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Permit and Permit Application Extensions <a href="#">Ordinance 22-073</a> (ECAF 2022-1246)					
Hearing Date: Wednesday, January 11, 2023 @ 10:30 a.m.					
Council Staff: Ryan Countryman		PDS Staff: Hilary McGowan		DPA: Alethea Hart	
<i>Click on exhibit number to view document</i>					
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<b>2.0 Planning Commission</b>					
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<b>3.2 Council Planning Committee Materials</b>					
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<b>3.3 Correspondence, Comments, Testimony</b>					

EXHIBIT	RECORD TYPE	DATE	RECEIVED FROM	EXHIBIT DESCRIPTION	# OF PAGES
<b>3.4 Staff Reports and Submissions</b>					
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<a href="#">3.6.001</a>	Amendment	11/30/22	Executive	Amendment Sheet 1	5

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**Project Name**      **LDA Application Extension**

**Part 1 - DEPARTMENT OF PLANNING AND DEVELOPMENT SERVICES**

Exhibit #	Record Type	Date	Received From	Exhibit Description
1.0001	Public Outreach	7/25/2022	PDS Staff	Parties of Record
1.0002	Project Administration	3/29/2022	PDS Staff	Request for PA Assistance
1.0003	Public Comment	1/6/2023	PDS Staff	Email regarding DNS Notice
1.0004	Public Comment	1/6/2023	PDS Staff	Email Response to DNS Notice
1.0005	Public Outreach	2022	PDS Staff	Proposed Code Amendments
1.0006	SEPA Documents	6/3/2022	PDS Staff	DNS Notice and Checklist
1.0007	SEPA Documents	6/3/2022	PDS Staff	DNS Notice Postcard
1.0008	Staff Research	5/18/2022	PDS Staff	Ordinance 09-018
1.0009	Staff Research	4/21/2022	PDS Staff	Ordinance 16-004
1.0010	Staff Research	8/16/2022	PDS Staff	Proposed Code Amendments
1.0011	Staff Research	5/5/2022	PDS Staff	Permit Data Summary
<p><b><i>*Contact the Clerk of the Council for copies of Part 1 Exhibits - 425-388-3494 or contact.council@snoco.org</i></b></p>				

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Project Name		<b>LDA Application Extension</b>			
<b>Part 2 - PLANNING COMMISSION</b>					
Exhibit #	Record Type	Date	Received From	Exhibit Description	# of Pages
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2.0002	Public Outreach	6/18/2022	The Herald	Affidavit of Agenda publication in The Herald (Briefing)	3
2.0003	Legislative Documents	6/28/2022	PDS Staff	Staff Report (Briefing)	19
2.0004	Public Outreach	6/28/2022	PDS Staff	Presentation (Briefing)	23
2.0005	Public Outreach	6/28/2022	Planning Commission	Planning Commission Written Meeting Minutes (Briefing)	4
2.0006	Public Outreach	6/28/2022	Planning Commission	Planning Commission Recording of Meeting (Briefing)	NA
2.0007	Public Outreach	7/26/2022	Planning Commission	Planning Commission Agenda (Hearing)	3
2.0008	Public Outreach	7/16/2022	The Herald	Affidavit of Agenda publication in The Herald (Hearing)	3
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2.0010	Public Outreach	7/26/2022	Planning Commission	Planning Commission Written Meeting Minutes (Hearing)	5
2.0011	Public Outreach	7/26/2022	Planning Commission	Planning Commission Meeting Recording (Hearing)	NA
2.0012	Public Outreach	8/10/2022	Planning Commission	Recommendation Letter to Council	2
2.0013	Legislative Documents	7/12/2022	PDS Staff	Response to commissioner's questions at 6/28/2022 briefing	1
<b>*Contact the Clerk of the Council for copies of Part 2 Exhibits - 425-388-3494 or <a href="mailto:contact.council@snoco.org">contact.council@snoco.org</a></b>					

1 Adopted:  
2 Effective:

3 SNOHOMISH COUNTY COUNCIL  
4 Snohomish County, Washington

5  
6 ORDINANCE NO. 22-073

7  
8 RELATING TO GROWTH MANAGEMENT AND DEVELOPMENT PERMIT FEES; AMENDING  
9 CHAPTERS 30.70 AND 30.86 SCC RELATED TO APPLICATION AND APPROVAL OR PERMIT EXPIRATION  
10 TERMS AND FEES ASSOCIATED WITH PERMIT AND PERMIT APPLICATION EXTENSIONS, AND AMENDING  
11 SCC 30.86.400  
12

13 WHEREAS, counties and cities that are required to plan under the Growth Management Act  
14 (GMA), Chapter 36.70A RCW, must ensure their permit processing is done in a timely and fair manner to  
15 ensure predictability; and  
16

17 WHEREAS, the Snohomish County (“County”) GMA Comprehensive Plan (GMACP) - General  
18 Policy Plan (GPP) includes a policy requiring the county to periodically review the permitting process to  
19 eliminate unnecessary administrative procedures that do not respond to legal requirements for public  
20 review and citizen input; and  
21

22 WHEREAS, application expiration dates translate into the amount of time applicants have to  
23 demonstrate to County staff that their application is in compliance with all applicable code  
24 requirements, and when the application expiration dates of all the required permits for one project are  
25 out of alignment, this can result in some applications expiring while other permit applications still have  
26 remaining time left for review; and  
27

28 WHEREAS, pursuant to Snohomish County Code (SCC) 30.70.140 Land Disturbing Activity (LDA),  
29 Flood Hazard, Flood Hazard Variance, and building permit applications expire 18 months after submittal,  
30 although the expiration date for building permit applications can be extended by the County building  
31 official by up to 18 months; and  
32

33 WHEREAS, LDA, Flood Hazard, and Flood Hazard Variance permit applications are subject to mis-  
34 matched expiration timelines with associated building permit application and permit expiration times,  
35 which has resulted in LDA, Flood Hazard, and Flood Hazard Variance permit applications expiring before  
36 the related building permit or land use applications have expired; and  
37

38 WHEREAS, if the building permit application is extended to allow for more review time, this may  
39 cause applicants to need to re-apply for LDA, Flood Hazard, or Flood Hazard Variance permits which  
40 expire after only 18 months, and are not subject to extensions; and  
41

1           WHEREAS, when an applicant must re-submit materials for LDA, Flood Hazard, and Flood Hazard  
2 Variance permit applications due to mismatched expiration times, delays occur as the new application  
3 materials must be processed, a new public notice may be required, the application is subject to  
4 additional fees, and permit application processing and review time for Planning and Development  
5 Services (PDS) staff is increased; and  
6

7           WHEREAS, aligning application extensions for LDA, Flood Hazard, and Flood Hazard Variance  
8 permit applications with the current process for building permit applications would resolve this issue;  
9 and  
10

11           WHEREAS, under SCC 30.86.510, fee rates for LDA permit applications range from \$375 to  
12 \$34,700, depending on specified levels of drainage and grading, and may be subject to additional fees  
13 for security device administration, and under SCC 30.86.300, fee rates for Flood Hazard applications  
14 range from \$300 to \$1,500; and  
15

16           WHEREAS, permit application and permit extension fees do not consistently reflect the amount  
17 of work required for PDS staff to review applications and to provide predictability for applicants; and  
18

19           WHEREAS, the fees and timelines for LDA, Flood Hazard, and Flood Hazard Variance permit  
20 applications were last changed in 2016 by Amended Ordinance No. 16-004, in which LDA application  
21 extensions were removed and Flood Hazard Variance permit applications were assigned an expiration  
22 timeline; and  
23

24           WHEREAS, prior to amendments under Amended Ordinance No. 16-004, LDA permit  
25 applications expired after 18 months, however there was an option for the PDS Director to grant one  
26 extension up to 18 months and the renewal fee was \$400 plus a percentage of the original application or  
27 permit fee equal to the percentage of approved or permitted activity to be completed; and  
28

29           WHEREAS, building permit extensions under SCC Table 30.70.140(1), SCC 30.50.140, SCC Table  
30 30.86.400(6), and SCC Table 30.86.400(7) have an application extension fee of a \$400 administration fee  
31 plus a percentage of the original plan review fee equal to the percentage of work completed; and  
32

33           WHEREAS, PDS staff find that it is difficult to consistently determine the percentage of work that  
34 has been completed when calculating the permit application extension and permit extension fees,  
35 causing inconsistencies and a lack of predictability for applicants; and  
36

37           WHEREAS, Preliminary Subdivisions and Preliminary Short Subdivisions allow an extension of up  
38 to two years for the expiration of approval or permit with flat fees that are both \$500 under SCC  
39 30.86.100 and SCC 30.86.110; and  
40

1 WHEREAS, a flat fee is an efficient process because it is consistent for all applications, it does not  
2 require additional staff time to determine, and it is reflective of the amount of work required to process  
3 permit applications; and  
4

5 WHEREAS, in order to maintain consistency between fees related to specific permitting work,  
6 PDS staff recommends that Building Permit application extensions (SCC Table 30.86.400(6)) and Building  
7 Permit extensions (SCC Table 30.86.400(7)) be assigned the same cost as the proposed LDA, Flood  
8 Hazard, and Flood Hazard Variance application extensions of \$500; and  
9

10 WHEREAS, SCC Table 30.70.140(1) lists extension language for Subdivisions and Short  
11 Subdivisions that were approved on or before December 31, 2007, and conditions for permit extensions  
12 that were approved on or after January 1, 2008; and  
13

14 WHEREAS, there are no existing Subdivision or Short Subdivision permits that are valid for the  
15 conditions for extensions for permits that were approved on or before December 31, 2007; and  
16

17 WHEREAS, the proposed code amendments contained in this ordinance will amend chapters  
18 30.70 and 30.86 SCC to increase consistency between permit application expirations and fees,  
19 streamline reviews, and clean up dated expiration language in SCC Table 30.70.140 for Subdivisions and  
20 Short Subdivisions, and other housekeeping measures; and  
21

22 WHEREAS, on June 28, 2022, the Snohomish County Planning Commission (the "Planning  
23 Commission") was briefed by PDS staff about the proposed code amendments contained in this  
24 ordinance; and  
25

26 WHEREAS, the Planning Commission held a public hearing on July 26, 2022, to receive public  
27 testimony concerning the proposed code amendments contained in this ordinance; and  
28

29 WHEREAS, at the conclusion of the Planning Commission's public hearing, the Planning  
30 Commission deliberated on the proposed ordinance and voted to recommend approval of code  
31 amendments relating to development application and permit expiration extensions as shown in its  
32 approval letter dated August 10, 2022; and  
33

34 WHEREAS, on \_\_\_\_\_, 2022, the Snohomish County Council ("County Council") held a  
35 public hearing after proper notice, and considered public comment and the entire record related to the  
36 code amendments contained in this ordinance; and  
37

38 NOW, THEREFORE, BE IT ORDAINED:  
39

40 Section 1. The County Council adopts the following findings in support of this ordinance:  
41

42 A. The foregoing recitals are adopted as findings as if set forth in full herein.

- 1 B. This ordinance amends SCC Table 30.70.140(1) to add an 18 month application extension to Flood  
2 Hazard Permit, Flood Hazard Variance, and LDA approval types.  
3
- 4 C. This ordinance amends SCC Table 30.70.140(1) to remove dated expiration of approval or permit  
5 language for Subdivisions and Short Subdivisions approved on or before December 31, 2007, and  
6 retains and streamlines language for existing two year extensions for Subdivisions and Short  
7 Subdivisions.  
8
- 9 D. This ordinance amends SCC Table 30.86.300 to add a Flood Hazard Permit and Flood Hazard  
10 Variance Application Extension fee of \$500.  
11
- 12 E. This ordinance amends SCC Table 30.86.510(2) to add a LDA Application Extension fee of \$500.  
13
- 14 F. This ordinance amends SCC Table 30.86.400(6) to amend the Building Permit Plan Review fee for  
15 application extensions to \$500.  
16
- 17 G. This ordinance amends SCC Table 30.86.400(7) to amend the Building Permit fee for permit  
18 extensions to \$500.  
19
- 20 H. This ordinance amends permit application expiration terms for LDA, Flood Hazard, and Flood Hazard  
21 Variance permits, and permit expiration fees to match the proposed permit application expirations.  
22 This code amendment also proposes limited code clean-up associated with permitting fee tables.  
23 The code works to increase the consistency between permit application expiration timelines within  
24 Title 30 chapters and make fees and code language for permit application and permit extensions  
25 consistent among permit types.  
26
- 27 I. In developing the proposed amendments, the County considered the GMA goals related to permit  
28 processing times:  
29
- 30 GMA Goal 7 – “Permits. Applications for both state and local government permits should be  
31 processed in a timely and fair manner to ensure predictability”  
32
- 33 The proposed amendments would support the permitting goal by reducing cost and time for  
34 applicants to re-apply for application extensions and time for PDS staff to re-process applications.  
35 The proposed amendments would also add fee consistency for similar fee types, which increases  
36 code predictability and accessibility.  
37
- 38 J. The proposed amendments are consistent with the following multicounty planning policies (MPPs)  
39 from Puget Sound Regional Council VISION 2050:  
40

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

4  
5 The proposed changes would streamline the permitting process for applicants who submit building  
6 permit applications in coordination with LDA, Flood Hazard, and Flood Hazard Variance permits,  
7 allowing for the timelines of all permits associated with building permits for a project to be aligned.  
8 These proposed amendments would also add consistency between fees for permit application  
9 extensions and permit extensions for similar permit types.

