute Amended Ordinance No. 24-021; and

 WHEREAS, Amended Ordinance No. 24-021 included a new provision within SCC 30.41C.030(6) requiring third-party certification of the environmental efficiency of proposed structures; and

WHEREAS, SCC 30.41C.030(6) requires the applicant to obtain certification prior to issuance of building permits and preliminary approval of the rural cluster subdivision or short subdivision, and this timing does not align with the requirements of the Built Green Program that requires construction to be underway before it certifies the work; and

permit issuance. This change balances the third-party certification timelines with building permit review timelines by only requiring proof of enrollment in a third-party certification program for dwellings, not entire subdivisions.

D. In developing the proposed code amendments, the county considered the goals of the GMA identified in RCW 36.70A.020, specifically the goal related to permitting. The proposed amendments are reasonably related to and necessary for the efficient review of permit applications to advance the GMA planning goal.

E. The proposed code amendments will allow chapter 30.41C SCC to achieve, comply with, and implement the goals, objectives, and policies of the Multi-County Planning Policies (MPPs), Countywide Planning Policies (CPPs), and the Snohomish County Comprehensive Plan. In particular, the amendments will ensure consistent and efficient review of permits. Additionally, the removal of neighborhood certification, many of the requirements of which are also contained in the individual certification of dwellings, helps minimize additional cost to housing while increasing sustainability and helping to reduce environmental impact. The proposed amendments are consistent with:

1. MPP-H-10: "Encourage jurisdictions to review and streamline development standards and regulations to advance their public benefit, provide flexibility, and minimize additional costs to housing."

2. CPP HO-11: "The county and cities should consider the economic implications of proposed building and land use regulations so that the broader public benefit they serve is achieved with the least additional cost to housing."

 3. Objective ED 2.A: "Develop and maintain a regulatory system that is fair, understandable, coordinated, and timely."

F. Procedural requirements:

 1.

2. As required by RCW 30.70A.106(1), a 60-day notice of intent to adopt the proposed code amendments was transmitted to the Washington State Department of Commerce for distribution to state agencies on July 1, 2025.

The proposal is a Type 3 legislative action under SCC 30.73.010.

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 July 1, 2025.

4. The public participation process used in the adoption of the proposed code amendments has complied with all applicable requirements of the GMA and SCC.

5. The Washington State Attorney General last issued an advisory memorandum, as required by RCW 36.70A.370, in October of 2024 entitled *Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory and Administrative Actions to Avoid the 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 the County in objectively evaluating the regulatory changes proposed by this ordinance.

G. This ordinance is consistent with the record:

1. The proposed changes to SCC 30.41C.030 are necessary because the timing for certification under the third-party certification programs specified in adopted code does not align with the timing adopted in SCC 30.41C.030.

2. The proposed changes to SCC 30.41C.030 clarify the timing of when proof of enrollment in third-party certification must be provided. As adopted, SCC 30.41C.030 cannot be implemented due to a discrepancy between when third-party certification can be obtained and when adopted code specifies that evidence of third-party certification must be provided.

 3. Implementation of SCC 30.41C.030 as adopted is not feasible. Third-party certification of the rural cluster subdivision or short subdivision cannot be obtained until the subdivision process has been completed. As adopted, SCC 30.41C.030 specifies that evidence of third-party certification must be provided before a subdivision or short subdivision receives preliminary approval. Therefore, the change to SCC 30.41C.030 is necessary to reduce the scope of third-party certification to just review of individual dwellings. This change balances the third-party certification timelines with building permit approval timelines by only requiring proof of enrollment in a third-party certification program for dwellings, not entire subdivisions.

4. As adopted, SCC 30.41C.030 puts forth conditions of approval dictating that third-party certification of structures in a subdivision be obtained prior to building permit issuance. Third party certification of a structure cannot be obtained until after building occupancy. Therefore, the proposed changes to SCC 30.41C.030 are necessary to correct the discrepancy between the timing of certification and the timing of building permit issuance.

