

1 Adopted:  
2 Effective:

3  
4 SNOHOMISH COUNTY COUNCIL  
5 Snohomish County, Washington

6  
7 ORDINANCE NO. 22- 027  
8

9 RELATING TO ENVIRONMENTAL REVIEW; INCREASING EXEMPTION  
10 THRESHOLDS FOR MINOR NEW CONSTRUCTION AND ADOPTING NEW  
11 CATEGORICAL EXEMPTIONS PER THE STATE ENVIRONMENTAL POLICY ACT TO  
12 PROMOTE INFILL DEVELOPMENT IN URBAN GROWTH AREAS; AMENDING  
13 EXISTING SECTIONS IN CHAPTERS 30.61 AND 30.70 OF SNOHOMISH COUNTY  
14 CODE  
15

16  
17 WHEREAS, the Washington State Legislature recently amended the State  
18 Environmental Policy Act (SEPA), chapter 43.21C RCW to promote infill development in  
19 Urban Growth Areas (UGAs) by Substitute House Bill 2673 (SHB 2673); and  
20

21 WHEREAS, SHB 2673 made specific amendments to RCW 43.21C.229 that  
22 increased the potential categorical exemptions from SEPA for actions where the  
23 "density and intensity of use is roughly equal to or lower than called for in the goals and  
24 policies of the applicable comprehensive plan" with certain exceptions; and  
25

26 WHEREAS, the term "infill development" was not specifically defined in SHB  
27 2673 and is understood in this context to mean the type of development in UGAs that  
28 are now potentially exempt from SEPA under SHB 2673; and  
29

30 WHEREAS, RCW 43.21C.229 requires that counties complete an Environmental  
31 Impact Statement (EIS) for their Growth Management Act (GMA) comprehensive plan  
32 before they can make use of the categorical exemptions; and  
33

34 WHEREAS, Snohomish County completed a programmatic EIS for its 2015  
35 Update to the Snohomish County Growth Management Act Comprehensive Plan  
36 (GMACP), and  
37

38 WHEREAS, the Future Land Use Map in the GMACP General Policy Plan (GPP)  
39 designates UGAs and land use plan designations that determine the density and  
40 intensity of development in those plan designations; and  
41

1 WHEREAS, the GPP also identifies implementing zones for each of the plan  
2 designations and includes goals and policies that guide adoption of the development  
3 regulations found in Title 30 of the Snohomish County Code (SCC); and  
4

5 WHEREAS, SCC 30.61.030 describes use of existing exemptions but does not  
6 describe use of the new categorical exemptions authorized by SHB 2673; and  
7

8 WHEREAS, SCC 30.61.035 already provides for certain exemption thresholds  
9 for minor new construction as allowed under WAC 197-11-800(1)(c) and (d); and  
10

11 WHEREAS, the exemption thresholds in SCC 30.61.035 are, in some cases,  
12 below what WAC 197-11-800(1)(c) and (d) allow; and  
13

14 WHEREAS, GPP Goal ED-2 says that the County should “[p]rovide a planning  
15 and regulatory environment which facilitates growth of the local economy”; and  
16

17 WHEREAS, GPP Objective NE 1.A recognizes the need to “[b]alance the  
18 protection of the natural environment with economic growth, housing needs and the  
19 protection of property rights”; and  
20

21 WHEREAS, Title 30 SCC already includes requirements to protect the natural  
22 environment and property rights and where compliance with these requirements  
23 constitutes adequate mitigation under SEPA; and  
24

25 WHEREAS, GPP Policy ED 2.A.3 requires that to “ensure timeliness,  
26 responsiveness, and increased efficiency, the county shall develop and maintain a  
27 program of periodic review of the permitting process to eliminate unnecessary  
28 administrative procedures that do not respond to legal requirements for public review  
29 and citizen input”; and  
30

31 WHEREAS, increasing the thresholds for minor new construction in SCC  
32 30.61.035 to the level allowed under WAC 197-11-800 would eliminate unnecessary  
33 administrative procedure for some development proposals; and  
34

35 WHEREAS, adopting categorical exemptions for other development proposals  
36 that propose a density or intensity of use roughly equal to or lower than called for in the  
37 comprehensive plan and studied in the EIS for GMACP would eliminate unnecessary  
38 administrative procedure for these other development proposals; and  
39