10  
11 K. The proposed amendments are consistent with the following countywide planning policies (CPPs):

12  
13 HO-11 - The county and cities should consider the economic implications of proposed building  
14 and land use regulations so that the broader public benefit they serve is achieved with the least  
15 additional cost to housing.

16  
17 The proposed changes would streamline the permitting process that could encourage increased  
18 housing development through reducing costs and providing predictability and consistency for  
19 developers.

20  
21 L. The proposed amendments are consistent with and help implement a number of policies contained  
22 within the County’s GMACP GPP. The following policy applies to the code amendments as proposed  
23 in this ordinance:

24  
25 Policy ED 2.A.3 – To ensure timeliness, responsiveness, and increased efficiency, the county shall  
26 develop and maintain a program of periodic review of the permitting process to eliminate  
27 unnecessary administrative procedures that do not respond to legal requirements for public  
28 review and citizen input.

29  
30 The proposed code amendments would work to increase the efficiency of the permitting process  
31 through uniting permitting application timelines, and would reduce the amount of unnecessary  
32 administrative procedures caused by application re-submittal.

33  
34 M. Procedural requirements.

- 35  
36 1. Under Snohomish County Code, this ordinance is a Type 3 legislative action pursuant to SCC  
37 30.73.010.  
38  
39 2. As required by RCW 30.70A.106(1), a notice of intent to adopt the proposed code amendments  
40 was transmitted to the Washington State Department of Commerce for distribution to state  
41 agencies on June 8, 2022.  
42

- 1 3. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with respect to this  
2 non-project action have been satisfied through the completion of an environmental checklist  
3 and the issuance of a determination of non-significance on June 8, 2022.  
4
- 5 4. The public participation process used in the adoption of this ordinance complies with all  
6 applicable requirements of the GMA and the SCC, including but not limited to, RCW 36.70A.035,  
7 RCW 36.70A.140, and chapter 30.73 SCC.  
8
- 9 5. The Planning Commission was briefed on the proposed amendments at its June 28, 2022,  
10 meeting and conducted a public hearing on the proposed amendments at its July 26, 2022,  
11 meeting resulting in its letter of August 10, 2022, recommending approval of the code  
12 amendments contained in this ordinance.  
13
- 14 6. The Washington State Attorney General last issued an advisory memorandum, as required by  
15 RCW 36.70A.370, in September of 2018 entitled “Advisory Memorandum: Avoiding  
16 Unconstitutional Takings of Private Property” to help local governments avoid the  
17 unconstitutional taking of private property. The process outlined in the State Attorney  
18 General’s 2018 advisory memorandum was used by Snohomish County in objectively evaluating  
19 the regulatory changes proposed by this ordinance.  
20

21 N. This ordinance is consistent with the record.

- 22
- 23 1. LDA, Flood Hazard, and Flood Hazard Variance Permit applications currently are mismatched in  
24 permit application expiration timelines with associated building permits, causing an issue with  
25 applicants needing to resubmit permit applications that is a burden to applicants and causes  
26 additional staff time to process the application. In adding an application extension to these  
27 permit applications, expiration times for building permits are matched up. This will increase the  
28 efficiency of reviews and reduce the burden of resubmittal on both the applicant and on PDS  
29 staff.  
30
- 31 2. In order to maintain consistency between fees related to specific permitting work associated  
32 with application extensions, adding a \$500 fee for LDA, Flood Hazard, and Flood Hazard Variance  
33 Permits represents similar work for the same fee as permit expiration extensions of Preliminary  
34 Subdivisions and Preliminary Short Subdivisions. In order to unite similar fees that reflect the  
35 same permitting work, changing Building Permit application extensions, and Building Permit  
36 Extensions from a fee representing a percentage of work done to a flat \$500 fee provides  
37 consistency and predictability.  
38
- 39 3. To ensure consistency with permit extension timelines for Subdivision and Short Subdivisions  
40 and to reduce burden on PDS Staff and re-submittal burden on applicants, PDS staff recommend  
41 consolidating the current allowance for multiple extensions that could equal up to two years,  
42 and to instead allow a one-time permit extension of two years.  
43

- 1 4. PDS recommends a housekeeping item removing a reference note related to permit fees set at  
2 zero dollars (\$0.00) for playing fields on designated recreational land in SCC Table 30.86.400(7).  
3 That reference note was adopted by Amended Ordinance No. 06-004 and linked to a chapter of  
4 code, chapter 30.33B SCC, that has sunset as provided in that chapter and is no longer  
5 operative. The related fee provisions were determined to have sunsetted as well, as  
6 contemplated in Section 3.E. of Amended Ordinance No. 06-004. In Amended Ordinance No. 21-  
7 048, the County removed a number of similar playing field fee provisions but missed the  
8 reference noted in SCC Table 30.86.400(7) that is proposed for removal in this ordinance.  
9
- 10 5. The code amendments proposed by this ordinance provide further clarity in language  
11 consistency in the fee table through removing dated expiration extension language, and  
12 merging two separate allowed extensions into a single two-year extension, which provides  
13 reduced review burden on PDS Staff and extension submittal burden on applicants in order to  
14 achieve the same timeline of permit extensions.  
15

16 Section 2. The County Council makes the following conclusions:  
17

- 18 A. The proposal complies and is consistent with the GMA, Washington State law and the SCC.  
19  
20 B. The proposal complies and is consistent with the GMACP.  
21  
22 C. The County has complied with all SEPA requirements with respect to this non-project action.  
23  
24 D. The public participation process used in the adoption of this ordinance complies with all applicable  
25 requirements of the GMA and title 30 SCC.  
26  
27 E. The amendment proposed by this ordinance does not result in an unconstitutional taking of private  
28 property for a public purpose.  
29

30 Section 3. The Snohomish County Council bases its findings and conclusions on the entire record  
31 of the County Council, including all testimony and exhibits. Any finding, which should be deemed a  
32 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.  
33

34 Section 4. Snohomish County Code Section 30.70.140, last amended by Amended Ordinance No.  
35 20-019 on June 24, 2020, is amended to read:  
36

37 **30.70.140 Expiration of applications, approvals, and permits**  
38

39 (1) This section shall apply to:  
40

- 41 (a) New applications, approvals, and permits set forth in SCC Table 30.70.140(1); and  
42

(b) Existing applications set forth in SCC Table 30.70.140(1) that were deemed complete but that were not approved or denied prior to April 1, 2016, provided that the department shall provide notice to the applicant one year prior to the expiration date of the application.

(2) SCC Table 30.70.140(1) establishes the expiration period for applications, approvals, and permits, except that:

(a) When an EIS is required, the expiration period of an application will be suspended until the FEIS is issued. The suspension of the expiration period for an application shall not exceed 18 months unless approved by the director; and

(b) Expiration of permits and approvals (but not of applications) may be modified by the hearing examiner at the time the hearing examiner issues a decision on the application for the permit or approval.

(3) The applicant is responsible for monitoring the expiration periods for an application, approval, or permit. The county is not required to inform an applicant when an application, approval, or permit will expire or has expired.

(4) For minor revisions under SCC 30.70.210 and major revisions under SCC 30.70.220, the term of expiration for an application shall be 12 months and shall not extend the term of the corresponding development application approval or concurrency determination.

Table 30.70.140(1)

<b>Approval Type</b>	<b>Expiration of application</b>	<b>Expiration of approval or permit</b>
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 renewal
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
Boundary Line Adjustment	12 months	12 months to record. The department may grant up to one 12-month extension.

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, <u>but may be extended for an additional 18 months.</u> <sup>(1)</sup>	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	36 months
Land Disturbing Activity	18 months, <u>but may be extended for an additional 18 months.</u> <sup>(2)</sup>	36 months
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 58.17.140, except that:  <del>((For preliminary subdivisions that were approved on or after January 1, 2008, one or more extensions not to exceed a total extension time of two years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for</del>

		<p>each extension pursuant to SCC 30.86.100.))  <u>May be extended for an additional two years.</u><sup>(3)</sup></p> <p><del>((For preliminary subdivisions that were approved on or before December 31, 2007, one or more extensions up to a total term of 12 years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.100.))</del></p>
Short Subdivisions	48 months	60 months, except that:
		<p><del>((For preliminary short subdivisions that were approved on or after January 1, 2008, one or more extensions not to exceed a total extension time of two years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.110.))</del><u>May be extended for an additional two years.</u><sup>(4)</sup></p>
		<p><del>((For preliminary subdivisions that were approved on or before December 31, 2007, one or more extensions up to a total term of 12 years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.110.))</del></p>
Urban Center Development	36 months	5 years to commence construction or use
Variance	36 months	Not applicable

1

2

**Reference notes for SCC Table 30.70.140(1):**

1 (1) The department may grant a one-time 18-month extension. The applicant must submit the extension  
2 request to the department prior to the expiration. The applicant shall pay a fee for the extension  
3 pursuant to SCC 30.86.300.

4 (2) The department may grant a one-time 18-month extension. The applicant must submit the extension  
5 request to the department prior to the expiration. The applicant shall pay a fee for the extension  
6 pursuant to SCC 30.86.510.

7 (3)The department may grant a one-time two-year extension. The applicant must submit the extension  
8 request to the department prior to the expiration. The applicant shall pay a fee for the extension  
9 pursuant to SCC 30.86.100.

10 (4) The department may grant a one-time two-year extension. The applicant must submit the extension  
11 request to the department prior to the expiration. The applicant shall pay a fee for the extension  
12 pursuant to SCC 30.86.110.

13  
14 Section 5. Snohomish County Code Section 30.86.300, last amended by Amended Ordinance No.  
15 21-048 on September 29, 2021, is amended to read:

16  
17 **30.86.300 Special flood hazard areas permit fees.**

18  
19 **Table 30.86.300 Special Flood Hazard Area Permit Fees**

<b>FLOOD HAZARD AREA PERMIT</b>	\$1,050
<b>FLOOD HAZARD AREA VARIANCE</b>	See Table 30.86.230
<b>PRE-APPLICATION CONFERENCE FEE</b>	\$480
<b>FLOOD HAZARD AREA DETERMINATION</b>	\$300
<b>FLOOD HAZARD PERMIT &amp; FLOOD HAZARD VARIANCE APPLICATION EXTENSION <sup>(1)</sup></b>	<b><u>\$500</u></b>
<u>(1) This fee applies to Flood Hazard Permit and Flood Hazard Variance application extensions pursuant to SCC Table 30.70.140(1).</u>	

20  
21 Section 6. Snohomish County Code Section 30.86.400, last amended by Amended Ordinance No.  
22 21-048 on September 29, 2021, is amended to read:

23  
24 **30.86.400 Construction Code fees.**

25  
26 (1) *Occupancies defined.* Fees established in this section shall be assessed based on whether an  
27 occupancy type is commercial or residential. SCC Table 30.86.400(3) defines the occupancy groups in  
28 these two occupancy types.

29  
30 (2) *Outstanding fees.* Any outstanding fees or portions of fees shall be added to the required fee(s) of  
31 any future plan review or permit prior to application acceptance or permit issuance. Any fee shall not  
32 relieve the applicant from a duty to obtain permits for moving buildings upon roads and/or highways  
33 from the appropriate authorities. The permit fee for construction of a new foundation, enlargement, or  
34 remodeling of the move-in building shall be in addition to the pre-move fee. The fee for any factory built

1 structure as approved by the Washington State Department of Labor and Industries is specified in SCC  
 2 30.86.440 under mobile homes.

3  
 4 (3) *Commercial and residential occupancies defined.*

5  
 6 **Table 30.86.400(3) Commercial and Residential Occupancies Defined**

OCCUPANCY TYPES	OCCUPANCY GROUPS
COMMERCIAL	A, I, R, E, H, F, M, S, B, and U
RESIDENTIAL	R-3, U

7  
 8 (4) *Commercial pre-application review<sup>(1)</sup>.*

9  
 10 **Table 30.86.400(4) Commercial Pre-Application Review**

REVIEW FEE <sup>(2)</sup>	\$400
SITE REVIEW (at applicant's request)	\$100
ADDED SERVICES REQUEST	\$60/hour

**Reference notes:**

(1) Prior to making application for a commercial building permit, an applicant may request pre-application review to learn about submittal requirements. The department will provide a written outline of requirements, and may include identification of site-specific issues when known, depending on the detail and scope of the submitted materials.

(2) Includes a conference with only a senior planner in attendance, and does not include review of detailed construction plans and specifications.