H. The proposed code amendments are consistent with the record, including PDS's staff report to the County Council.

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Section 2. The County Council makes the following conclusions:

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A. The amendments proposed by this ordinance are consistent with the GMA.

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B. The amendments proposed by this ordinance are consistent with the goals, objectives, and policies of the MPPs, CPPs, and the Comprehensive Plan.

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C. The County has complied with all SEPA requirements with respect to this nonproject proposal.

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D. The amendments proposed by this ordinance do not result in an unconstitutional taking of private property for a public purpose.

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E. The public participation process used in the adoption of this ordinance complies with all applicable requirements of the GMA and chapter 30.73 SCC.

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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.

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Section 4. Snohomish County Code Section 30.41C.030, last amended by Amended Ordinance No. 24-021 on September 19, 2024, is amended to read:

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30.41C.030 Approval procedure.

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(1) Rural cluster subdivisions or short subdivisions are subject to the same procedures. requirements, and approval criteria as any standard subdivision or short subdivision as set forth in chapters 30.41A and 30.41B SCC, except when the procedures, requirements, and approval criteria are specifically modified or added to by the provisions of this chapter.

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> (2) Rural cluster subdivisions and short subdivisions are subject to the landscaping 35 provisions of chapter 30.25 SCC. 36

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(3) Rural cluster subdivisions and short subdivisions shall meet applicable rural concurrency standards and traffic impact mitigation requirements in accordance with 38

chapter 30.66B SCC. 39

- (4) Rural cluster subdivisions and short subdivisions shall be located in a rural fire 40
- district and are required to provide adequate fire flow in accordance with SCC 41
- 30.53A.514 through 30.53A.520 or to provide other means of fire protection as 42
- 43 approved by the Snohomish County fire marshal, unless exempt pursuant to SCC

30.53A.514. 44

1 2	(5) At the time of application, the site she enforcement action or in violation of federal					
3 4 5 6 7	(6) ((Rural cluster subdivisions and short subdivisions must provide documentation of third party certification prior to receiving preliminary approval.)) Conditions of approval for the subdivision or short subdivision shall require that all lots containing new buildings ((receive)) provide proof of enrollment in a third party certification program prior to issuance of individual building permits. Options for third-party certification are:					
8 9	(a) ((Built Green Community certification for the preliminary approval and)) Built Green Single Family/Townhome certification for building permits;					
10 11	(b) ((LEED Neighborhood Develor and)) LEED Home certification for	opment certification for the preliminary approval building permits; or				
12 13	(c) Additional third party certificat through administrative rule.	ion as approved by the director and adopted				
14 15 16 17 18 19 20 21 22 23	this ordinance shall be held to be invalid Hearings Board, or a court of competent shall not affect the validity or constitution phrase of this ordinance. Provided, howe phrase of this ordinance is held to be inv	clause, or phrase in effect prior to the effective e and effect for that individual section,				
24	PASSED this day of _	, 2025.				
25 26 27 28 29		SNOHOMISH COUNTY COUNCIL Snohomish County, Washington				
30 31		Council Chair				
32		Council Chair				
33	ATTEST:					
34						
35						

Deputy Clerk of the Council

1 2 3 4	() APPROVED () EMERGENCY () VETOED	DATE:	
5		DATE:	
6			
7			
8		County Executive	
9	ATTEST:		
10			
11			
12			
13			
14	Approved as to form only:		
15	A 11' 1: 1		
16 /	Tamal hunte 8/20	0/25	
17 ¹	Deputy Prosecuting Attorney		

ECAF: RECEIVED:

ORDINANCE INTRODUCTION SLIP

SNOHOMISH COUNTY COUNCIL

EXHIBIT # 3.1.003

FILE ORD 25-052

TITLE OF PROPOSED ORDINANCE:

TO: Clerk of the Council

N Nelin					
Councilmember	Date				
Proposed Ordinance No.					
Da	te:				
	.~~~~~~~~~				
STANDING COMMITTEE RECOMMENDATION FORM					
considered the Ordinance by llowing recommendation:	Consensus /				
hearing on:					
ive Matters					
Wel-					
\ \ \ \ \ \ \	Proposed Ordinance No. Da RECOMMENDATION considered the Ordinance by llowing recommendation: hearing on: ve Matters				