40 WHEREAS, if new categorical exemptions are adopted, certain development  
41 proposals would no longer be subject to review under SEPA; and  
42

1 WHEREAS, the public notice provisions in SCC 30.70.050 for building and land  
2 disturbing activity permits rely, in part, on proposed development being subject to SEPA  
3 before certain notice requirements apply; and  
4

5 WHEREAS, even if a development is no longer subject to SEPA because of the  
6 new categorical exemptions, the County Council finds that the public interest is served if  
7 notice of application is provided; and  
8

9 WHEREAS, chapter 30.22 SCC establishes uses allowed in zones and identifies  
10 permitted uses, administrative conditional uses, conditional uses, and special uses; and  
11

12 WHEREAS, the EIS for the 2015 Update to the GMACP assumed and identified  
13 mitigation for typical development in UGAs which includes permitted uses and  
14 administrative conditional uses; and  
15

16 WHEREAS, conditional uses and special uses are relatively uncommon and the  
17 EIS for the 2015 Update to the GMACP did not necessarily address them in a  
18 comprehensive manner; and  
19

20 WHEREAS, traffic modeling that assumed typical development in the  
21 unincorporated UGAs was relied on in the EIS for the 2015 Update to the GMACP; and  
22

23 WHEREAS, traffic often crosses jurisdictional lines and the traffic mitigation for  
24 the 2015 Update EIS assumed that cities in neighboring counties and Washington State  
25 would make certain improvements funded in part, through reciprocal impact mitigation  
26 adopted by Interlocal Agreements (ILAs) between the various agencies; and  
27

28 WHEREAS, the ILAs that provide for reciprocal impact mitigation typically apply  
29 to developments that are not exempt from SEPA; and  
30

31 WHEREAS, eligibility for the exemption for infill development as allowed in SHB  
32 2673 is predicated upon a determination that the probable adverse environmental  
33 impacts of the proposed action are adequately addressed by development regulations  
34 or other applicable requirements, of which those interlocal agreements for reciprocal  
35 mitigation of traffic impacts per SCC 30.66B.710 or 30.66B.720 are necessary  
36 components for adequate mitigation of traffic impacts of development; and  
37

38 WHEREAS, to ensure that the specific probable adverse environmental impacts  
39 of a proposed infill development are adequately addressed, any determination of  
40 exemption as allowed under SHB 2673 shall be made subject to an applicant's  
41 voluntary agreement to be subject to all reciprocal mitigation requirements imposed  
42 under any interlocal agreement for reciprocal mitigation of impacts which would  
43 otherwise be applicable to the proposed infill development if subject to SEPA review;  
44 and

1  
2 WHEREAS, the County Council finds there is an opportunity to facilitate growth  
3 in the local economy by updating the County's development regulations related to SEPA  
4 to reflect the expanded categorical exemptions authorized by SHB 2673 and also by  
5 revising exemptions for minor new construction to the levels allowed by WAC 197-11-  
6 800; and  
7

8 WHEREAS, the County Council finds that the existing environmental and  
9 property rights protections in Title 30 SCC constitute adequate mitigation for most  
10 permitted uses and administrative conditional uses in urban zones; and  
11

12 WHEREAS, the County Council finds expanding SEPA exemption thresholds  
13 should not exempt new development from providing mitigation for non-County roads;  
14 and  
15

16 WHEREAS, the County Council finds that adjusting SEPA exemptions is a  
17 procedural change that does not materially impact governing land use controls; and  
18

19 WHEREAS, on [Date, Month, Year], the County Council held a public hearing  
20 after proper notice, and considered public comment and the entire record related to the  
21 code amendments contained in this ordinance; and  
22

23 WHEREAS, following the public hearing, the County Council deliberated on the  
24 code amendments contained in this ordinance;  
25

26 NOW, THEREFORE, BE IT ORDAINED:  
27

28 **Section 1.** The County Council adopts the following findings in support of this  
29 ordinance:  
30