11  
 12 (5) *Base Permit Fees<sup>(1)</sup>.*

13  
 14 **Table 30.86.400(5) Base Permit Fees**

COMMERCIAL	\$350
COMMERCIAL PLUMBING	\$250
COMMERCIAL MECHANICAL	\$250
COMMERCIAL MECHANICAL AND PLUMBING (not in conjunction with a commercial building permit)	\$250
RESIDENTIAL	\$150
RESIDENTIAL MECHANICAL, PLUMBING, OR MECHANICAL AND PLUMBING	\$150

**Reference notes:**

(1) Base fees shall compensate the department for preliminary application screening and the establishment and administration of the permit application on file.

15  
 16 (6) *Plan Review Fees<sup>(1)</sup>.*

17  
 18 **Table 30.86.400(6) Plan Review Fees**

PLAN, DRAWING, OR DOCUMENT BEING REVIEWED	

ORDINANCE NO. 22-073

RELATING TO GROWTH MANAGEMENT AND DEVELOPMENT PERMIT FEES; AMENDING CHAPTERS 30.70 AND 30.86 SCC RELATED TO APPLICATION AND APPROVAL OR PERMIT EXPIRATION TERMS AND FEES ASSOCIATED WITH PERMIT AND PERMIT APPLICATION EXTENSIONS, AND AMENDING SCC 30.86.400

PAGE 12 OF 20

•	R-3 and U Occupancies for residential purposes	65% of building permit fee
•	A, I, R-1, R-2, R-4, E, H, F, M, S, U and B Occupancies	85% of building permit fee
<b>EXCEPTIONS</b>		
Successive construction (2) (3)		
•	Structures regulated by the IRC	20% of building permit fee
•	R-2 structures	45% of building permit fee
The plan review fee shall be supplemented for A, I, R-1, R-2, R-4, E, H, F, M, S, U and B Occupancies as follows:		
•	Commercial permit application for 1 or more buildings or additions requiring site review	\$640
•	Commercial permit application for 1 or more buildings or additions with a previously approved official site plan	\$500
•	Tenant improvements not requiring site plan review	\$100
<b>ADDITIONAL REVIEW (4)</b>		\$200 or 25% of the plan review fee, whichever is less.
<b>APPLICATION EXTENSION</b>		<u>\$500</u> ((The fee for the permit application extension includes a percentage of the original plan review fee equal to the percentage of work completed plus a \$400 administration fee.))
<p>Reference notes:</p> <p>(1) Plan review fees shall compensate the department for the plan review necessary to determine compliance with the adopted construction codes and other county regulations.</p> <p>(2) A plan review fee for successive construction will be assessed where more than one building or structure is proposed to be constructed in accordance with a single basic plan for the following classifications of buildings and structures:</p> <p>(a) Group R occupancies.</p> <p>(b) Garages, carports, storage buildings, agricultural buildings, and similar structures for private use.</p> <p>(3) Procedures for approval of basic plans for successive construction shall be established by the director.</p>		

(4) This fee is charged whenever an applicant re-submits documents failing to make county-required corrections noted on "markup" plans, drawings, or such other documents during plan review; or whenever as a result of changes, additions, or revisions to previously approved plans, drawings or such other documents, a subsequent plan review is required.

(7) *Building permit fees*<sup>(1)</sup>.

**Table 30.86.400(7) Building Permit Fees**

<b>TOTAL BUILDING/STRUCTURAL VALUATION<sup>(2)</sup></b>	<b>PERMIT FEE <sup>(3)</sup><del>((4))</del></b>
\$1-\$500	\$45.00
\$501-\$2,000	\$45.00 for the first \$500 plus \$3.70 for each additional \$100 or fraction thereof, including \$2,000
\$2,001-\$25,000	\$100.50 for the first \$2,000 plus \$17.50 for each additional \$1,000 or fraction thereof, including \$25,000
\$25,001-\$50,000	\$503.00 for the first \$25,000 plus \$10.50 for each additional \$1,000 or fraction thereof, including \$50,000
\$50,001-\$100,000	\$765.50 for the first \$50,000 plus \$9.75 for each additional \$1,000 or fraction thereof, including \$100,000
\$100,001-\$500,000	\$1,253.00 for the first \$100,000 plus \$7.00 for each additional \$1,000 or fraction thereof, including \$500,000
\$500,001-\$1,000,000	\$4,053.00 for the first \$500,000 plus \$6.50 for each additional \$1,000 or fraction thereof, including \$1,000,000
\$1,000,001-\$5,000,000	\$7,453.00 for the first \$1,000,000 plus \$4.30 for each additional \$1,000 or fraction thereof.
Over \$5,000,000	\$24,503.00 for the first \$5,000,000 plus \$4.00 for each additional \$1,000 or fraction thereof.
<b>PERMIT EXTENSION</b>	<u>\$500</u> ((The fee for the permit extension includes a percentage of the original permit fee equal to the percentage of work to be completed.))

Reference notes:

(1) Permit fees shall compensate the department for inspections necessary to determine compliance with the adopted construction codes, other county regulations, and the approved plan. The fee table shall be applied separately to each building within a project and used for the calculation of all plan review and permit fees, except those for which a separate permit fee is required to be paid in accordance with this title.

(2) The department shall use the building valuation multipliers provided in the most current building valuation data (BVD) published by the International Code Council.

~~((3) Permit fees for playing fields on designated recreational land in accordance with SCC 30.28.076 shall be set at \$0.00, regardless of valuation. All buildings on the site shall be permitted on one permit.))~~

(((4)))<sup>(3)</sup> For new construction of Group R-3 occupancies, a fee of 11 percent of the building permit fee shall apply for mechanical and plumbing inspections. (See SCC 30.86.410 and 30.86.420.)

(8) *Certificates of occupancy fees.*

**Table 30.86.400(8) Certificates of Occupancy Fees**

<b>CERTIFICATE OF OCCUPANCY</b>	
Home occupation in detached accessory structures	\$140
Temporary or final, when applicant requests phased issuance for each structure or structures	\$140

(9) *Special inspections and investigation fees.*

**Table 30.86.400(9) Special Inspections and Investigation Fees**

<b>BUILDING AND MOBILE HOME PRE-MOVE INSPECTIONS</b>	
Snohomish County inspection	\$140/hour – 2 hour min
Outside Snohomish County inspection for move to Snohomish County	\$140/hour plus county’s standard mileage rate/mile
<b>INSPECTIONS OUTSIDE NORMAL COUNTY BUSINESS HOURS</b>	\$140/hour – 2 hour min
<b>INSPECTIONS FOR WHICH NO FEE IS OTHERWISE INDICATED</b>	\$140/hour – 2 hour min
<b>REINSPECTION FEE<sup>(1)</sup></b>	\$140
<b>INVESTIGATION PENALTY<sup>(2)</sup></b>	100% of permit fee
Reference notes: (1) A fee assessed for work requiring an inspection or re-inspection when said work is not complete at the last inspection or re-inspection. No further inspection or re-inspection of the work will be performed until the required fees have been paid.  (2) A penalty charged for work requiring a permit, which is commenced without first obtaining said permit. This penalty shall be collected regardless of whether a permit is subsequently issued or not.	

(10) *Miscellaneous review and permit fees<sup>(1)</sup>.*

**Table 30.86.400(10) Miscellaneous Review and Permit Fees**

<b>PRE-APPLICATION SITE REVIEW (\$200 to be applied towards site review/permit fees at time of application)</b>	\$320
<b>ACCESSORY BUILDINGS LESS THAN 1,000 SQUARE FEET</b>	50% of site review fee
<b>BUILDING ADDITIONS</b>	50% of site review fee
<b>CONDOMINIUM CONVERSION PERMIT (per unit)</b>	\$140
<b>DECK PERMIT</b>	\$140
<b>DEMOLITION PERMIT</b>	\$140
<b>DOCK PERMIT</b>	\$140
<b>FIREPLACE PERMIT</b>	\$140
<b>SWIMMING POOL PERMIT</b>	\$140

<b>TEMPORARY BUILDING PERMIT</b>	\$140
<b>TITLE ELIMINATION</b>	\$50
<b>LOT STATUS DETERMINATION</b>	\$255 per lot requested. No fee if submitted concurrently with a land use or building permit application.
<b>ROOFING PERMIT</b>	\$140
<b>SITE REVIEW FOR NEW BUILDINGS OR ADDITIONS<sup>2</sup></b>	\$320
<b>SUCCESSIVE CONSTRUCTION SET-UP FEE</b>	\$200
Reference notes: (1) These fees are charged in addition to building/structural plan and permit fees.  (2) If permits are sought for more than one lot within the same subdivision and the subdivision has been recorded within the previous year, and all the permit applications are submitted at the same time, the first lot's site review fee shall be for the full amount and the site review fee for each of the other lots shall be one-half the full fee amount.	

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Section 7. Snohomish County Code Section 30.86.510, last amended by Amended Ordinance No. 19-021 on June 19, 2019, is amended to read:

**30.86.510 Drainage and land disturbing activity fees.**

- (1) This section establishes drainage and land disturbing activity fees that apply when drainage or land disturbing activity review is a required component of a permit application or is a condition of a land use approval. Such fees are in addition to any other fees required by law. Construction applications referenced in this code section include applications for grading permits submitted prior to September 30, 2010, and building, right-of-way and land disturbing activity permit applications.
- (2) Fees for plan review and inspection of drainage plans and land disturbing activities are established in SCC Table 30.86.510(2)(A) and (B). SCC Table 30.86.510(2)(A) and (B) includes fees for plan review and inspection of independent activities as well as fees for plan review and inspection of multiple activities. Whenever two or more proposed activities subject to fees in SCC Table 30.86.510(2) are submitted concurrently as part of the same project, the applicant shall only pay one fee; the applicable fee shall be the one associated with the proposed activity that meets the highest threshold level in SCC Table 30.86.510(2)(A) and (B).
- (3) Drainage and land disturbing activity fees shall be based upon the fee table in effect at the time of payment.
- (4) For complete applications submitted to the department on or after September 30, 2010, the applicable drainage and land disturbing activity fees in SCC Table 30.86.510(2)(A) and (B) shall be paid as follows:

1 (a) For applications that require preliminary land use approval or for which site plan approval  
 2 is required or requested prior to the submittal of construction applications, the following  
 3 percentages of the fees shall be paid as follows:  
 4

5 (i) Fifty percent of the fees shall be paid upon submittal of the initial application(s) for land  
 6 use or site plan approval;  
 7

8 (ii) Twenty-five percent of the fees shall be paid upon submittal of the construction  
 9 application(s); and  
 10

11 (iii) Twenty-five percent of the fees shall be paid prior to permit issuance;  
 12

13 (b) For all other applications, except single-family residential building permit applications, 75  
 14 percent of the fees shall be paid upon submittal of the construction application(s) and 25  
 15 percent of the fees shall be paid prior to permit issuance; and  
 16

17 (c) For single-family residential building permit applications, 50 percent of the fees shall be  
 18 paid upon submittal of the construction application(s) and 50 percent of the fees shall be paid  
 19 prior to permit issuance.  
 20

21 (5) When inspection services are requested for complete construction applications submitted to the  
 22 department before September 30, 2010, and for which permits or approvals are issued on or after  
 23 September 30, 2010, the following percentages of the applicable fees in SCC Table 30.86.510(2)(A) shall  
 24 be paid as follows:  
 25

26 (a) Fifty percent of the fees shall be paid prior to single-family residential building permit  
 27 issuance when the permit application included the submittal of a stormwater site plan or  
 28 stormwater pollution prevention plan; and  
 29

30 (b) Twenty-five percent of the fees shall be paid prior to permit issuance for all applications,  
 31 except as provided in subsection (5)(a) of this section.  
 32

33 **Table 30.86.510(2) Fees for Drainage and Land Disturbing Activities**

<b>(A) FEE LEVELS FOR PLAN REVIEW AND INSPECTION</b>	<b>DRAINAGE (new, replaced, or new plus replaced hard surface in square feet)</b>	<b>GRADING (cut or fill in cubic yards, whichever is greater)</b>	<b>FEE</b>	
Level 1(a): Drainage only	1 – 1,999		\$	375