Planning and Community Development Ryan Hembree

□Yes

	⊠No		
•	41011 001	 -	INCOM

Council Initiated:

SNOHOMISH COUNTY COUNCIL

		EXHIBIT # 3.2.001				
ECAF: 2025-2799	Subject:	Rural Cluster Subdivision 3 rd Party Certification ORD 25-052				
Ordinance: 25-052	Scope:	This ordinance will amend regulations related to rural cluster subdivision and short subdivision requirements to remove the requirement that rural cluster				
Type: ☐Contract		subdivisions receive third-party certification and clarify the timing of				
☐Board Appt.		requirements for enrollment in third-party certification programs for dwellings.				
⊠Code Amendment						
☐ Budget Action	Duration:					
□Other	Fiscal Impact:	☐ Current Year ☐ Multi-Year ☒ N/A				
Requested Handling:						
⊠Normal	Authority Gra	nted:				
☐ Expedite	Authorizes the County Executive to sign and implement Ordinance 25-052, relating to Growth					
□Urgent		concerning rural cluster subdivisions and short subdivisions; amending Chapter				
Fund Source:	30.41C of the S	Snohomish County Code.				
☐General Fund	Background:					
□Other	Implementation of SCC 30.41C.030 as adopted is not feasible. Third-party certification of a					
⊠N/A	rural cluster subdivision or short subdivision cannot be obtained until the subdivision process has been completed.					
Executive Rec:						
⊠ Approve	Request: Mov	e Ordinance 25-052 to GLS to set a time and date for a public hearing.				
☐ Do Not Approve	<u></u>	,				
□n/a						
Approved as to						
Form:						
⊠Yes						
□No						
□N/A						

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EXHIBIT # 3.2.002

FILE ORD 25-052

Exhibit 3.2.002

Planning and Community Development Committee – 09/02/25

<u>Video</u>

EXHIBIT # 3.2.002a
FILE ORD 25-052



Snohomish County Council Planning and Community Development Committee Agenda

Nate Nehring, Committee Chair Strom Peterson, Committee Vice-Chair Committee Members: Sam Low, Megan Dunn, Jared Mead

> Ryan Hembree, Legislative Analyst Russell Wiita, Legislative Aide Lisa Hickey, Assistant Clerk of the Council

Tuesday, September 2, 2025

11:00 AM

Jackson Board Room - 8th Floor Robert J. Drewel Building & Remote Meeting

Webinar Link: https://zoom.us/j/94846850772

Attend in person at 3000 Rockefeller Ave, Jackson Board Room, 8th Floor, Everett, WA Join remotely using the Zoom link above or call 1-253-215-8782 or 1-206-337-9723 and enter Meeting ID 948-4685 0772

CALL TO ORDER

ROLL CALL

PUBLIC COMMENT

ACTION ITEMS

Motion 25-330, authorizing the County Executive to execute 2025-2147
 Amendment No. 1 to the Interlocal Agreement between Snohomish County and the City of Everett for the Lion's Park Skate DOT Project

Proposed Action: Move to General Legislative Session September 10th for consideration.

2. Motion 25-363, convening Board of Equalization

2025-2457

Proposed Action: Move to General Legislative Session September 10th for consideration.

3. Ordinance 25-047, relating to nonconforming structures and uses; 2025-2504 amending Sections 30.28.070, 30.28.072, and 30.91n.050, and repealing Section 30.28.075 of the Snohomish County Code

Proposed Action: Move to General Legislative Session on September 10th to set time and date for a public hearing.

4. Ordinance 25-051, relating to Growth Management; amending the Snohomish County Official Zoning Map to more fully implement the Urban Medium Density Residential and Urban High Density Residential Designations on the Snohomish County Growth Management Act Comprehensive Plan Future Land Use Map

Proposed Action: Move to General Legislative Session on September 10th to set time and date for a public hearing.