- 31 A. The foregoing recitals are adopted as findings as if set forth in full herein.  
32  
33 B. This ordinance will amend Title 30 SCC to update development regulations related  
34 to SEPA exemptions. The proposed amendments seek to:  
35  
36 1. Increase exemption thresholds for minor new construction to match what WAC  
37 197-11-800 allows;  
38  
39 2. Reflect changes in RCW 43.21C.229 related to categorical exemptions;  
40  
41 3. Provide clarity on implementation of exceptions for retail development found in  
42 RCW 43.21C.229;  
43

- 1 4. Maintain environmental and property rights protections by continued reliance on  
2 existing codes;  
3  
4 5. Clarify that the Director of Planning and Development Services may rely on local  
5 conditions or the specifics of a development proposal to determine that a  
6 development proposal does not qualify for exemption from SEPA; and  
7  
8 6. Continue requiring SEPA-based reciprocal mitigation for developments that are  
9 categorically exempt. For purposes of the proposed exemption language for infill  
10 development in SCC 30.61.035(2), it is recognized that certain impacts of  
11 development are mitigated through interlocal agreements for reciprocal mitigation  
12 of impacts under SEPA including, but not limited to, impacts to state highways  
13 per SCC 30.66B.710 and impacts to city streets and roads per SCC 30.66B.720,  
14 which interlocal agreements on their face may only apply to those development  
15 applications subject to SEPA. A determination of exemption which has the effect  
16 of excluding such infill development from mitigation of impacts where otherwise  
17 applicable under the terms of an existing interlocal agreement for reciprocal  
18 mitigation of impacts but for the exemption from SEPA, would result in the  
19 potential adverse environmental impacts of such infill development not being  
20 adequately addressed by the county's development regulations, thus precluding  
21 a determination of exemption under RCW 43.21C.229. Accordingly, the proposed  
22 language in SCC 30.61.035(3) requires as a condition of eligibility for the  
23 exemption for infill development that an applicant voluntarily agree, as a  
24 condition of approval, to make all payments for reciprocal traffic impact mitigation  
25 fees consistent with those interlocal agreements which would otherwise be  
26 applicable if not exempt from SEPA review.

27  
28 C. In developing the proposed code amendments, the County considered the goals of  
29 the GMA. The ordinance advances several GMA goals in a general sense and  
30 maintains current implementation of two GMA goals through specific proposals  
31 related to provision of notice.

- 32  
33 1. Because it simplifies the process for infill development in established urban  
34 growth areas where environmental regulations and protections are already in  
35 place, this ordinance advances the following GMA goals:  
36 a. GMA Goal 5: "Economic development. Encourage economic development  
37 throughout the state that is consistent with adopted comprehensive plans."  
38 b. GMA Goal 7: "Permits. Applications for both state and local government  
39 permits should be processed in a timely and fair manner to ensure  
40 predictability."



1 c. GMA Goal 10: "Environment. Protect the environment and enhance the  
2 state's high quality of life, including air and water quality."  
3

4 2. GMA goals maintained: This ordinance maintains current implementation of the  
5 second part of GMA Goal 6: "Property Rights [...] The property rights of  
6 landowners shall be protected from arbitrary and discriminatory actions," and  
7 GMA Goal 11: "Citizen participation and coordination. Encourage the  
8 involvement of citizens in the planning process and ensure coordination between  
9 communities and jurisdictions to reconcile conflicts." This is because it includes  
10 provisions to maintain the current practices related to notice of application.  
11 Current practice is to provide notice of new development application and  
12 associated comment periods to neighboring taxpayers of record. This ordinance  
13 communicates an opportunity to participate in the planning process and to  
14 protect their interests for potential conflicts with proposed development. Current  
15 practice regarding provision of notice of application is sometimes contingent on a  
16 development proposal being subject to SEPA. As this ordinance would exempt  
17 such developments from SEPA, a secondary effect would be to potentially  
18 deprive neighboring taxpayers of record from receiving notice of application.  
19 Therefore, to maintain current levels of participation and protection of property  
20 rights, this ordinance proposes revisions to noticing requirements to maintain the  
21 same provision of notice but based on standards other than a development being  
22 subject to SEPA.  
23

24 D. In addition to the policies cited above, the proposed amendments will better achieve,  
25 comply with, and implement the following goals, objectives, and policies contained in  
26 the county's GMACP.  
27