Level 1(b): Grading only		1 - 500	\$	350
Level 1(a)+(b): Drainage and Grading	1 – 1,999	and	1-500	\$ 725
Level 2	2,000 – 4,999	and	0 - 500	\$ 1,575
Level 3	5,000 – 9,999	and/or	501 – 4,999	\$ 2,450
Level 4	10,000 – 39,999	and/or	5,000 – 14,999	\$ 4,800
Level 5	40,000 - 99,999	and/or	15,000 – 69,999	\$ 12,700
Level 6	100,000 or more	and/or	70,000 or more	\$ 34,700
<b>(B) FEE LEVELS FOR PLAN REVIEW AND INSPECTION<sup>(1)</sup></b>	<b>CLEARING<sup>(2)</sup></b>			<b>FEE</b>
Level 1	1 – 6,999 sq. ft.			\$ 750
Level 2	7,000 sq. ft. or more			\$ 1,650
Level 3: Conversion only	Converts three-quarters of an acre (32,670 sq. ft.) or more of vegetation to lawn/landscaped areas, or converts 2.5 acres (108,900 sq. ft.) or more of native vegetation to pasture.			\$ 2,800
<b>(C) FEES FOR ACTIVITIES NOT OTHERWISE LISTED:</b>				
Pre-application site review				\$ 250
Subsequent plan review <sup>(3)</sup>				\$ 350
LDA Application Extension <sup>(4)</sup>				\$ 500
Field revisions <sup>((4)) (5)</sup>				\$ 350
Modification, waiver, or reconsideration issued pursuant to SCC 30.63A.830 through 30.63A.842				See SCC 30.86.515
Investigation penalty <sup>((6)) (7)</sup>				100% of the applicable drainage and land disturbing activity fee
Dike or levee construction or reconstruction grading plan review and inspection fee when implementing a Snohomish County approved floodplain management plan				\$ 60 per hour
Drainage plan review for mining operations <sup>((5)) (6)</sup>				\$156 per acre
Monitoring associated with drainage plan review for mining operations				\$ 141 per hour
Consultation pursuant to SCC 30.63B.030(2) or 30.63B.100(2)				
Land Use				\$ 850
Engineering				\$ 975

Land Use and Engineering Combination	\$ 1,655
<b>(D) SECURITY DEVICE ADMINISTRATION FEES:</b>	
Performance Security	\$ 19.50 per subdivision or short subdivision lot or \$0.005 per square foot of impervious area for all other permits
Maintenance Security	\$ 15.00 per subdivision or short subdivision lot or \$0.003 per square foot of impervious area for all other permits
<b>REFERENCE NOTES:</b>	
(1) Drainage and land disturbing activity reviews associated with projects administered by Snohomish Conservation District shall not be subject to plan review and inspection fees.	
(2) Fee includes drainage plan review and inspection for clearing activity only. When clearing is combined with other land disturbing activities in SCC Table 30.86.510(2)(A), fee levels 1 - 6 for drainage and/or grading plan review and inspection also apply.	
(3) These fees apply on third and subsequent plan review submittals when an applicant fails to submit required corrections noted on "markup" plans, drawings, or other required submittal documents.	
(4) This fee applies to LDA application extensions pursuant to SCC Table 30.70.140(1).	
<del>((4))</del> (5) These fees apply whenever an applicant proposes changes, additions, or revisions to previously approved plans, drawings, or other required submittal documents.	
<del>((5))</del> (6) Acreage for drainage plan review for mining operations is based on mined area. Mined area includes all area disturbed in conjunction with the mining operation which shall include, but is not limited to, areas cleared, stock piles, drainage facilities, access roads, utilities, mitigation areas, and all other activity which disturbs the land. Fees for phased mine developments and mining site restoration plans of phased mine developments shall be calculated separately for each phase of mining based upon the area for each phase.	
<del>((6))</del> (7) Any person who commences any land disturbing activity before obtaining the necessary permits shall be subject to an investigation penalty in addition to the required permit fees.	

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Section 8. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause or phrase as if this ordinance had never been adopted.

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

SNOHOMISH COUNTY COUNCIL

Snohomish County, Washington

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Council Chair

ATTEST:

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Asst. Clerk of the Council

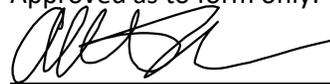
- APPROVED
- EMERGENCY
- VETOED

DATE:

\_\_\_\_\_  
County Executive

ATTEST:

\_\_\_\_\_  
Approved as to form only:

 November 29, 2022

\_\_\_\_\_  
Deputy Prosecuting Attorney

**EXECUTIVE RECOMMENDED  
AMENDMENT SHEET 1  
ORDINANCE NO. 22-073**

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**Amendment Name:** Increase Land Disturbing Activity (LDA) application and permit expirations for Snohomish County Department of Public Works' projects.

**Brief Description:** This amendment would amend the timelines in SCC 30.70.140, Table 30.70.140(1) for the expiration of LDA applications and LDA permits to provide 36 months for the expiration of LDA applications for Snohomish County Department of Public Works projects only, and to provide 60 months for the expiration of LDA permits for Snohomish County Department of Public Works projects only.

**Affected Ordinance Sections:** Section 1, Section 4

**Existing Ordinance Recitals and Findings to Add:**

**Page 2, Line 11 insert a new Recital as follows:**

WHEREAS, Snohomish County Department of Public Works (DPW) has identified that their LDA permit application and LDA permit expiration timelines often need to be extended due to the unique nature of DPW projects and the substantial regulatory and funding requirements associated with them; and

**Section 1, Page 4, Line 4 add a new finding as follows and re-letter remaining findings:**

C. This ordinance also amends SCC Table 30.70.140(1) to provide an expiration of LDA application of 36 months, and expiration of LDA approval or permit timeline of 60 months for Snohomish County Public Works Department projects only.

**Section 1, Page 6, Finding N, Line 31, add a new finding subsection as follows and re-number remaining findings:**

2. LDA permit application and permit approval timelines are currently out of sync with average Snohomish County DPW project timelines. DPW has identified the need to increase the LDA permit application expiration to 36 months and permit approval expiration to 60 months for its projects, to better align with the average timeline needs to complete its projects due to the unique nature of the projects and the substantial regulatory and funding requirements associated with them.

**Section 4, Page 8, replace Table 30.70.140(1), Land Disturbing Activity Approval Type, Expiration of application:**

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 renewal
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
Boundary Line Adjustment	12 months	12 months to record. The department may grant up to one 12-month extension.
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, <u>but may be extended for an additional 18 months.</u> <sup>(1)</sup>	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	36 months
Land Disturbing Activity	18 months, <u>but may be extended for an additional 18 months.</u> <sup>(2)</sup>	36 months
	<u>36 months, for Snohomish County</u>	<u>60 months,</u>

	<u>Department of Public Works projects only</u>	<u>for Snohomish County Department of Public Works projects only</u>
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
Rezoning	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 58.17.140, except that: <del>((For preliminary subdivisions that were approved on or after January 1, 2008, one or more extensions not to exceed a total extension time of two years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.100.))</del> <u>May be extended for an additional two years.<sup>(3)</sup></u> <del>((For preliminary subdivisions that were approved on or before December 31, 2007, one or more extensions up to a total term of 12 years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the</del>

		<del>preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.100.))</del>
Short Subdivisions	48 months	60 months, except that:
		<del>((For preliminary short subdivisions that were approved on or after January 1, 2008, one or more extensions not to exceed a total extension time of two years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.110.))</del> <u>May be extended for an additional two years.<sup>(4)</sup></u>
		<del>((For preliminary subdivisions that were approved on or before December 31, 2007, one or more extensions up to a total term of 12 years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.110.))</del>
Urban Center Development	36 months	5 years to commence construction or use
Variance	36 months	Not applicable

- 1
- 2 **Reference notes for SCC Table 30.70.140(1):**
- 3 **(1) The department may grant a one-time 18-month extension. The applicant must submit the**
- 4 **extension request to the department prior to the expiration. The applicant shall pay a fee for**
- 5 **the extension pursuant to SCC 30.86.300.**

1 (2) The department may grant a one-time 18-month extension. The applicant must submit the  
2 extension request to the department prior to the expiration. The applicant shall pay a fee for  
3 the extension pursuant to SCC 30.86.510.

4 (3)The department may grant a one-time two-year extension. The applicant must submit the  
5 extension request to the department prior to the expiration. The applicant shall pay a fee for  
6 the extension pursuant to SCC 30.86.100.

7 (4) The department may grant a one-time two-year extension. The applicant must submit the  
8 extension request to the department prior to the expiration. The applicant shall pay a fee for  
9 the extension pursuant to SCC 30.86.110.

10  
11 **New Ordinance Conclusions or Sections to Add: None**

12  
13 **Council Disposition:** \_\_\_\_\_ **Date:** \_\_\_\_\_

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**Snohomish County**

**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

**Dave Somers**  
*County Executive*

FROM: Hilary McGowan, Planner

SUBJECT: Proposed Code Amendments Relating to Development  
Application and Permit Expiration Extensions

DATE: May 28, 2022

**INTRODUCTION**

The purpose of this staff report is to outline and provide information regarding a proposal to amend permit application expiration terms for Land Disturbing Activity (LDA), Flood Hazard, and Flood Hazard Variance permits, and permit expiration fees to match the proposed permit application expirations. This code amendment also proposes limited code clean-up associated with permitting fee tables. The proposed code could work to increase the consistency between permit application expiration timelines within Title 30 chapters and make fees and code language for permit application and permit extensions consistent among permit types.

**BACKGROUND**

Snohomish County Planning and Development Services (PDS) staff have identified several instances in which permit applications have expired on certain projects, while the associated applications have not expired. Land Disturbing Activity (LDA), Flood Hazard, and Flood Hazard Variance permit applications are currently valid for 18 months and the expiration date cannot be extended. This has resulted in LDA and Flood Hazard applications expiring for many projects before the related building permit or land use applications have expired. This mismatch in expiration dates is true even if the applicant has requested consolidated review under SCC 30.70.12.

Application expiration dates translate into the amount of time applicants must demonstrate to the county staff that their application is in compliance with all applicable code requirements. When the application expiration dates of the required permits are out of alignment, this can result in some applications expiring while other permit applications still have remaining time left for review. To complete a project when these permit applications expire, the applicant must re-submit materials for the LDA, Flood Hazard, or Flood Hazard Variance permit. This causes delays as the new application materials must be processed, a new public notice may be required, and the applicant is subject to pay additional fees. This is a frequent issue identified by PDS staff that could be resolved by aligning application extensions for LDA, Flood Hazard, and Flood Hazard Variance permits with the current process for building permit applications.

Chapter 30.70 SCC describes general process requirements for permits and decisions including expiration dates, and Chapter 30.86 SCC relates to fees required for permit application and extension requests. The fees and timelines for LDA, Flood Hazard, and Flood Hazard Variance permit applications

## Expiration Extensions

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have changed over time. The last change was made in 2016. Amendments in 2016 eliminated extensions for LDA applications and added a time limit for Flood Hazard Variances. Under SCC Table 30.70.140(1), LDA and Flood Hazard permit applications expire 18 months after submittal, without the option for an extension.

Prior to 2016, LDA permit applications expired after 18 months, and there was the option for the PDS Director to grant one extension of the permit application that couldn't exceed an additional 18 months. The renewal fee was \$400 plus a percentage of the original application or permit fee equal to the percentage of approved or permitted activity to be completed.

Applicants who are applying for building permits, such as single-family homes or garages, may also need to apply for LDA, Flood Hazard, or Flood Hazard Variance permits depending on the size and location of the proposed buildings. The associated building permit applications expire 18 months after submittal, although the expiration date can be extended by the County building official by up to 18 months. If the building permit application is extended to allow for more review time, this may cause applicants to need to re-apply for LDA, Flood Hazard, or Flood Hazard Variance permits which expire after only 18 months. Resubmittal will cause the applicant to pay new fees. Fee rates for LDA applications (SCC 30.86.510) range from \$375 to \$34,700, depending on specified levels of drainage and grading, and may be subject to additional fees for security device administration. Fee rates for Flood Hazard permit applications (SCC 30.86.300) range from \$300 to \$1,500. To help prevent the need to resubmit permit applications and pay the full application fees again due only to mismatched expiration timelines, this code amendment proposes that extensions of up to 18 months be permitted for LDA and Flood Hazard applications.

Requiring this additional resubmittal increases costs and time for the applicant and increases permit application processing and review time for PDS staff. In reviewing permit applications, staff found that 149 out of 2,182 LDA permit applications expired since 2017. Due to permitting software changes and changes in how PDS codes certain permit types, there is no data to show how many LDA, Flood Hazard, and Flood Hazard Variance projects have re-applied for a permit since they have expired. Since 2016, PDS staff have reported this being a semi-regular occurrence for applicants when accounting for potential longer-term permit application timelines for associated building permits.

Preliminary Subdivisions and Preliminary Short Subdivisions allow an extension for the expiration of approval or permit with fees that are both \$500 under SCC 30.86.100 and SCC 30.86.110. A flat fee required for the allowed total extension time of two years granted by PDS is an efficient process because it is consistent for all applications and does not require staff to determine factors such as percentage complete. LDA applications prior to 2016 could be renewed for \$400 plus a percentage of the original application or permit fee equal to the percentage of approved or permitted activity to be completed. PDS staff recommends against adding in fee language that requires percentages of activity completed to be assessed, since it can be difficult to quantify such language consistently. Instead, this code amendment proposes a flat fee of \$500 for permit application extensions for LDA, Flood Hazard, and Flood Hazard Variance permits.