Motion 25-405, referring a proposed ordinance relating to Growth Management; allowing reduced setbacks for covered parking structures from road elements in the Rural Village Housing Demonstration Program; adding New Section 30.41h.105 of the Snohomish County Code to Planning and Development Services (PDS), Department of Public Works and the Snohomish County Planning Commission

*Pending assignment to Committee Proposed Action: Move to General Legislative Session September 3rd for consideration.

6. Motion 25-337, accepting contract funds awarded to Snohomish
County from the Washington State Department of Agriculture for the control of the noxious weed Spartina along the shores and in the estuaries of Snohomish County

Proposed Action: Move to General Legislative Session September 10th for consideration.

7. Motion 25-364, authorizing the County Executive to execute 2025-2381 Amendment No. 1 to the Interlocal Agreement between Snohomish County and the City of Lake Stevens for the Frontier Heights Park Project

Proposed Action: Move to General Legislative Session September 10th for consideration.

8. Motion 25-382, approving Agreement Amendment No. 2 with 2025-2594 Lautenbach Recycling for year-round hauling services

Proposed Action: Move to General Legislative Session September 10th for consideration.

9. Motion 25-395, accepting contract funds awarded from the Washington State Department of Ecology Stormwater Strategic Initiative Lead Grant Program for the purposes of designing a surface water project for the Evergreen State Fairgrounds Park

Proposed Action: Move to General Legislative Session September 10th for consideration.

DISCUSSION ITEMS

1. WSU Promotores Program

2025-2858

EXHIBIT # 3.2.002b
FILE ORD 25-052



Snohomish County Council Planning and Community Development Committee Meeting Minutes

Nate Nehring, Committee Chair Strom Peterson, Committee Vice-Chair Committee Members: Sam Low, Megan Dunn, Jared Mead

> Ryan Hembree, Legislative Analyst Russell Wiita, Legislative Aide Lisa Hickey, Assistant Clerk of the Council

Tuesday, September 2, 2025

11:00 AM

Jackson Board Room - 8th Floor Robert J. Drewel Building & Remote Meeting

PRESENT:

Committee Chair Nehring
Committee Vice-Chair Dunn
Committee Member Low (remote)
Committee Member Mead (not present)
Committee Member Peterson
Ryan Hembree, Council Staff
Frank Slusser, Planning and Development Services
Henry Jennings, Planning and Development Services
Anthony Gromko, WSU Promotores
Jessica Gardenia, WSU Promotores
Patricia Townsend, WSU Promotores
Lisa Hickey, Assistant Clerk of the Council

CALL TO ORDER

Committee Chair Nehring called the meeting to order at 11:00 a.m.

ROLL CALL

The clerk called the roll and stated that four members were present.

PUBLIC COMMENT

There were no persons present wishing to provide public comment.

ACTION ITEMS

Deb Bell, Sr. Legislative Analyst, provided a staff report for Items 1 and 2.

Motion 25-330, authorizing the County Executive to execute
 Amendment No. 1 to the Interlocal Agreement between Snohomish
 County and the City of Everett for the Lion's Park Skate DOT
 Project

ACTION: Move to Consent Agenda, General Legislative Session September 10th for consideration.

2. Motion 25-363, convening Board of Equalization

2025-2457

ACTION: Move to Consent Agenda, General Legislative Session September 10th for consideration.

Ryan Hembree, Legislative Analyst, provided a staff report for Items 3 through 10.

3. Ordinance 25-047, relating to nonconforming structures and uses; amending Sections 30.28.070, 30.28.072, and 30.91n.050, and repealing Section 30.28.075 of the Snohomish County Code

ACTION: Move to Administrative Matters, General Legislative Session September 10th to set time and date for a public hearing.

4. Ordinance 25-051, relating to Growth Management; amending the Snohomish County Official Zoning Map to more fully implement the Urban Medium Density Residential and Urban High Density Residential Designations on the Snohomish County Growth Management Act Comprehensive Plan Future Land Use Map

Frank Slusser, Planning and Development Services, responded to Committee Member Dunn's questions.

