

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

OFFICIAL NOTICE OF COUNCIL DECISION

In re the Appeal of Land Use Decision by Megan (tucker) Snowden and Steven Snowden; Kathleen M. Richardson; Sue Keller; Christi M. Bell and Joyful Tower; and Christopher and Patricia Larson regarding the Residnetial Treatment Facility North project, File. No. 22-102230 CUP, approving with conditions a conditional use permit to construct and operate a secure civil behaviorial health services facility (level II health and social services facility) on property located in unincorporated Snohomish County at the 7800 block of 300th St. Stanwood, Washington 98292.

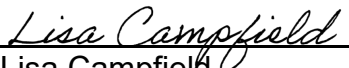
NOTICE IS HEREBY GIVEN, that on May 10,2023 a closed record appeal hearing in this matter was held and the County Council directed staff to draft a written motion affirming all Hearing Examiner decisions challenged in the appeal and adopting additional findings.

FURTHER NOTICE IS HEREBY GIVEN, that on May 17, 2023, the Snohomish County Council approved a written motion consistent with the oral direction provided at the May 10, 2023, closed record appeal hearing, and amended at General Legislative Session on May 17, 2023, attached hereto as Council Motion 23-215.

FURTHER NOTICE IS GIVEN, that unless otherwise provided by law any person having standing who wishes to appeal this decision must do so by filing a land use petition in Superior Court in accordance with the provisions of Chapter 36.70C RCW and SCC 30.72.130.

FURTHER NOTICE IS GIVEN, that affected property owners may request the Snohomish County Assessor to make a change in valuation for property tax purposes notwithstanding any program of revaluation.

DATED this 17^h day of May, 2023.



Lisa Campfield
Asst. Clerk of the Council

E-mailed: 05/17/23
Mailed: 05/17/23

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 23-215

AFFIRMING THE HEARING EXAMINER'S DECISION IN THE
CLOSED RECORD APPEAL OF RESIDENTIAL TREATMENT FACILITY NORTH,
FILE NO. 22-102230 CUP

WHEREAS, applicant Tulalip Tribes of Washington, a federally recognized Indian tribe and native sovereign nation, applied to Snohomish County for a conditional use permit (CUP) to construct and operate a secure civil behavioral health services facility (level II health and social services facility); and

WHEREAS, the Hearing Examiner held an open record hearing on the CUP on January 24 and 26, 2023, and left the record open until February 3, 2023, for the limited purpose of allowing the department of Planning and Development Services and Tulalip Tribes to respond to public comments and provide additional information on issues raised during the hearing; and

WHEREAS, the Hearing Examiner issued a decision on March 7, 2023, approving the CUP subject to conditions; and

WHEREAS, on March 21, 2023, appellants Megan Tucker Snowden, Steven Snowden, Kathleen M. Richardson, Sue Keller, Christi M. Bell, Joyful Tower, Christopher Larson, and Patricia Larson, represented by their attorney, Tom Ehrlichman, filed an appeal of the March 7, 2023, decision of the Hearing Examiner to the County Council under SCC 30.72.070; and

WHEREAS, the County Council held a closed record appeal hearing on May 10, 2023, to consider the appeal issues; and

WHEREAS, the County Council did not consider any appeal issues not raised in the written appeal or any evidence not in the record from the Hearing Examiner, consistent with SCC 30.72.110; and

WHEREAS, after considering the appeal based upon the record and the argument of the appellants, the applicant, and several parties of record, the County Council approves a motion to affirm the Hearing Examiner's March 7, 2023, decision, with certain additional findings and conclusions described below.

NOW, THEREFORE, ON MOTION:

Section 1. The Snohomish County Council makes the following findings of fact and conclusions:

1. The County Council adopts the findings and conclusions of the Hearing Examiner in the matter of Residential Treatment Facility North, File No. 22-102230 CUP.
2. The County Council adopts the following additional findings and conclusions:
 - a. This appeal challenges the Examiner's March 7, 2023, decision on a conditional use permit application for a level II health and social services facility use. The CUP Application did not divide any lots into any sizes.
 - b. Snohomish County comprehensive plan land use policy 7.B.1 is not applicable to the CUP Application because the CUP Application did not propose or accomplish any lot division.
 - c. Snohomish County code provision 30.32B.120 is not applicable to the CUP Application because the CUP Application did not propose or accomplish any lot division.
 - d. Snohomish County comprehensive plan land use objective 7.B is not a prohibition on non-agricultural uses, nor does it prohibit approval of the CUP Application. This comprehensive plan objective is not applicable to the CUP Application, or, if it is, the CUP Application is generally consistent with Objective LU 7.B.
 - e. Regarding appellant's request for the Council to take official notice of facts or records not in evidence, Council declines to do so, consistent with SCC 30.72.110.


Section 2. The County Council hereby affirms the decision of the Hearing Examiner dated March 7, 2023, in the matter of Residential Treatment Facility North, File No. 22-102230 CUP.

DATED this 17th day of May, 2023.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Council Chair

ATTEST:


Asst. Clerk of the Council