Under SCC Table 30.70.140(1), SCC 30.50.140, SCC Table 30.86.400(6), and SCC Table 30.86.400(7) Building Permits allow an application extension of 18 months, and an application extension fee of a \$400 administration fee plus a percentage of the original plan review fee equal to the percentage of work completed (SCC 30.86.400). Building Permits extensions under SCC 30.50.144 and SCC Table 30.86.400(7) also have extension fees based on the percentage of finished work. It is often difficult for staff to determine the percentage of work that has been completed when calculating the application extension and extension fees. In order to maintain consistency between fees related to specific permitting work, PDS staff recommends that Building Permit application extensions (SCC Table

and Building Permit extensions (SCC Table 30.56.400(7)) be assigned the same cost as the proposed LDA, Flood Hazard, and Flood Hazard Variance application extensions of \$500.

In addition to the proposed application extensions and fee consistency, this code amendment also proposes to clean up dated expiration extension language in SCC Table 30.70.140(1) for Subdivisions and Short Subdivisions. Currently, the table has two conditions for the expiration of approval or permit. PDS proposes to remove the extension language for Subdivisions and Short Subdivisions that were approved on or before December 31, 2007, since there are no permits that would be valid in that timeline in 2022. With the removal of the December 31, 2007, date, the language that specifies permit extensions that were approved on or after January 1, 2008, is also recommended to be removed. PDS also proposes to reduce the amount of extensions that could be requested for Subdivisions and Short Subdivisions. Currently there could be multiple extension requests that could equal up to two years. The proposal is to instead allow a one time permit extension of two years. This proposed change would reduce the review burden on PDS Staff and extension submittal burden on applicants in order to achieve the same timeline of permit extensions.

While unifying the permit application and permit extension fees for building permits, PDS staff recommends removing a reference note in SCC Table 30.86.400(7). This provision was added by Ordinance No. 06-004 in 2006, and has since been sunsetted in past Ordinances. This code deletion would be a housekeeping item to remove a reference that is no longer applicable.

**PROPOSED CODE AMENDMENTS**

TABLE 1: SUMMARY OF PROPOSED CODE CHANGES											
Proposed Language		Finding									
<p><b>30.70.140 Expiration of applications, approvals, and permits.</b>  <b>Table 30.70.140(1)</b>                      *Please note that this is an excerpt of the table, and the full table is included further in this document.</p> <table border="1"> <thead> <tr> <th>Approval Type</th> <th>Expiration of application</th> <th>Expiration of approval or permit</th> </tr> </thead> <tbody> <tr> <td>Flood Hazard Permit &amp; Flood Hazard Variance</td> <td>18 months, <u>but may be extended for an additional 18 months.</u><sup>1</sup></td> <td>18 months from the date of issuance. Start of construction, as defined in SCC 30.91S.570, must commence within 180 days.</td> </tr> <tr> <td>Land Disturbing Activity</td> <td>18 months, <u>but may be extended for an additional 18 months.</u><sup>2</sup></td> <td>36 months</td> </tr> </tbody> </table>		Approval Type	Expiration of application	Expiration of approval or permit	Flood Hazard Permit & Flood Hazard Variance	18 months, <u>but may be extended for an additional 18 months.</u> <sup>1</sup>	18 months from the date of issuance. Start of construction, as defined in SCC 30.91S.570, must commence within 180 days.	Land Disturbing Activity	18 months, <u>but may be extended for an additional 18 months.</u> <sup>2</sup>	36 months	<p>This amendment would add an extension for permit applications for Flood Hazard Permit, Flood Hazard Variance, and Land Disturbing Activity approval types. Allowing a one-time extension of 18 months to these permit applications would allow for timeline consistency for applicants who submit multiple applications for one project. LDA, Flood Hazard, and Flood Hazard Variance permit applications are currently valid for 18 months and the expiration date cannot be extended. This has resulted in LDA and Flood Hazard applications expiring for many projects before the related building permit or land use applications have expired. Without an extension, applicants must re-submit these permit</p>
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Flood Hazard Permit & Flood Hazard Variance	18 months, <u>but may be extended for an additional 18 months.</u> <sup>1</sup>	18 months from the date of issuance. Start of construction, as defined in SCC 30.91S.570, must commence within 180 days.									
Land Disturbing Activity	18 months, <u>but may be extended for an additional 18 months.</u> <sup>2</sup>	36 months									
<p><b>Reference notes for SCC Table 30.70.140(1):</b>  <sup>1</sup>The department may grant a one-time 18-month extension.                      The applicant must submit the extension request to the</p>											

~~department prior to the expiration. The applicant shall pay a fee for the extension pursuant to SCC 30.86.300.  
<sup>2</sup> The department may grant a one-time 18-month extension. The applicant must submit the extension request to the department prior to the expiration. The applicant shall pay a fee for the extension pursuant to SCC 30.86.510.~~

applications which causes delays and additional work for PDS staff

**30.70.140 Expiration of applications, approvals, and permits. Table 30.70.140(1)**

\*Please note that this is an excerpt of the table, and the full table is included further in this document.

This amendment would clean up dated expiration extension language in SCC Table 30.70.140(1) for Subdivisions and Short Subdivisions. Currently, the table has two conditions for the expiration of approval or permit. PDS proposes to remove the extension language for Subdivisions and Short Subdivisions that were approved on or before December 31, 2007, since there are no permits that would be valid in that timeline in 2022. The language that specifies permit extensions that were approved on or after January 1, 2008, are also recommended to be removed. PDS also proposes to reduce the amount of extensions for Subdivisions and Short Subdivisions that could equal up to two years, and instead allow a one-time permit extension of two years. This proposed change would reduce the review burden on PDS Staff and extension submittal burden on applicants to achieve the same timeline of permit extensions. This amendment would also add reference notes to reflect the same format as the LDA, Flood Hazard, and Flood Hazard Variance application extension to ensure consistency.

Approval Type	Expiration of application	Expiration of approval or permit
Subdivisions	48 months	<p>Per RCW 58.17.140, except that:</p> <p><del>For preliminary subdivisions that were approved on or after January 1, 2008, one or more extensions not to exceed a total extension time of two years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.100. May be extended for an additional two years.<sup>(3)</sup></del></p>

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		<p>For preliminary subdivisions that were approved on or before December 31, 2007, one or more extensions up to a total term of 12 years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.100.</p>	
<p>Short Subdivisions</p>	<p>48 months</p>	<p>60 months, except that:</p>	
		<p>For preliminary short subdivisions that were approved on or after January 1, 2008, one or more extensions not to exceed a total extension time of two years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall</p>	

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		<p>pay a fee for each extension pursuant to SCC 30.86.110. May be extended for an additional two years.<sup>(4)</sup></p>	
		<p>For preliminary subdivisions that were approved on or before December 31, 2007, one or more extensions up to a total term of 12 years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.110.</p>	

**Reference notes for SCC Table 30.70.140(1):**

<sup>3</sup>One extension of two years may be granted by the department. Such request must be received by the director prior to the expiration of the preliminary subdivision approval. The applicant shall pay a fee for the extension pursuant to SCC 30.86.100.

<sup>4</sup>One extension of two years may be granted by the department. Such request must be received by the director prior to the expiration of the preliminary subdivision approval. The applicant shall pay a fee for the extension pursuant to SCC 30.86.110.

**30.86.300 Special flood hazard areas permit fees.**

**Table 30.86.300 Special Flood Hazard Area Permit Fees**

<b>FLOOD HAZARD AREA PERMIT</b>	\$1,050
<b>FLOOD HAZARD AREA VARIANCE</b>	See Table 30.86.230

This proposed code would add a fee for Flood Hazard Permit and Flood Hazard Variance application extensions as referred to in SCC Table 30.70.140(1). PDS staff recommends a fee of \$500, to

<table border="1"> <tr> <td><b>PRE-APPLICATION CONFERENCE FEE</b></td> <td>\$480</td> </tr> <tr> <td><b>FLOOD HAZARD AREA DETERMINATION</b></td> <td>\$300</td> </tr> <tr> <td><b><u>FLOOD HAZARD PERMIT &amp; FLOOD HAZARD VARIANCE APPLICATION EXTENSION (1)</u></b></td> <td><b><u>\$500</u></b></td> </tr> <tr> <td colspan="2"><u>(1) This fee applies to Flood Hazard Permit and Flood Hazard Variance application extensions pursuant to SCC Table 30.70.140(1).</u></td> </tr> </table>	<b>PRE-APPLICATION CONFERENCE FEE</b>	\$480	<b>FLOOD HAZARD AREA DETERMINATION</b>	\$300	<b><u>FLOOD HAZARD PERMIT &amp; FLOOD HAZARD VARIANCE APPLICATION EXTENSION (1)</u></b>	<b><u>\$500</u></b>	<u>(1) This fee applies to Flood Hazard Permit and Flood Hazard Variance application extensions pursuant to SCC Table 30.70.140(1).</u>		<p>match a similar fee for permit extensions for Preliminary Subdivisions and Preliminary Short Subdivisions.</p>																				
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<p><b>30.86.510 Drainage and land disturbing activity fees.</b>  <b>Table 30.86.510(2) Fees for Drainage and Land Disturbing Activities</b>                  *Please note that this is an excerpt of the table, and the full table included further in this document.</p> <table border="1"> <thead> <tr> <th colspan="2"><b>(C) FEES FOR ACTIVITIES NOT OTHERWISE LISTED</b></th> </tr> </thead> <tbody> <tr> <td>Pre-application site review</td> <td>\$ 250</td> </tr> <tr> <td>Subsequent plan review<sup>(3)</sup></td> <td>\$ 350</td> </tr> <tr> <td><u>LDA Application Extension<sup>(4)</sup></u></td> <td><u>\$ 500</u></td> </tr> <tr> <td>Field revisions<sup>(4) (5)</sup></td> <td>\$ 350</td> </tr> <tr> <td>Modification, waiver, or reconsideration issued pursuant to SCC 30.63A.830 through 30.63A.842</td> <td>See SCC 30.86.515</td> </tr> <tr> <td>Investigation penalty<sup>(5) (6)</sup></td> <td>100% of the applicable drainage and land disturbing activity fee</td> </tr> <tr> <td>Dike or levee construction or reconstruction grading plan review and inspection fee when implementing a Snohomish County approved floodplain management plan</td> <td>\$ 60 per hour</td> </tr> <tr> <td>Drainage plan review for mining operations<sup>(6) (7)</sup></td> <td>\$156 per acre</td> </tr> <tr> <td>Monitoring associated with drainage plan review for mining operations</td> <td>\$ 141 per hour</td> </tr> <tr> <td>Consultation pursuant to SCC 30.63B.030(2) or 30.63B.100(2)</td> <td></td> </tr> <tr> <td>Land Use</td> <td>\$ 850</td> </tr> <tr> <td>Engineering</td> <td>\$ 975</td> </tr> <tr> <td colspan="2"><u>(4) This fee applies to LDA application extensions pursuant to SCC Table 30.70.140(1).</u></td> </tr> </tbody> </table>	<b>(C) FEES FOR ACTIVITIES NOT OTHERWISE LISTED</b>		Pre-application site review	\$ 250	Subsequent plan review <sup>(3)</sup>	\$ 350	<u>LDA Application Extension<sup>(4)</sup></u>	<u>\$ 500</u>	Field revisions <sup>(4) (5)</sup>	\$ 350	Modification, waiver, or reconsideration issued pursuant to SCC 30.63A.830 through 30.63A.842	See SCC 30.86.515	Investigation penalty <sup>(5) (6)</sup>	100% of the applicable drainage and land disturbing activity fee	Dike or levee construction or reconstruction grading plan review and inspection fee when implementing a Snohomish County approved floodplain management plan	\$ 60 per hour	Drainage plan review for mining operations <sup>(6) (7)</sup>	\$156 per acre	Monitoring associated with drainage plan review for mining operations	\$ 141 per hour	Consultation pursuant to SCC 30.63B.030(2) or 30.63B.100(2)		Land Use	\$ 850	Engineering	\$ 975	<u>(4) This fee applies to LDA application extensions pursuant to SCC Table 30.70.140(1).</u>		<p>This proposed code would add a fee for Land Disturbing Activity permit application extensions as referred to in SCC Table 30.70.140(1). PDS staff recommends a fee of \$500, to match a similar fee for permit extensions for Preliminary Subdivisions and Preliminary Short Subdivisions.</p>
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**30.86.400 Construction Code fees.**

**Table 30.86.400(6) Plan Review Fees**

<b>PLAN, DRAWING, OR DOCUMENT BEING REVIEWED</b>		
•	R-3 and U Occupancies for residential purposes	65% of building permit fee
•	A, I, R-1, R-2, R-4, E, H, F, M, S, U and B Occupancies	85% of building permit fee
<b>EXCEPTIONS</b>		
<b>Successive construction (2) (3)</b>		
•	Structures regulated by the IRC	20% of building permit fee
•	R-2 structures	45% of building permit fee
<b>The plan review fee shall be supplemented for A, I, R-1, R-2, R-4, E, H, F, M, S, U and B Occupancies as follows:</b>		
•	Commercial permit application for 1 or more buildings or additions requiring site review	\$640
•	Commercial permit application for 1 or more buildings or additions with a previously approved official site plan	\$500
•	Tenant improvements not requiring site plan review	\$100
<b>ADDITIONAL REVIEW (4)</b>		\$200 or 25% of the plan review fee, whichever is less.
<b>APPLICATION EXTENSION</b>		<u>\$500</u> The fee for the permit application extension includes a percentage of the original plan review fee equal to the percentage of work completed plus a \$400 administration fee.