ACTION: Move to Administrative Matters, General Legislative Session September 10th to set time and date for a public hearing.

Item 5 walked on

 Ordinance 25-052, relating to Growth Management; concerning rural cluster subdivisions and short subdivisions; amending Chapter 30.41C of the Snohomish County Code

Henry Jennings, Planning and Development Services, provided a PowerPoint presentation and responded to questions.

ACTION: Move to Regular Agenda, General Legislative Session September 3rd to set time and date for a public hearing.

6. Motion 25-405, referring a proposed ordinance relating to Growth Management; allowing reduced setbacks for covered parking structures from road elements in the Rural Village Housing Demonstration Program; adding New Section 30.41h.105 of the Snohomish County Code to Planning and Development Services (PDS), Department of Public Works and the Snohomish County Planning Commission

ACTION: Move to Consent Agenda, General Legislative Session September 3rd for consideration.

7. Motion 25-337, accepting contract funds awarded to Snohomish
County from the Washington State Department of Agriculture for
the control of the noxious weed Spartina along the shores and in
the estuaries of Snohomish County

ACTION: Move to Consent Agenda, General Legislative Session September 10th for consideration.

8. Motion 25-364, authorizing the County Executive to execute
Amendment No. 1 to the Interlocal Agreement between Snohomish
County and the City of Lake Stevens for the Frontier Heights Park
Project

ACTION: Move to Consent Agenda, General Legislative Session September 10th for consideration.

9. Motion 25-382, approving Agreement Amendment No. 2 with Lautenbach Recycling for year-round hauling services

2025-2594

ACTION: Move to Consent Agenda, General Legislative Session September 10th for consideration.

10. Motion 25-395, accepting contract funds awarded from the Washington State Department of Ecology Stormwater Strategic Initiative Lead Grant Program for the purposes of designing a surface water project for the Evergreen State Fairgrounds Park

2025-2702

ACTION: Move to Consent Agenda, General Legislative Session September 10th for consideration.

DISCUSSION ITEM

1. WSU Promotores Program

2025-2858

Anthony Gromko, Jessica Gardenia, and Patricia Townsend, WSU Promotores Program, provided a PowerPoint presentation and responded to questions.

Meeting adjourned at 11:38 a.m.

EXHIBIT # 3.2.002c

FILE ORD 25-052

Rural Cluster Subdivision Third Party Certification Proposed Code Amendment

Planning Commission Briefing, 9/2/2025
Henry Jennings
Senior Planner, Long Range Planning



Code Under Consideration

- Limited scope only code section under consideration is SCC 30.41C.030(6)
- 3rd Party Certification added to code as requirement for preliminary subdivision approval before passage of 24-021
- 3rd Party Certification cannot be received until after building occupancy
 - Code needs to be amended to allow preliminary approval of rural cluster subdivisions
- MBA has requested that 3rd Party Certification of entire subdivisions be removed
 - Many of the same requirements are present in individual dwelling certification

Code Change Rationale

- Under adopted code, RCS cannot receive preliminary subdivision approval until proof of certification for community and all dwellings is provided
 - Proof of certification cannot be obtained until after occupancy
- 8 RCS applications are currently under review, totaling over 500 lots
- If adopted code is not updated, the 8 subdivisions currently under review would not be able to be approved
- The amendments are necessary to allow RCS applications to progress



SCC 30.41C.030, Enacted by Am. Ord. 24-021

- (6) Rural cluster subdivisions and short subdivisions must provide documentation of third party certification prior to receiving preliminary approval. Conditions of approval for the <u>subdivision</u> or <u>short subdivision</u> shall require all <u>lots</u> containing new <u>buildings</u> receive third party certification prior to issuance of individual <u>building permits</u>. Options for third party certification are:
 - (a) Built Green Community certification for the preliminary approval and Built Green Single Family/Townhome certification for building permits;
 - (b) LEED Neighborhood Development certification for the preliminary approval and LEED Home certification for building permits; or
 - (c) Additional third party certification as approved by the <u>director</u> and adopted through administrative rule. (Added by Amended Ord. 02-064, Dec. 9, 2002, Eff date Feb. 1, 2003; Amended by Amended Ord. 08-087, Feb. 4, 2009, Eff date Apr. 5, 2009; Amended by Amended Ord. 24-021, Aug. 28, 2024, Eff date Sept. 19, 2024).