28 1. Land Use Policy LU 1.A.3: "Encourage the efficient use of urban land by adopting  
29 reasonable measures to increase residential, commercial and industrial capacity  
30 within urban growth areas [...]. The County Council will use the list of reasonable  
31 measures in accordance with the guidelines for review contained in Appendix D  
32 of the Countywide Planning Policies [...]" This ordinance promotes efficient use  
33 of urban land by acting on one of the reasonable measures listed in Appendix D  
34 of the Countywide Planning Policies which says to "encourage infill and  
35 redevelopment."  
36

37 2. Housing Policy HO 3.A.4: "Snohomish County shall endeavor to process  
38 completed development applications within 120 days." This ordinance will help  
39 streamline the permit process in support of this policy.  
40

41 Transportation Objective TR 7.A: "Jointly plan, in cooperation with other  
42 transportation providers (cities, WSDOT, transit agencies, and ferry system)  
43 adequate transportation systems such that development can proceed with order  
44 and according to the land use elements of local comprehensive plans." This

1 ordinance recognizes the importance of interlocal agreements for reciprocal  
2 transportation mitigation in joint planning between transportation providers and it  
3 maintains the mechanism for ensuring that new development continues to  
4 contribute towards jointly planned improvements.

- 5  
6 4. Natural Environment Policy NE 1.A.1: "Regulatory programs developed for  
7 protection of the natural environment shall provide certainty, clarity, flexibility,  
8 efficiency, public outreach and education so that citizens understand the  
9 requirements, permits are processed quickly, and alternative approaches that  
10 provide equal or greater protection to the environment may be considered." The  
11 ordinance recognizes that existing codes and administrative rules provide for  
12 equal or greater protection of the natural environment than SEPA-based  
13 mitigation. By reducing redundant SEPA processes, this ordinance also clarifies  
14 expectations regarding environmental review.

15  
16 E. Procedural requirements.

- 17  
18 1. Amendments to chapter 30.61 SCC do not constitute amendments to GMA  
19 development regulations under SCC 30.10.080. Because amendments to  
20 chapter 30.70 are included in this ordinance, it is being processed as a Type 3  
21 legislative action pursuant to SCC 30.73.010. Planning Commission review is not  
22 required under SCC 30.73.040(2).  
23  
24 2. State Environmental Policy Act (SEPA) requirements with respect to this non-  
25 project action have been satisfied through the completion of an environmental  
26 checklist and the issuance of a Determination of Nonsignificance (DNS) on [Date,  
27 Month, Year].  
28  
29 3. The public participation process used in the adoption of this ordinance has  
30 complied with all applicable requirements of the GMA and the SCC.  
31  
32 4. The Washington State Attorney General last issued an advisory memorandum,  
33 as required by RCW 36.70A.370, in September of 2018 entitled "Advisory  
34 Memorandum Avoiding Unconstitutional Takings of Private Property" to help  
35 local governments avoid the unconstitutional taking of private property. The  
36 process outlined in the State Attorney General's 2018 advisory memorandum  
37 was used by the County in objectively evaluating the regulatory changes  
38 proposed by this ordinance.

39  
40 **Section 2.** The Snohomish County Council makes the following conclusions:

- 41  
42 1. The proposal is consistent with the goals, objectives and policies of the GPP.

- 1 B. The proposal is consistent with Washington State law and the SCC.  
2  
3 C. The County has complied with all SEPA requirements in respect to this non-project  
4 action.  
5  
6 D. The regulations proposed by this ordinance do not result in an unconstitutional  
7 taking of private property for a public purpose.  
8

9 **Section 3.** The Snohomish County Council bases its findings and conclusions on  
10 the entire record of the county council, including all testimony and exhibits. Any finding,  
11 which should be deemed a conclusion, and any conclusion which should be deemed a  
12 finding, is hereby adopted as such.  
13

14 **Section 4.** Snohomish County Code Section 30.61.030 added by Amended  
15 Ordinance No. 02-064 on December 9, 2002, is amended to read:  
16

17 **30.61.030 Use of exemptions.**

18 (1) Use of categorical exemptions is subject to WAC 197-11-305(1)(a)-(b). Each  
19 department that receives an application for a license or, in the case of governmental  
20 proposals, the department initiating the proposal shall determine whether the license  
21 and/or the proposal is exempt. The department's determination that a proposal is  
22 exempt shall be final and not subject to administrative review. If a proposal is exempt,  
23 the procedural requirements of this chapter shall not apply. The county shall not require  
24 completion of an environmental checklist for an exempt action.