**Reference notes:**

(1) Plan review fees shall compensate the department for the plan review necessary to determine compliance with

Building Permits allow an application extension of 18 months, and an application extension fee of a \$400 administration fee plus a percentage of the original plan review fee equal to the percentage of work completed. It is often difficult for staff to determine the percentage of work that has been completed when calculating the application extension and extension fees.

In order maintain consistency between fees related to specific permitting work, PDS staff recommends that Building Permit application extensions be assigned the same cost as the proposed LDA, Flood Hazard, and Flood Hazard Variance application extensions at \$500.

**the adopted construction codes and other county regulations.**

(2) **A plan review fee for successive construction will be assessed where more than one building or structure is proposed to be constructed in accordance with a single basic plan for the following classifications of buildings and structures**

(a) **Group R occupancies.**

(b) **Garages, carports, storage buildings, agricultural buildings, and similar structures for private use.**

(3) **Procedures for approval of basic plans for successive construction shall be established by the director.**

(4) **This fee is charged whenever an applicant resubmits documents failing to make county-required corrections noted on “markup” plans, drawings, or such other documents during plan review; or whenever as a result of changes, additions, or revisions to previously approved plans, drawings or such other documents, a subsequent plan review is required.**

**30.86.400 Construction Code fees.**

**Table 30.86.400(7) Building Permit Fees**

<b>TOTAL BUILDING/STRUCTURAL VALUATION<sup>(2)</sup></b>	<b>PERMIT FEE<sup>(3)(4)</sup></b>
\$1-\$500	\$45.00
\$501-\$2,000	\$45.00 for the first \$500 plus \$3.70 for each additional \$100 or fraction thereof, including \$2,000
\$2,001-\$25,000	\$100.50 for the first \$2,000 plus \$17.50 for each additional \$1,000 or fraction thereof, including \$25,000
\$25,001-\$50,000	\$503.00 for the first \$25,000 plus \$10.50 for each additional \$1,000 or fraction thereof, including \$50,000
\$50,001-\$100,000	\$765.50 for the first \$50,000 plus \$9.75 for each additional \$1,000 or fraction thereof, including \$100,000
\$100,001-\$500,000	\$1,253.00 for the first \$100,000 plus \$7.00 for each additional \$1,000 or fraction thereof, including \$500,000

Building Permits allow an application extension of 18 months, and an application extension fee of a \$400 administration fee plus a percentage of the original plan review fee equal to the percentage of work completed. It is often difficult for staff to determine the percentage of work that has been completed when calculating the application extension and extension fees.

In order maintain consistency between fees related to specific permitting work, PDS staff recommends that Building Permit extensions be assigned the same cost as the proposed LDA, Flood Hazard, and Flood Hazard Variance application extensions at \$500.

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<p><del>File Name: 2_0003.pdf</del> \$500,001-\$1,000,000</p>	<p>\$4,053.00 for the first \$500,000 plus \$6.50 for each additional \$1,000 or fraction thereof, including \$1,000,000</p>	
<p>\$1,000,001-\$5,000,000</p>	<p>\$7,453.00 for the first \$1,000,000 plus \$4.30 for each additional \$1,000 or fraction thereof.</p>	
<p>Over \$5,000,000</p>	<p>\$24,503.00 for the first \$5,000,000 plus \$4.00 for each additional \$1,000 or fraction thereof.</p>	
<p><b>PERMIT EXTENSION</b></p>	<p><u>\$500</u> The fee for the permit extension includes a percentage of the original permit fee equal to the percentage of work to be completed.</p>	
<p>Reference notes:                  (1) Permit fees shall compensate the department for inspections necessary to determine compliance with the adopted construction codes, other county regulations, and the approved plan. The fee table shall be applied separately to each building within a project and used for the calculation of all plan review and permit fees, except those for which a separate permit fee is required to be paid in accordance with this title.                  (2) The department shall use the building valuation multipliers provided in the most current building valuation data (BVD) published by the International Code Council.  <del>(3) Permit fees for playing fields on designated recreational land in accordance with SCC 30.28.076 shall be set at \$0.00, regardless of valuation. All buildings on the site shall be permitted on one permit.</del>                  (4)(3) For new construction of Group R-3 occupancies, a fee of 11 percent of the building permit fee shall apply for mechanical and plumbing inspections. (See SCC 30.86.410 and 30.86.420.)</p>		

The following two tables and amended land use matrix provide an overview of the proposed changes to Snohomish County Code.

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 renewal
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
Boundary Line Adjustment	12 months	12 months to record. The department may grant up to one 12-month extension.
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, <u>but may be extended for an additional 18 months.</u> <sup>1</sup>	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	36 months
Land Disturbing Activity	18 months, <u>but may be extended for an additional 18 months.</u> <sup>2</sup>	36 months
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

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Index #	File Name: 2_0003.pdf 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 58.17.140, except that: For preliminary subdivisions that were approved on or after January 1, 2008, one or more extensions not to exceed a total extension time of two years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.100. <u>May be extended for an additional two years.</u> <sup>(3)</sup> For preliminary subdivisions that were approved on or before December 31, 2007, one or more extensions up to a total term of 12 years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.100.
	Short Subdivisions	48 months	60 months, except that: For preliminary short subdivisions that were approved on or after January 1, 2008, one or more extensions not to exceed a total extension time of two years may be granted by the department. Such request must be received by the director at least 30 days prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.110. <u>May be extended for an additional two years.</u> <sup>(4)</sup> For preliminary subdivisions that were approved on or before December 31, 2007, one or more extensions up to a total term of 12 years may be granted by the department. Such request must be received by the director at least 30 days

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		prior to the expiration of the preliminary subdivision approval or prior extension. The applicant shall pay a fee for each extension pursuant to SCC 30.86.110.
Urban Center Development	36 months	5 years to commence construction or use
Variance	36 months	Not applicable

**Reference notes for SCC Table 30.70.140(1):**

<sup>1</sup>The department may grant a one-time 18-month extension. The applicant must submit the extension request to the department prior to the expiration. The applicant shall pay a fee for the extension pursuant to 30.86.300.

<sup>2</sup>The department may grant a one-time 18-month extension. The applicant must submit the extension request to the department prior to the expiration. The applicant shall pay a fee for the extension pursuant to 30.86.510.

<sup>3</sup>One extension of two years may be granted by the department. Such request must be received by the director prior to the expiration of the preliminary subdivision approval. The applicant shall pay a fee for the extension pursuant to SCC 30.86.100.

<sup>4</sup>One extension of two years may be granted by the department. Such request must be received by the director prior to the expiration of the preliminary subdivision approval. The applicant shall pay a fee for the extension pursuant to SCC 30.86.110.

**30.86.300 Special flood hazard areas permit fees.**

**Table 30.86.300 Special Flood Hazard Area Permit Fees**

<b>FLOOD HAZARD AREA PERMIT</b>	\$1,050
<b>FLOOD HAZARD AREA VARIANCE</b>	See Table 30.86.230
<b>PRE-APPLICATION CONFERENCE FEE</b>	\$480
<b>FLOOD HAZARD AREA DETERMINATION</b>	\$300
<b>FLOOD HAZARD PERMIT &amp; FLOOD HAZARD VARIANCE APPLICATION EXTENSION (1)</b>	<b>\$500</b>
(1) This fee applies to Flood Hazard Permit and Flood Hazard Variance application extensions pursuant to SCC Table 30.70.140(1).	

**30.86.510 Drainage and land disturbing activity fees.**

**Table 30.86.510(2) Fees for Drainage and Land Disturbing Activities**

<b>(A) FEE LEVELS FOR PLAN REVIEW AND INSPECTION</b>	<b>DRAINAGE (new, replaced, or new plus replaced hard surface in square feet)</b>	<b>GRADING (cut or fill in cubic yards, whichever is greater)</b>	<b>FEE</b>	
Level 1(a): Drainage only	1 – 1,999		\$	375
Level 1(b): Grading only		1 - 500	\$	350

Expiration Extensions

Index # - File Name: 21-0003 - DCE

Level 1(a)+(b): Drainage and Grading	1 – 1,999	and	1-500	\$	725
Level 2	2,000 – 4,999	and	0 - 500	\$	1,575
Level 3	5,000 – 9,999	and/or	501 – 4,999	\$	2,450
Level 4	10,000 – 39,999	and/or	5,000 – 14,999	\$	4,800
Level 5	40,000 - 99,999	and/or	15,000 – 69,999	\$	12,700
Level 6	100,000 or more	and/or	70,000 or more	\$	34,700
<b>(B) FEE LEVELS FOR PLAN REVIEW AND INSPECTION<sup>(1)</sup></b>	<b>CLEARING<sup>(2)</sup></b>			<b>FEE</b>	
Level 1	1 – 6,999 sq. ft.			\$ 750	
Level 2	7,000 sq. ft. or more			\$ 2,800	
Level 3: Conversion only	Converts three-quarters of an acre (32,670 sq. ft.) or more of vegetation to lawn/landscaped areas, or converts 2.5 acres (108,900 sq. ft.) or more of native vegetation to pasture.			\$ 2,800	
<b>(C) FEES FOR ACTIVITIES NOT OTHERWISE LISTED:</b>					
Pre-application site review				\$ 250	
Subsequent plan review <sup>(3)</sup>				\$ 350	
LDA Application Extension <sup>(4)</sup>				<u>\$ 500</u>	
Field revisions <sup>(4) (5)</sup>				\$ 350	
Modification, waiver, or reconsideration issued pursuant to SCC 30.63A.830 through 30.63A.842				See SCC 30.86.515	
Investigation penalty <sup>(5) (6)</sup>				100% of the applicable drainage and land disturbing activity fee	
Dike or levee construction or reconstruction grading plan review and inspection fee when implementing a Snohomish County approved floodplain management plan				\$ 60 per hour	
Drainage plan review for mining operations <sup>(6) (7)</sup>				\$156 per acre	
Monitoring associated with drainage plan review for mining operations				\$ 141 per hour	
Consultation pursuant to SCC 30.63B.030(2) or 30.63B.100(2)					
Land Use				\$ 850	
Engineering				\$ 975	
Land Use and Engineering Combination				\$ 1,655	
<b>(D) SECURITY DEVICE ADMINISTRATION FEES:</b>					
Performance Security				\$ 19.50 per subdivision or short subdivision lot or	

Expiration Extensions

Index # - File Name: 2.0003.pdf

	\$0.005 per square foot of impervious area for all other permits
Maintenance Security	\$ 15.00 per subdivision or short subdivision lot or \$0.003 per square foot of impervious area for all other permits
<b>REFERENCE NOTES:</b>	
(1) Drainage and land disturbing activity reviews associated with projects administered by Snohomish Conservation District shall not be subject to plan review and inspection fees.	
(2) Fee includes drainage plan review and inspection for clearing activity only. When clearing is combined with other land disturbing activities in SCC Table 30.86.510(2)(A), fee levels 1 - 6 for drainage and/or grading plan review and inspection also apply.	
(3) These fees apply on third and subsequent plan review submittals when an applicant fails to submit required corrections noted on "markup" plans, drawings, or other required submittal documents.	
(4) <u>This fee applies to LDA application extensions pursuant to SCC Table 30.70.140(1).</u>	
<del>(4)</del> (5) These fees apply whenever an applicant proposes changes, additions, or revisions to previously approved plans, drawings, or other required submittal documents.	
<del>(5)</del> (6) Acreage for drainage plan review for mining operations is based on mined area. Mined area includes all area disturbed in conjunction with the mining operation which shall include, but is not limited to, areas cleared, stock piles, drainage facilities, access roads, utilities, mitigation areas, and all other activity which disturbs the land. Fees for phased mine developments and mining site restoration plans of phased mine developments shall be calculated separately for each phase of mining based upon the area for each phase.	
<del>(6)</del> (7) Any person who commences any land disturbing activity before obtaining the necessary permits shall be subject to an investigation penalty in addition to the required permit fees.	