- (6) ((Rural cluster subdivisions and short subdivisions must provide documentation of third party certification prior to receiving preliminary approval.)) Conditions of approval for the subdivision or short subdivision shall require that all lots containing new buildings ((receive)) provide proof of enrollment in a third party certification program prior to issuance of individual building permits. Options for third-party certification are:
- (a) ((Built Green Community certification for the preliminary approval and)) Built Green Single Family/Townhome certification for building permits;
- (b) ((LEED Neighborhood Development certification for the preliminary approval_and)) LEED Home certification for building permits; or
- (c) Additional third party certification as approved by the director and adopted through administrative rule.

- (6) Conditions of approval for the subdivision or short subdivision shall require that all lots containing new buildings provide proof of enrollment in a third-party certification program prior to issuance of individual building permits. Options for third-party certification are:
 - (a) Built Green Single Family/Townhome certification for building permits;
 - (b) LEED Home certification for building permits; or
 - (c) Additional third-party certification as approved by the director and adopted through administrative rule.

Summary

- Scope of changes limited to SCC 30.41C.030(6)
- Changes fix conflict between permit review and 3rd party review
- Removal of 3rd party review of entire subdivision
 - Only dwellings receive 3rd party review



Questions?

Henry Jennings
425-262-2179
Henry.Jennings@snoco.org



SNOHOMISH COUNTY COUNCIL

EXHIBIT # 3.2.003

FILE ORD 25-052

Exhibit 3.2.003

General Legislative Session – 09/03/25

<u>Video</u>

EXHIBIT # 3.2.003a
FILE ORD 25-052



Snohomish County Council General Legislative Session Agenda

Council Chair Nate Nehring
Council Vice-Chair Megan Dunn
Councilmembers: Sam Low, Jared Mead, Strom Peterson

Wednesday, September 3, 2025

9:00 AM

Jackson Board Room - 8th Floor Robert J. Drewel Building & Remote Meeting

Webinar Link: https://zoom.us/j/94846850772

Attend in person at 3000 Rockefeller Ave, Jackson Board Room, 8th Floor, Everett, WA Join remotely using the Zoom link above or 1-253-215-8782 or 1-206-337-9723

Meeting ID 948-4685 0772

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance Councilmember Low
- D. Public Comment
- E. Committee of the Whole
- F. Resolutions
- G. Consent Agenda
 - 1. Motion 25-404, approving and authorizing the County Executive to sign a Master Services Agreement with Gateway International 360 LLC, for Electric Vehicle Supply Equipment (EVSE) and Charge Management Software (CMS) and related services
 - 2. Motion 25-405, referring a proposed ordinance relating to Growth Management; allowing reduced setbacks for covered parking structures from road elements in the Rural Village Housing Demonstration Program; adding New Section 30.41h.105 of the Snohomish County Code to Planning and Development Services (PDS), Department of Public Works and the Snohomish County Planning Commission

H. Administrative Matters

- **1.** Motion 25-402, approving Administrative Matters presented at 2025-2876 General Legislative Session on September 3, 2025
 - a. Receiving the following Report:
 - 1) Snohomish County Early Head Start Monthly 2025-2817
 Program Update July 1, 2025, through August 21, 2025

I. Action on Items from Committee

- 1. Community Safety and Justice
- 2. Finance, Budget and Administration
- 3. Health and Community Services
- 4. Planning and Community Development
 - a. Ordinance 25-052, relating to Growth Management; 2025-2799 concerning rural cluster subdivisions and short subdivisions; amending Chapter 30.41C of the Snohomish County Code

(Proposed action is to set time and date for a public hearing; suggested time and date is Wednesday, September 17, 2025, at the hour of 10:30 a.m.)