25 (2) In determining whether or not a proposal is exempt, the department shall  
26 make certain the proposal is properly defined and will not require phased review (WAC  
27 197-11-060) and shall identify the governmental licenses required. If a proposal  
28 includes exempt and nonexempt actions, the department shall determine the lead  
29 agency, even if the license application that triggers the department's consideration is  
30 exempt.

31 (b) If a proposal includes both exempt and nonexempt actions, the county may  
32 authorize exempt actions prior to compliance with the procedural requirements of this  
33 chapter, except that:

34 (a) The county shall not give authorization for:

- 35 (i) any nonexempt action;  
36 (ii) any action that would have an adverse environmental impact; or  
37 (iii) any action that would limit the choice of reasonable alternatives;

38 (b) A department may withhold approval of an exempt action linked to a  
39 nonexempt action that would lead to modification of the physical environment, when



1 such modification would have no purpose if nonexempt action(s) were not approved;  
2 and

3 (c) A department may withhold approval of exempt actions linked to a  
4 nonexempt action that would lead to substantial financial expenditures by a private  
5 applicant when the expenditures would serve no purpose if nonexempt action(s) were  
6 not approved.

7 (4) The department has the option to withdraw a determination that a proposal is  
8 exempt based on new information or further review of existing information.

9  
10 **Section 5.** Snohomish County Code Section 30.61.035, last amended by  
11 Amended Ordinance No. 15-064 on March 30, 2016, is amended to read:

12  
13 **30.61.035 Exemption thresholds for minor new construction and infill**  
14 **development.**

15 Subject to SCC 30.61.030, a proposal is exempt if it meets either the thresholds for  
16 minor new construction in SCC 30.61.035(1) or the criteria to be categorically exempt  
17 as infill development in SCC 30.61.035(2). While proposals may be potentially exempt  
18 under both subsections (1) and (2), these exemptions are not automatic. SCC  
19 30.61.035(3) requires that development projects that are categorically exempt must still  
20 provide mitigation to other jurisdictions.

21 (1) As allowed under WAC 357-1-800(1)(c) and (d), the exempt levels for minor  
22 new construction are based upon local conditions and are as follows:

23 (a) The construction or location of any single family residential structures of  
24 ~~((20))~~ 30 dwelling units or less ~~((within an urban growth area))~~ in an urban growth area (UGA) and 20 dwelling  
25 units or less outside of ((an urban growth area)) a UGA;

26 (b) The construction or location of any multifamily residential structures of 60  
27 dwelling units or less ~~((within an urban growth area))~~ in a UGA and 25 dwelling units or  
28 less outside of ((an urban growth area)) a UGA;

29 (c) The construction of a barn, loafing shed, farm equipment storage building,  
30 product storage or parking structure, or similar agricultural structure covering 40,000  
31 square feet or less;

32 (d) The construction of an office, school, commercial, recreational, service, or  
33 storage building of ~~((25,000))~~ 30,000 square feet or less and associated parking  
34 facilities designed for 90 or fewer automobiles ~~((within an urban growth area))~~ in a UGA  
35 and 12,000 square feet or less and associated parking facilities designed for 40 or fewer  
36 automobiles outside of ((an urban growth area)) a UGA;

37 (e) The construction of a parking lot designed for 40 or fewer parking spaces;  
38 and

1 (f) Any landfill or excavation of 1,000 cubic yards or less throughout the total  
2 lifetime of the fill or excavation.

3 (2) ~~((The exempt levels established in subsection (1) of this section are based~~  
4 ~~upon local conditions.))~~ As allowed under RCW 43.21C.229, the following types of infill  
5 development in a UGA are categorically exempt when the following criteria are met:

6 (a) Development which is limited to one or more categories of:

7 (i) Residential development;

8 (ii) Mixed-use development; or

9 (iii) Commercial development up to 65,000 square feet, excluding retail  
10 development.