**30.86.400 Construction Code fees.**

**Table 30.86.400(6) Plan Review Fees**

PLAN, DRAWING, OR DOCUMENT BEING REVIEWED		
•	R-3 and U Occupancies for residential purposes	65% of building permit fee
•	A, I, R-1, R-2, R-4, E, H, F, M, S, U and B Occupancies	85% of building permit fee
<b>EXCEPTIONS</b>		
Successive construction (2) (3)		
•	Structures regulated by the IRC	20% of building permit fee

Expiration Extensions

Index #	File Name: 2.0003	R-2 structures	45% of building permit fee
The plan review fee shall be supplemented for A, I, R-1, R-2, R-4, E, H, F, M, S, U and B Occupancies as follows:			
•	Commercial permit application for 1 or more buildings or additions requiring site review		\$640
•	Commercial permit application for 1 or more buildings or additions with a previously approved official site plan		\$500
•	Tenant improvements not requiring site plan review		\$100
<b>ADDITIONAL REVIEW (4)</b>			\$200 or 25% of the plan review fee, whichever is less.
<b>APPLICATION EXTENSION</b>			<u>\$500</u> The fee for the permit application extension includes a percentage of the original plan review fee equal to the percentage of work completed plus a \$400 administration fee.
Reference notes: (5) Plan review fees shall compensate the department for the plan review necessary to determine compliance with the adopted construction codes and other county regulations. (6) A plan review fee for successive construction will be assessed where more than one building or structure is proposed to be constructed in accordance with a single basic plan for the following classifications of buildings and structures (c) Group R occupancies. (d) Garages, carports, storage buildings, agricultural buildings, and similar structures for private use. (7) Procedures for approval of basic plans for successive construction shall be established by the director. (8) This fee is charged whenever an applicant resubmits documents failing to make county-required corrections noted on "markup" plans, drawings, or such other documents during plan review; or whenever as a result of changes, additions, or revisions to previously approved plans, drawings or such other documents, a subsequent plan review is required.			

**30.86.400 Construction Code fees.**

**Table 30.86.400(7) Building Permit Fees**

TOTAL BUILDING/STRUCTURAL VALUATION <sup>(2)</sup>	PERMIT FEE <sup>(3)(4)</sup>
\$1-\$500	\$45.00
\$501-\$2,000	\$45.00 for the first \$500 plus \$3.70 for each additional \$100 or fraction thereof, including \$2,000
\$2,001-\$25,000	\$100.50 for the first \$2,000 plus \$17.50 for each additional \$1,000 or fraction thereof, including \$25,000

Expiration Extensions

Index # ~~File Name~~ 30.8803.pdf

\$25,001-\$50,000	\$503.00 for the first \$25,000 plus \$10.50 for each additional \$1,000 or fraction thereof, including \$50,000
\$50,001-\$100,000	\$765.50 for the first \$50,000 plus \$9.75 for each additional \$1,000 or fraction thereof, including \$100,000
\$100,001-\$500,000	\$1,253.00 for the first \$100,000 plus \$7.00 for each additional \$1,000 or fraction thereof, including \$500,000
\$500,001-\$1,000,000	\$4,053.00 for the first \$500,000 plus \$6.50 for each additional \$1,000 or fraction thereof, including \$1,000,000
\$1,000,001-\$5,000,000	\$7,453.00 for the first \$1,000,000 plus \$4.30 for each additional \$1,000 or fraction thereof.
Over \$5,000,000	\$24,503.00 for the first \$5,000,000 plus \$4.00 for each additional \$1,000 or fraction thereof.
<b>PERMIT EXTENSION</b>	<del>\$500 The fee for the permit extension includes a percentage of the original permit fee equal to the percentage of work to be completed.</del>
<p>Reference notes:</p> <p>(1) Permit fees shall compensate the department for inspections necessary to determine compliance with the adopted construction codes, other county regulations, and the approved plan. The fee table shall be applied separately to each building within a project and used for the calculation of all plan review and permit fees, except those for which a separate permit fee is required to be paid in accordance with this title.</p> <p>(2) The department shall use the building valuation multipliers provided in the most current building valuation data (BVD) published by the International Code Council.</p> <p><del>(3) Permit fees for playing fields on designated recreational land in accordance with SCC 30.28.076 shall be set at \$0.00, regardless of valuation. All buildings on the site shall be permitted on one permit.</del></p> <p><del>(4)</del>(3) For new construction of Group R-3 occupancies, a fee of 11 percent of the building permit fee shall apply for mechanical and plumbing inspections. (See SCC 30.86.410 and 30.86.420.)</p>	

**ANALYSIS**

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

**Compliance with State Law**

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

*GMA Goal 7- "Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability."*

Analysis: The proposed amendments would support the permitting goal by reducing cost and time for applicants to re-apply for application extensions and time for PDS staff to re-process applications. The proposed amendments would also add fee consistency for similar fee types, which increases code predictability and accessibility.

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

The proposed amendments are consistent with the following multicounty planning policies (MPPs) from the Puget Sound Regional Council VISION 2050:

*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.*

Analysis: The proposed changes would streamline the permitting process for applicants who submit building permit applications in coordination with LDA, Flood Hazard, and Flood Hazard Variance permits, allowing for the timelines of all permits associated with building permits for a project to be aligned. These proposed amendments would also add consistency between fees for permit application extensions and permit extensions for similar permit types.

### **Compliance with the Countywide Planning Policies**

The proposed amendments are consistent with the following countywide planning policies:

*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.*

Analysis: The proposed changes would streamline the permitting process that could encourage increased housing development.

*DP-5 - The County and cities shall adopt comprehensive plans and development regulations (RCW 36.70A.040). In Urban Growth Areas (UGAs), such plans and regulations shall:*

- a. Achieve urban uses and densities;*
- b. Provide for urban governmental services and capital facilities sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth; and*
- c. Permit the urban growth that is projected to occur in the succeeding twenty-year period (RCW 36.70A.110(2)).*

*The County shall adopt such plans and regulations for its unincorporated territory. Each city shall adopt such plans and regulations for territory within its city limits. Additionally, cities may adopt such plans and proposed development regulations for adjacent unincorporated territory within its UGA or Municipal UGA (MUGA) to which the city has determined it is capable of providing urban services at some point in the future, via annexation.*

*When amending its comprehensive plan, the County shall give substantial consideration to the city's adopted plan for its UGA or MUGA. Likewise, the affected city shall give substantial consideration to the County's adopted plan for the same area.*

*However, nothing in this policy shall limit the authority of the County to plan for and regulate development in unincorporated territory for as long as it remains unincorporated, in accordance with all applicable county, state and federal laws. Similarly, nothing in this policy shall limit the authority of cities to plan for territory in and adjacent to their current corporate limits and to*

*regulate development in their current corporate limits, in accordance with all applicable city, county, state and federal laws.*

Analysis: The proposed amendments would support development regulations that encourage achieving urban uses and densities through streamlining the permitting process.

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

The proposed amendments would be consistent with and help implement a number of policies contained within the Snohomish County Growth Management Act Comprehensive Plan (GMACP) – General Policy Plan (GPP). The following policies apply to the code amendments as proposed in this report.

*Objective LU 2.E – Provide for reasonable flexibility in land use regulation and planned mixing of uses, where appropriate, while maintaining adequate protection for existing neighborhoods.*

Analysis: The proposed code amendments could encourage development through streamlining the permitting processes and cleaning up land use regulations for increased accessibility.

#### **Environmental Review**

Staff has completed a SEPA checklist for this proposed code amendment and will be issuing a Determination of Nonsignificance on June 8, 2022. The fourteen-day public comment period will conclude prior to the briefing at Planning Commission on June 28, 2022.

#### **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 on June 8, 2022.

#### **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: David Killingstad, PDS Manager  
Michael Dobesh, PDS Manager



**SNOHOMISH COUNTY PLANNING COMMISSION**

August 10, 2022

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

SUBJECT: Planning Commission recommendation on proposed code amendments relating to  
Development Application and Permit Expiration Extensions

Dear Snohomish County Council:

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendation to amend Snohomish County Code (SCC) 30.70, 30.86, 30.50, and 30.56 relating to development applications and permit expiration extensions. The Planning Commission had a briefing on this topic on June 28, 2022 and conducted a public hearing on July 26, 2022.

The proposed code would amend permit application expiration terms for Land Disturbing Activity (LDA), Flood Hazard, and Flood Hazard Variance permits, and permit expiration fees to match the proposed permit application expirations. This code amendment also proposes limited code clean-up associated with permitting fee tables. The proposed code could work to increase the consistency between permit application expiration timelines within Title 30 chapters and make fees and code language for permit application and permit extensions consistent among permit types.

There were no written comments received by the Planning Commission from the public prior to the July 26th hearing, and no members of the public commented at the public hearing.

**PLANNING COMMISSION RECOMMENDATION**

At the July 26, 2022 Planning Commission meeting, Commissioner Norcott made a motion, seconded by Commissioner Everett, recommending APPROVAL of the proposed code amendments relating to Flood Hazard Areas Code Correction as submitted by staff.

**Vote (Amendment):**

10 in favor (*Ash, Brown, Campbell, Eck, Everett, James, Larsen, Norcott, Pederson, Sheldon*)

0 opposed

0 abstentions

**Amendment 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 May 28, 2022 staff report, with which the Commission concurred.

Expiration Extensions  
Planning Commission Recommendation Letter  
Index # 2, 0012.pdf  
Code Amendments to Chapter 30.65 SCC  
August 5, 2022

Respectfully submitted,

*Robert Larsen*

Robert Larsen (Aug 10, 2022 14:09 PDT)

SNOHOMISH COUNTY PLANNING COMMISSION  
Robert Larsen, Chairman

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

Executive/Council Action Form (ECAF)

**ITEM TITLE:**

..Title

Ordinance 22-073, relating to Growth Management and Development Permit Fees; amending Chapters 30.70 and 30.86 SCC related to application and approval or permit expiration terms and fees associated with permit and permit application extensions, and amending SCC 30.86.400

..body

**DEPARTMENT:** Snohomish County Planning and Development Services

**ORIGINATOR:** Hilary McGowan

**EXECUTIVE RECOMMENDATION:** Approved by Ken Klein 11/29/22

**PURPOSE:** This ordinance adopts amendments to Snohomish County Code relating to development permit application and permit expiration extensions and associated terms and fees and makes a housekeeping amendment to SCC 30.86.400.

**BACKGROUND:**

**FISCAL IMPLICATIONS:**

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

**DEPARTMENT FISCAL IMPACT NOTES:** Click or tap here to enter text.

**CONTRACT INFORMATION:**

ORIGINAL \_\_\_\_\_ CONTRACT# \_\_\_\_\_ AMOUNT \_\_\_\_\_  
 AMENDMENT \_\_\_\_\_ CONTRACT# \_\_\_\_\_ AMOUNT \_\_\_\_\_

**Contract Period**

ORIGINAL START \_\_\_\_\_ END \_\_\_\_\_  
 AMENDMENT START \_\_\_\_\_ END \_\_\_\_\_

**OTHER DEPARTMENTAL REVIEW/COMMENTS:** Reviewed/approved by Finance – Nathan Kennedy 11/29/22

**ANALYSIS OF BUILDING AND LAND USE REGULATION EFFECTS ON HOUSING AND JOBS**

**Title** Ordinance No. 22-073; RELATING TO GROWTH MANAGEMENT AND DEVELOPMENT PERMIT FEES; AMENDING CHAPTERS 30.70 AND 30.86 SCC RELATED TO APPLICATION AND APPROVAL OR PERMIT EXPIRATION TERMS AND FEES ASSOCIATED WITH PERMIT AND PERMIT APPLICATION EXTENSIONS, AND AMENDING SCC 30.86.400.

**Description** Proposed Ordinance 22-073 would amend Chapters 30.70 and 30.86 of Snohomish County Code (SCC) related to application and approval periods for certain types of permits. It would (1) allow extensions of some types of permits that are not currently eligible for extension (2) update terms and fees associated with extending permit applications and approvals, including for the new types of extensions and to other extensions, and (3) make other amendments for housekeeping and process efficiency reasons.

Amendment Sheet 1 would allow Snohomish County Department of Public Works (DPW) longer timelines for application and expiration of land disturbing activity permits than the proposed ordinance.

**Date:** December 15, 2022

**Staff Contact:** Hilary McGowan, Planner, [hilary.mcgowan@snoco.org](mailto:hilary.mcgowan@snoco.org)

	Place an "X" in the appropriate box				Comments
	Increase	Decrease	Neutral	Uncertain	
<b>Housing</b>					
Capacity/Targets			x		
Cost of Housing Development:					
• Infrastructure			x		
• Site			x		
• Building const.			x		
• Fees				x	Fees associated with extending building permits may be reduced due to permit extensions being amended, fees being standardized, and reducing permitting redundancies.
• Yield			x		
Timing			x		

*This form is intended to provide a summary analysis of the impact changes to development regulation may have on Residential, Commercial or Industrial Development.*

Jobs					
Capacity/Targets			x		
Cost of Commercial or Industrial Development:					
• Infrastructure			x		
• Site			x		
• Building const.			x		
• Fees				x	Fees associated with extending building permits may be reduced due to permit extensions being amended, fees being standardized, and reducing permitting redundancies.
• Yield			x		
Time to Create Jobs			x		
# Family Wage Jobs			x		

*This form is intended to provide a summary analysis of the impact changes to development regulation may have on Residential, Commercial or Industrial Development.*

**ANALYSIS OF BUILDING AND LAND USE REGULATION EFFECTS ON CAPITAL FACILITIES AND UTILITIES**

**Title** Ordinance No. 22-073; RELATING TO GROWTH MANAGEMENT AND DEVELOPMENT PERMIT FEES; AMENDING CHAPTERS 30.70 AND 30.86 SCC RELATED TO APPLICATION AND APPROVAL OR PERMIT EXPIRATION TERMS AND FEES ASSOCIATED WITH PERMIT AND PERMIT APPLICATION EXTENSIONS, AND AMENDING SCC 30.86.400.

