

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

MOTION NO. 22-174

ORDER SUMMARILY DISMISSING SEPA-RELATED ISSUES IN THE CLOSED  
RECORD APPEAL OF MA CENTER PNW, FILE NO. 19-104584 CUP

WHEREAS, on April 8, 2022, the Snohomish County Council (“County Council”) received an appeal from a decision of the Snohomish County Hearing Examiner (“Hearing Examiner”) dated March 25, 2022, denying an appeal of a threshold determination of nonsignificance (DNS) under the State Environmental Policy Act (SEPA) and approving a conditional use permit (CUP) for a religious service facility; and

WHEREAS, some of Appellants’ issues allege error associated with the Hearing Examiner’s decision to affirm the DNS issued under SEPA and the SEPA appeal process; and

WHEREAS, an appeal of a SEPA threshold determination is processed as an appeal of a Type 1 decision under chapter 30.71 SCC and the general SEPA appeal requirements in SCC 30.61.300; and

WHEREAS, appeals to County Council under chapter 30.72 SCC are limited to Type 2 hearing examiner decisions and the County Council has no jurisdiction over appeals of threshold determinations made under SEPA or SEPA-related issues; and

WHEREAS, SCC 30.72.075(1) provides the County Council may summarily dismiss an appeal in whole or in part without a hearing if it determines that the appeal is beyond the scope of the County Council’s jurisdiction.

NOW, THEREFORE, ON MOTION:


Section 1. The County Council dismisses Appeal Issue 1 concerning the SEPA threshold determination appeal process for lack of jurisdiction.

Section 2. The County Council dismisses Appeal Issue 5 in part and to the extent it concerns SEPA appeal issues or the SEPA appeal process for lack of jurisdiction.

Section 3. The County Council dismisses Appeal Issue 6 in part and to the extent it relates to SEPA appeal issues or the SEPA appeal process for lack of jurisdiction.

DATED this 20<sup>th</sup> day of April, 2022.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

  
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Council Chair

ATTEST:

  
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Asst. Clerk of the Council