11 (b) Under RCW 43.21C.229(1)(c), this exemption shall be subject to the  
12 department considering the specific probable adverse environmental impacts of the  
13 proposed action and determining that these specific impacts are adequately addressed  
14 by the county's development regulations, other applicable requirements of the  
15 comprehensive plan, a subarea plan element of the comprehensive plan, a planned  
16 action ordinance, or other local, state, or federal rules or laws or impact fees as  
17 described in subsection (3) of this section below.

18 (c) For this exemption to be applicable:

19 (i) The site must be located entirely in a UGA; and

20 (ii) Zoning relied on for the development proposal must be among the  
21 zones that the land use chapter of the comprehensive plan identifies as an  
22 implementing zone for the applicable plan designation shown on the future land use  
23 map of the comprehensive plan.

24 (d) The following definitions apply as used in this subsection:

25 (i) "Residential development" means any permitted type of dwellings and  
26 may include incidental non-residential components of a residential development  
27 proposal such as amenity buildings in apartment complexes;

28 (ii) "Mixed-use development" means any mix of permitted non-residential  
29 use up to 65,000 square feet and residential development of any amount, provided that  
30 any non-residential component meeting the definition of general retail in SCC 30.91R.143 is  
31 limited to 30,000 square feet in application of subsection (a)(ii); and

32 (iii) "Commercial development" means any permitted non-residential use  
33 greater than general retail as defined in SCC 30.91R.143.

34 (3) Impact Fees and Mitigation Requirements: To ensure that the specific  
35 probable adverse environmental impacts of a proposed infill development are  
36 adequately addressed, any determination of exemption under subsection (2) of this  
37 section shall be made subject to the applicant's voluntary agreement to be subject to all  
38 reciprocal mitigation requirements imposed under any interlocal agreement for

1 reciprocal mitigation of impacts which would otherwise be applicable to the proposed  
2 infill development if subject to SEPA review. Such agreement shall be made a condition  
3 of any approval of an application deemed exempt under subsection (2). Applicants not  
4 wishing to consent to reciprocal mitigation requirements for purposes of exemption  
5 under subsection (2) may elect to forego such a determination and have their  
6 application processed subject to SEPA.

7  
8 **Section 6.** Snohomish County Code Section 30.70.015, last amended by  
9 Amended Ordinance No. 21-008 on April 7, 2021, is amended to read:

10  
11 **30.70.015 Exemptions.**

12 The following permit types are exempt from the requirements of this chapter, except the  
13 consistency determination required by SCC 30.70.100 and the expiration and vesting  
14 provisions of SCC 30.70.140, 30.70.300, and 30.70.310 shall apply:

15 (1) Building permits exempt from the State Environmental Policy Act (SEPA) as  
16 minor new construction under SCC 30.61.035(1);

17 (2) Land disturbing activity permits exempt from SEPA;

18 (3) All other construction permits under subtitle 30.70 SCC that are exempt from  
19 SEPA; and

20 (4) Project permits for which a SEPA review and threshold determination were  
21 completed in connection with other project permits for the same proposal, to the extent  
22 the proposal has not substantively changed in a manner requiring further review under  
23 chapter 30.61 SCC.

24  
25 **Section 7.** Snohomish County Code Section 30.70.050, last amended by  
26 Amended Ordinance No. 20-080 on December 16, 2020, is amended to read:

27  
28 **30.70.050 Notice of application - timing and method.**

29 (1) The department shall provide notice of application within 10 days after a  
30 determination that the application is complete as specified in SCC Table 30.70.050(5).  
31 Required notice shall be given in accordance with SCC 30.70.045.

32 (2) A notice of application posted or published in the official county newspaper  
33 or provided by mail on a letter/legal size publication shall include the following

34 information:

35 (a) Date of application, date of completeness determination, and date of  
36 notice of application;

37 (b) Project description, list of permits requested, assigned county file  
38 number, and county contact person;

ORDINANCE NO. 22-\_\_\_\_

RELATING TO ENVIRONMENTAL REVIEW; INCREASING EXEMPTION THRESHOLDS FOR MINOR NEW CONSTRUCTION AND  
ADOPTING NEW CATEGORICAL EXEMPTIONS PER THE STATE ENVIRONMENTAL POLICY ACT TO PROMOTE INFILL  
DEVELOPMENT IN URBAN GROWTH AREAS; AMENDING EXISTING SECTIONS IN CHAPTERS 30.61 AND 30.70 OF  
SNOHOMISH COUNTY CODE

