



**Snohomish County**

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**Planning and Development Services**

3000 Rockefeller Ave., M/S 604

Everett, WA 98201-4046

(425) 388-3311

[www.snoco.org](http://www.snoco.org)

**MEMORANDUM**

TO: Snohomish County Planning Commission and General Public

**Dave Somers**  
*County Executive*

FROM: Hilary McGowan, Senior Planner

SUBJECT: Proposed Code Amendments Relating to Forest Practices Permit Application Extensions

DATE: February 5, 2025

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**INTRODUCTION**

The purpose of this memo is to provide information about proposed code amendments related to forest practices permit applications. Forest practices permit applications expire 18 months after submittal if not approved, and cannot currently be extended. Forest practices permit applications are typically submitted concurrently with a Land Disturbing Activity (LDA) permit application. LDA permit applications also expire after 18 months, although they can be extended. This code change seeks to align the forest practices permit applications and the LDA permit applications to have the same expiration application length.

**BACKGROUND & FINDINGS**

Forest practices permits were established in Snohomish County Code (SCC) in 2015 pursuant to the Forest Practices Act via RCW 76.09 and in WAC 222-16-010 and 222-16-050. Forest practices are generally defined in RCW 76.09.020 as any activity conducted on or directly pertaining to forestland and relating to growing, harvesting, or processing timber. Under SCC 30.43F.030, Snohomish County's forest practices regulations apply to forest practices classified as Class I, II, III, IV-General, and IV-Special that are conducted within urban growth areas (UGAs) and Class IV-General forest practices that are conducted outside of the UGA and involve either timber harvest, road construction, or both on forest lands that are being converted to another use, or lands that the applicant has declared will not be reforested due to likelihood of future conversion to urban development.

Applications for LDA permits and forest practices permits are typically submitted concurrently, due to the nature of forest practices often being a land disturbing activity as well. Amended Ordinance No. 22-073 increased LDA permit application timelines to expire at 36 months and expanded LDA permit approval expirations to 60 months to better align with the average timeline needed to complete Department of Public Works (DPW) Projects. Amended Ordinance No. 22-073 added an LDA application extension fee of \$500 to match the staff time it would approximately take to process an application extension.

Under SCC Table 30.70.140(1), forest practices permit applications expire at 18 months, with no extensions. Forest Practices (Class IV- General) are commonly submitted at the same time as an LDA permit because forest clearing is considered a land disturbing activity. Through aligning the two

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expiration of application deadlines, the permitting review process is more predictable and could require less work for applicants and staff. For instance, if an LDA permit review requires more than 18 months to complete, current code would require an applicant to re-submit the forest practices application due to the inconsistency of the two permits' expiration dates. This proposed change would additionally reduce staff time and cost to the applicant, as resubmitting versus an extension would cost less. Adding in an application extension fee reflects the staff time needed to process a forest practices permit extension.

## PROPOSED CODE AMENDMENTS

**Table 30.70.140(1)**

Approval Type	Expiration of Application	Expiration of approval or permit
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 review
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
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	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, <u>but may be extended for an additional 18 months</u>	36 months
Land Disturbing Activity	18 months, but may be extended for an additional 18 months	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 and 30.31B 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
Rezones	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 58.14.140, except that:
		May be extended for an additional two years
Shore Subdivisions	48 months	60 months, except that:
		May be extended for an additional two years.
Urban Center Development	36 months	5 years to commence construction or use
Variance	36 months	Not applicable

**Finding of Proposed change to SCC Table 30.70.140(1):**

Extending the application timeline from 18 months to a total of 36 months matches the LDA application extension of 36 months. These two permit types are often submitted concurrently and having the same permit application timelines would improve overall permit processing and reduce time and effort for applicants and staff to resubmit a forest practices application.

**SCC 30.86.505 Forest practice fees.**

### 30.86.505 Forest Practices Application Fees

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

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

#### Finding of Proposed changes to SCC Table 30.86.505:

The proposed cost to add a Class IV-General forest practices permit application matches the LDA application fee. LDA applications are often submitted at the same time as forest practices applications, and would match the estimated staff time it would take to process a permit application extension.

#### ANALYSIS

The following analysis provides a summary of the proposed code amendments' compliance with state law, regional, countywide planning policies, and county comprehensive plan policies.

#### Compliance with State Law

The Growth Management Act (GMA) contains planning goals, contained in RCW 36.70A.020, which guide the development of local comprehensive plans and development regulations. The following planning goal applies to the proposed code changes:

*GMA Goal 7 – Permits. Applications for both state and local permits should be processed in a timely and fair matter to ensure predictability.*

Analysis: The proposed amendments would support the permitting goal, as they would reduce the time and effort it takes to re-process forest practice permit applications that are submitted concurrently with LDA permit applications.

#### Compliance with the Multi-County Planning Policies

The proposed amendments are consistent with the following multicounty planning policy (MPP) from the Puget Sound Regional Council's VISION 2050:

*MPP-RGS-6 – Encourage efficient use of urban land by optimizing the development potential of existing urban lands and increasing density in the urban growth area in locations consistent with the Regional Growth Strategy.*

Analysis: The proposed code changes support optimizing the development potential of existing urban lands by making the process of developing certain forested lands within the UGA more streamlined to match the associated LDA permit.

#### Compliance with the Countywide Planning Policies

The proposed amendments are consistent with the following countywide planning policy (CPP):

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

Analysis: The proposed changes to development regulations to align forest practices permit applications with LDA permit applications aids infill development of underutilized lands within the UGA, as it makes the process of development easier for staff and applicants.

### **Compliance with the Snohomish County Comprehensive Plan**

The proposed amendments would be consistent with and help implement the Snohomish County Growth Management Act Comprehensive Plan (GMACP). The following policy applies to the code amendments as proposed in this report.

*Goal LU 2 – Establish development patterns that use urban land more efficiently.*

Analysis: The proposed code amendment allows for developable land within the UGAs to be used more efficiently through streamlining the permitting process.

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

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

Analysis: The proposed code amendments streamline the permitting process through reducing the amount of time for permits to be re-processed due to expiring permit application deadlines.

### **Environmental Review**

Staff has completed a SEPA checklist for this proposed code amendment and will be issuing a Determination of Non-significance in February 2025. The 14-day public comment period will conclude prior to the Planning Commission briefing on February 25, 2025.

### **Notification of State Agencies**

Pursuant to RCW 36.70A.106, a notice of intent to adopt the proposed regulations and standards will be transmitted to the Washington State Department of Commerce in February 2025.

### **Staff Recommendation:**

Staff recommends approval of the proposed code 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: Mike McCrary, PDS Director

David Killingstad, PDS Manager  
Michael Dobesh, PDS Manager