- 5. Public Infrastructure and Conservation
- 6. Committee of the Whole
- J. Other Business
- K. Public Meetings/Hearings
- L. Executive Session
- M. Adjourn

EXHIBIT # 3.2.003b
FILE ORD 25-052



Snohomish County Council General Legislative Session Meeting Minutes

Council Chair Nate Nehring
Council Vice-Chair Megan Dunn
Councilmembers: Sam Low. Jared Mead. Strom Peterson

Wednesday, September 3, 2025

9:00 AM

Jackson Board Room - 8th Floor Robert J. Drewel Building & Remote Meeting

PRESENT:

Council Chair Nehring
Council Vice-Chair Dunn
Councilmember Low (remote)
Councilmember Mead
Councilmember Peterson
Ryan Hembree, Council Staff
Henry Jennings, Planning and Development Services
Elena Lao, Deputy Clerk of the Council

A. Call to Order

Chair Nehring called the meeting to order at 9:00 a.m.

B. Roll Call

The clerk called the roll and stated that all five members were present.

C. Pledge of Allegiance

Chair Nehring led the assembly with the Pledge of Allegiance.

D. Public Comment

There were no persons present wishing to provide public comment.

E. Committee of the Whole

F. Resolutions

G. Consent Agenda

- Motion 25-404, approving and authorizing the County Executive to sign a Master Services Agreement with Gateway International 360 LLC, for Electric Vehicle Supply Equipment (EVSE) and Charge Management Software (CMS) and related services
- 2. Motion 25-405, referring a proposed ordinance relating to Growth Management; allowing reduced setbacks for covered parking structures from road elements in the Rural Village Housing Demonstration Program; adding New Section 30.41h.105 of the Snohomish County Code to Planning and Development Services (PDS), Department of Public Works and the Snohomish County Planning Commission

Vice-Chair Dunn made a motion to approve the Consent Agenda.

Councilmember Mead seconded the motion and it carried unanimously.

APPROVED: 5-0

H. Administrative Matters

- Motion 25-402, approving Administrative Matters presented at General Legislative Session on September 3, 2025
 - a. Receiving the following Report:
 - 1) Snohomish County Early Head Start Monthly
 Program Update July 1, 2025, through August 21,
 2025

Vice-Chair Dunn made a motion to approve Motion 25-402. Councilmember Mead seconded the motion and it carried unanimously.

APPROVED: 5-0

I. Action on Items from Committee

- 1. Community Safety and Justice
- 2. Finance, Budget and Administration
- 3. Health and Community Services

4. Planning and Community Development

a. Ordinance 25-052, relating to Growth Management; 2025-2799 concerning rural cluster subdivisions and short subdivisions; amending Chapter 30.41C of the Snohomish County Code

Ryan Hembree, Legislative Analyst, provided a staff report and explained the proposed Amendment 1.

Henry Jennings, Senior Planner, Planning and Development Services, presented information on the proposed ordinance and Amendment 1.

Vice-Chair Dunn made a motion to schedule a public hearing to consider Ordinance 25-052, along with the proposed Amendment 1, on Wednesday, September 17, 2025, at the hour of 10:30 a.m. Councilmember Mead seconded the motion and it carried unanimously.

APPROVED: 5-0

- 5. Public Infrastructure and Conservation
- 6. Committee of the Whole
- J. Other Business
- K. Public Meetings/Hearings
- L. Executive Session
- M. Adjourn

There being no further business for the day, Chair Nehring adjourned the Council at 9:06 a.m.