- 1 (c) Any information or studies requested by the department;
- 2 (d) Any other required permits not included in the application, to the extent
- 3 known by the department;
- 4 (e) Any existing environmental documents that evaluate the proposed
- 5 project, including where they can be inspected;
- 6 (f) The date, time, place, and type of public hearing, if applicable and if
- 7 scheduled at the time of the notice;
- 8 (g) When notice is for a rezone action or development in a performance
- 9 standard zone, a statement indicating where the full text and/or map of the rezone
- 10 action may be inspected;
- 11 (h) A statement of when the comment period ends and the right of any
- 12 person to comment on the application, receive notice of and participate in any hearings,
- 13 request a copy of the decision once made, and any appeal procedures;
- 14 (i) If determined at the time of notice, those development regulations that will
- 15 be used for project mitigation or to review consistency; and
- 16 (j) Any other information determined appropriate by the department.
- 17 (3) Mailed notice of application may be provided on a post card.
- 18 (4) A post card notice shall contain the following information:
- 19 (a) project description;
- 20 (b) project file number;
- 21 (c) project location;
- 22 (d) type of project;
- 23 (e) applicable comment dates and notice of where to submit comments;
- 24 (f) date the notice of application was published in the official county
- 25 newspaper;
- 26 (g) website address providing access to project information; and
- 27 (h) a department contact.

28 **30.70.050(5) Notice of Application Requirements**

Application Type	Post	Publish	Mail
Administrative Conditional Use	X	X	X
Building Site Plan	X	X	X
Building and land disturbing activity permits subject to SEPA	X	X	X

Application Type	Post	Publish	Mail
<u>Building permits for buildings more than 30,000 square feet that are not subject to SEPA and not part of a development proposal which separately requires notice, except for construction of a barn, loafing shed, farm equipment storage building, produce storage or parking structure, or similar agricultural structure covering 40,000 square feet or less</u>	X	X	X
Code interpretation not related to a specific project		X	
Code interpretation related to a specific project	X	X	X
Final Subdivision	[see SCC 30.41A.600 through 30.41A.730]		
Flood Hazard Permit - except as provided in SCC 30.43C.020			X
Flood Hazard Variance	X	X	X
Free-standing sign in the FHS zone	X	X	X
SEPA threshold determination and FHS adequacy associated with project permit	X	X	X
Shoreline variance, conditional use, or substantial development permit or permit rescission	X	X	X
Short subdivision and rural cluster short subdivision	X	X	X

Lapsed  
 02101123



Application Type	Post	Publish	Mail
Variance	X	X	X
Conditional use and major revision	X	X	X
Preliminary subdivision and rural cluster subdivision, and major revision	X	X	X
Planned Residential Development and major revision	X	X	
Official site plan or preliminary plan approval in performance standard zones (BP, PCB, IP, GC, T, RB, CRC, RFS, and RI)	X	X	X
Rezone - site specific	X		X
Review or revocation of a permit or approval pursuant to SCC 30.71.027			X
Preapplication Concurrence Decision	X	X	X
Any non-listed Type 1 or Type 2 permit application except Boundary Line Adjustment pursuant to SCC 30.41.020(1)(c)	X	X	X

02101123

LAPSE

1  
2  
3  
4  
5  
6  
7

**Section 8. Effective date and implementation.** This ordinance shall take effect 15 days following adoption by the County Council. The Snohomish County Department of Planning and Development Services is authorized to take such actions as may be necessary to implement this ordinance on its effective date.

1 PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

2  
3  
4 SNOHOMISH COUNCIL  
5 Snohomish, Washington

6  
7  
8  
9 \_\_\_\_\_  
10 Council Chair

11 ATTEST:

12 \_\_\_\_\_  
13  
14 Asst. Clerk of the Council

- 15  
16  
17 ( ) APPROVED  
18 ( ) EMERGENCY  
19 ( ) VETOED

20 DATE:

21  
22  
23 \_\_\_\_\_  
24 County Executive

25 ATTEST:

26 \_\_\_\_\_  
27  
28 Approved as to form only

29 *Tanaa Chintala* 6/15/22  
30 \_\_\_\_\_  
31 Deputy Prosecuting Attorney

LAPSED 02101123