SNOHOMI	SH COUNTY COUNC
EXHIBIT #	
FILE	

Rural Cluster Subdivision Third Party Certification Proposed Code Amendment

9/3/2025
Henry Jennings
Senior Planner, Long Range Planning



Code Under Consideration

- Limited scope only code section under consideration is SCC 30.41C.030(6)
- 3rd Party Certification added to code as requirement for preliminary subdivision approval before passage of 24-021
- 3rd Party Certification cannot be received until after building occupancy
 - Code needs to be amended to allow preliminary approval of rural cluster subdivisions
- MBA has requested that 3rd Party Certification of entire subdivisions be removed
 - Many of the same requirements are present in individual dwelling certification

Code Change Rationale

- Under adopted code, RCS cannot receive preliminary subdivision approval until proof of certification for community and all dwellings is provided
 - Proof of certification cannot be obtained until after occupancy
- 8 RCS applications are currently under review, totaling over 500 lots
- If adopted code is not updated, the 8 subdivisions currently under review would not be able to be approved



- (6) ((Rural cluster subdivisions and short subdivisions must provide documentation of third party certification prior to receiving preliminary approval.)) Conditions of approval for the subdivision or short subdivision shall require that all lots containing new buildings ((receive)) provide proof of enrollment in a third party certification program prior to issuance of individual building permits. Options for third-party certification are:
- (a) ((Built Green Community certification for the preliminary approval and)) Built Green Single Family/Townhome certification for building permits;
- (b) ((LEED Neighborhood Development certification for the preliminary approval_and)) LEED Home certification for building permits; or
- (c) Additional third party certification as approved by the director and adopted through administrative rule.

- (6) Conditions of approval for the subdivision or short subdivision shall require that all lots containing new buildings provide proof of enrollment in a third-party certification program prior to issuance of individual building permits. Options for third-party certification are:
 - (a) Built Green Single Family/Townhome certification for building permits;
 - (b) LEED Home certification for building permits; or
 - (c) Additional third-party certification as approved by the director and adopted through administrative rule.

Amendment – Retroactivity Clause

 Proposed PDS amendment to add clause retroactively applying the code change to applications currently under review



Summary

- Scope of changes limited to SCC 30.41C.030(6)
- Changes fix conflict between permit review and 3rd party review timelines
 - With proposed amendment to make changes retroactively apply to applications currently under review
- Removal of 3rd party review of entire subdivision
 - Only dwellings receive 3rd party review



Questions?

Henry Jennings
425-262-2179
Henry.Jennings@snoco.org



SCC 30.41C.030, Enacted by Am. Ord. 24-021

- (6) Rural cluster subdivisions and short subdivisions must provide documentation of third party certification prior to receiving preliminary approval. Conditions of approval for the <u>subdivision</u> or <u>short subdivision</u> shall require all <u>lots</u> containing new <u>buildings</u> receive third party certification prior to issuance of individual <u>building</u> permits. Options for third party certification are:
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 - (b) LEED Neighborhood Development certification for the preliminary approval and LEED Home certification for building permits; or
 - (c) Additional third party certification as approved by the <u>director</u> and adopted through administrative rule. (Added by Amended Ord. 02-064, Dec. 9, 2002, Eff date Feb. 1, 2003; Amended by Amended Ord. 08-087, Feb. 4, 2009, Eff date Apr. 5, 2009; Amended by Amended Ord. 24-021, Aug. 28, 2024, Eff date Sept. 19, 2024).

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	COUNT	COUNCI

EXHIBIT #_	3.6.001	
ODI	7 25 052	

AMENDMENT SHEET NO. 1

ORDINANCE NO. 25-052

Amendment Name:	Retroactively apply correction to RCS applications unde
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review

Brief Description: This amendment retroactively applies the correction in the

ordinance to Rural Cluster Subdivision applications currently under review. Adopted code requires that RCS applicants provide proof of third-party certification prior to preliminary subdivision approval and building permit issuance, a condition which cannot be satisfied due to conflicting timelines between permit review and third-party certification review. This amendment adds a retroactivity clause to the ordinance, applying the fix to all applications

currently under review.

Affected Code Sections: SCC 30.41C.030

Existing Ordinance Recitals, Findings, Conclusions or Sections to Delete or Modify:

Page 6, line 23, insert "Section 6. This ordinance is curative, remedial, and retroactive and applies to all applications subject to chapter 30.41C SCC that were submitted on or after September 19, 2024 (the effective date of Amended Ordinance No. 24-021)."

Council Disposition:	Date:
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