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Amendment Sheet 1 would allow Snohomish County Department of Public Works (DPW) longer timelines for application and expiration of land disturbing activity permits than the proposed ordinance.

**Date:** December 15, 2022

**Staff Contact:** Hilary McGowan, Planner, [hilary.mcgowan@snoco.org](mailto:hilary.mcgowan@snoco.org)

	Place an "X" in the appropriate box			Comments
	Increase	Decrease	Neutral	
<b>County Provided</b>				
• Airport			X	
• General Government			X	
• Law and Justice			X	
• Parks			X	
• Roads			X	
• Solid Waste			X	
• Surface Water			X	
<b>Non-County Provided</b>				
• Electric Power			X	
• Fire Suppression			X	
• Public Water Supply			X	

*This form is intended to provide a summary analysis of the impact changes to development regulation may have on county and non-county provided capital facilities and utilities.*

• Sanitary Sewer			x	
• Telecommunications			x	

*This form is intended to provide a summary analysis of the impact changes to development regulation may have on county and non-county provided capital facilities and utilities.*

**ANALYSIS OF BUILDING AND LAND USE REGULATION EFFECTS ON LOW IMPACT DEVELOPMENT**

**Title** Ordinance No. 22-073; RELATING TO GROWTH MANAGEMENT AND DEVELOPMENT PERMIT FEES; AMENDING CHAPTERS 30.70 AND 30.86 SCC RELATED TO APPLICATION AND APPROVAL OR PERMIT EXPIRATION TERMS AND FEES ASSOCIATED WITH PERMIT AND PERMIT APPLICATION EXTENSIONS, AND AMENDING SCC 30.86.400.

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Amendment Sheet 1 would allow Snohomish County Department of Public Works (DPW) longer timelines for application and expiration of land disturbing activity permits than the proposed ordinance.

**Date:** December 15, 2022

**Staff Contact:** Hilary McGowan, Planner, [hilary.mcgowan@snoco.org](mailto:hilary.mcgowan@snoco.org)

**LID Evaluation:**

Does the new policy or regulation support Low Impact Development	Place an "X" in the appropriate box			If "yes" or "no", explain...
	Increase	Decrease	Neutral	
Retention of native vegetation			X	
Minimal disruption of native soils			X	
Preservation of natural drainage			X	
Minimization of impervious surface area			X	
Use of LID facilities			X	
Better site design – using LID principles			X	

<b>Adherence to SWPPP and drainage plan requirements</b>			X	
<b>Provisions for long term maintenance</b>			X	
<b>Retention of native vegetation</b>			X	
<b>Minimal disruption of native soils</b>			X	
<b>Preservation of natural drainage</b>			X	
<b>Minimization of impervious surface area</b>			X	

# Public Works Projects' Land Disturbing Activity (LDA) Expirations *Proposed Code Amendment*

# LDA Permit Applications (Design Reports)

- DPW projects requiring LDA permits can be “self-certified” (reviewed and approved by DPW) under the authority of SCC 30.63B.100 and Rule 5001 (Rev Oct 2020)
- SCC 30.70.300 (1) states: “... projects under the authority of the director of the department of public works or the county engineer pursuant to SCC 30.63B.100 **shall vest as of the date the county engineer approves a design report or memorandum** for the project
- A Design Report or Memo is equivalent to a complete Permit Application submitted to PDS by the public



# Table 30.70.140 (1)

- Permit applications and approvals have expiration periods
- The vesting that attaches to the filing of an application or permit approval does not continue indefinitely and terminates if the application or permit approval expires
- DPW's Design Reports and LDA Decisions expire

**Table 30.70.140 (1)**

<b>Approval Type</b>	<b>Expiration of Application</b>	<b>Expiration of approval or permit</b>
Land Disturbing Activity	18 months	36 months



# Proposed Code Amendment

- For DPW projects, amend Table 30.70.140 (1) for LDA Expirations:
  - Expiration of Application – from 18 months to **36 months**
  - Expiration of Approval or Permit – from 36 months to **60 months**
- For bridge projects requiring Shoreline Permits, have consistent timelines with the **36 months** expiration of applications and **60 months** expiration of permits already in Snohomish County Code



# Why are DPW projects different from private development?

- Vesting is from the date of the Design Report
- Obtain a Right of Way Plan Approval
- Federal funding requirements – NEPA approval and sequencing of right-of-way acquisitions
- Complete 60% Designs, SEPA Review and Utility Coordination
- Allow ample time for federal and state review of permit applications
  - There is no vesting with federal and state laws
  - Need to adhere to strict environmental protections as laws change

18 months is not enough time for most capital projects to complete all of the above before issuance of an LDA Permit



# Public Works Project Examples

## Public Works – Fast Track Projects:

Project Name	Design Report (signed @30%)	LDA Notice issued	LDA Cert (DPW approval)	Time from 30%-90% Design Phase and Certifications	Notes
196 <sup>th</sup> / Grannis	January 2018	December 2018	November 2018	9 months	Overlay
Marine Drive Embankment Repair	N/A	April 2018	April 2018	6 months	SEPA, Shoreline & FHZ Exempt

## Public Works – Typical Capital Projects:

Project Name	Design Report (signed @30%)	LDA Notice issued	LDA Cert (DPW approval)	Time from 30%-90% Design Phase and Certifications	Contributing factors to extended Design Phase
S Machias / Machias Cutoff	January 2017	April 2017	November 2018	22 months	ROW & utility relocation
Alderwood Mall Parkway Sidewalk Gaps	April 2018	May 2018	January 2020	21 months	ROW & utility relocation
Riley Slough Bridge 155 Replacement	July 2016	January 2017	October 2018	27 months	Fed aid & ROW processes
Pilchuck River Bridge 581 Replacement	May 2013	October 2013	September 2015	29 months	Fed aid & ROW processes

**ORDINANCE  
INTRODUCTION SLIP**

**SNOHOMISH COUNTY COUNCIL**

**EXHIBIT #** 3.1.007

TO: Clerk of the Council

**FILE** ORD 22-073

TITLE OF PROPOSED ORDINANCE:

RELATING TO GROWTH MANAGEMENT AND DEVELOPMENT PERMIT FEES; AMENDING CHAPTERS 30.70 AND 30.86 SCC RELATED TO APPLICATION AND APPROVAL OR PERMIT EXPIRATION TERMS AND FEES ASSOCIATED WITH PERMIT AND PERMIT APPLICATION EXTENSIONS, AND AMENDING SCC 30.86.400

~~~~~  
N. Neh 12/1/2022  
Councilmember Date

~~~~~  
Clerk's Action: Proposed Ordinance No. 22-073

Assigned to: Planning and Community Development Date: 12/6/22

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**STANDING COMMITTEE RECOMMENDATION FORM**

On 12/6/2022, the Committee considered the item and by X Consensus /  
       Yeas and        Nays, made the following recommendation:

X Move to Council to schedule public hearing 12/14/2022 GLS

**Public Hearing Date** 1/11/2023 @ 10:30 a.m.

       Move to Council as amended to schedule public hearing

       Move to Council with no recommendation

**This item       should/       should not be placed on the Consent Agenda.**

(Consent agenda may be used for routine items that do not require public hearing and do not need discussion at General Legislative Session)

**This item Xshould/       should not be placed on the Administrative Matters Agenda**

(Administrative Matters agenda may be used for routine action to set time and date for public hearings)

N. Neh  
Committee Chair



## Snohomish County Council

**Committee:** Planning & Community Development      **Analyst:** Ryan Countryman  
**ECAF:** 2022-1246  
**Proposal:** Ordinance 22-073      **Date:** December 6, 2022

### **Consideration**

Proposed Ordinance 22-073 would amend Chapters 30.70 and 30.86 of Snohomish County Code (SCC) related to application and approval periods for certain types of permits. It would, (1) allow extensions of some types of permits that are not currently eligible for extension (2) update terms and fees associated with extending permit applications and approvals, including for the new types of extensions and to other extensions, and (3) make other amendments for housekeeping and process efficiency reasons.

Amendment Sheet 1 would allow even longer periods for application and expiration of land disturbing activity permits than proposed in the ordinance when the applicant is the Snohomish County Department of Public Works (DPW).

### **Background and Analysis**

**Origin of proposals:** Planning and Development Services (PDS) prepared Ordinance 22-073 to simplify permit processing and to eliminate some outdated code provisions. Separately, DPW was preparing a request to change some of the same code sections. Ordinance 22-073 received a recommendation of approval from the Planning Commission before the two departmental efforts merged. Amendment Sheet 1 would add the changes that DPW was working on to Ordinance 22-073. Although the specific language of Amendment Sheet 1 was not before the Planning Commission, it is in the same spirit as the changes that received their recommendation of approval.<sup>1</sup>

**Permit Process:** Applicants often need to request multiple types of permits and approvals for their development. For example, someone requesting approval of a

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<sup>1</sup> Planning Commission recommendations are typically a requirement for changes that affect land use controls, i.e., those that change what an applicant can do. For procedural changes, Planning Commission input and recommendation is not necessary. However, PDS often asks for recommendations on procedural amendments to increase public input before the proposal reaches the County Council. None of the proposed changes in Ordinance 22-073 or Amendment Sheet 1 appear to have required input from the Planning Commission. Therefore, council staff does not see lack of Planning Commission input on Amendment Sheet 1 as raising any procedural concerns.

subdivision will also need an additional approval for a land disturbing activity permit to perform the site work. Timeframes for how long an applicant has to obtain approvals and, once approved, how long they have to complete the work before the approval expires are in SCC Table 30.70.140(1). Unfortunately, the timeframes in that table are not well-synchronized. Applicants thus sometimes need to request extensions or even reapply for approvals on one permit type while other types of permits for the same project are still valid.

Changes to SCC Table 30.70.140(1) in Ordinance 22-073 would allow for 18-month extensions to flood hazard permits, flood hazard variances, and land disturbing activity permit applications. Applications for all three types of applications currently expire after 18 months. This effective doubling of the application periods to 36 months would match many of the other permit types that often make up the underlying project. Without the proposed extensions, applicants would need to continue the current practice of resubmitting for short-lived applications that have expired while other applications are still under review. Other changes in the table eliminate provisions that no longer apply to subdivisions or short subdivisions. The ordinance also adds reference notes that help direct readers to appropriate provisions for extension fees in Chapter 30.86 SCC.

**Amendment Sheet 1** includes the changes to SCC Table 30.70.140(1) described above, and then it adds special provisions that apply to land disturbing activity permits for Department of Public Works projects. Many DPW projects need longer to receive approval and to complete the work after approval as compared with most private sector applicants. Supporting materials provided by DPW give details on the reasons, but this staff report summarizes the longer amounts of time required as being associated with funding, environmental review, and right-of-way acquisition requirements.

**Changes to fees.** Ordinance 22-073 proposes several changes related to permit extension fees in Chapter 30.86. It would add some new extension fees for types of permits that previously were not eligible for extension. It would also replace calculation formulas that determine the fee amounts for some of the existing extensions. In all cases, extensions would have a flat rate of \$500. This is reflective of the staff time associated with processing extension requests.

**Fiscal impacts.** PDS did not provide information on expected fiscal impacts. For some permit extensions, the fees will be higher and for other extensions the new fees would be lower. Based on this author's prior experience working for PDS, overall permit revenues may decline slightly. This is because applicants for some expensive approval requests, such as for land disturbing permits, will not need to be re-apply for (and pay again) as often. This would generally reduce revenue into permitting Fund 193. However, allowing more permit extensions and simplifying the calculations for complex types of extensions will save staff time associated with processing extension requests

and re-applications. Since Fund 193 also pays for staff time, the net effect is likely to be neutral or even of slight benefit in an overall perspective.

### **Current Proposal**

**Summary:** Ordinance 22-073 would: (1) allow for extensions to three types of permit applications, (2) add fees for the new types of extensions and change existing fees so that all extensions cost \$500, and (3) make several housekeeping changes in the affected code sections.

Amendment Sheet 1 would give the Department of Public Works more time to receive approval for land disturbing activity permits and it would also give DPW more time to complete work associated with its LDA permits after obtaining approval.

**Handling:** NORMAL

**Finance:** APPROVE

**Executive Recommendation:** APPROVE

**Request:** Move to General Legislative Session on December 14 to set time and date for a hearing. Suggesting hearing date and time: January 11, 2023 at 10:30 am.

# Proposed Code Amendments Relating to Expiration Extensions

Snohomish County Council: Planning Committee

December 5, 2022

Hilary McGowan, Planner



# Summary of Proposed Changes

1

## Create Application Extensions

- For LDA, Flood Hazard, and Flood Hazard Variance
- 18-month application extension

2

## Create Fee for Proposed Application Extensions

- \$500 to match similar existing fees

3

## Change Fee for Similar Permit Type Extension Consistency

- Building Permit Application and Permit extensions
- Change to \$500 instead of a percentage fee

4

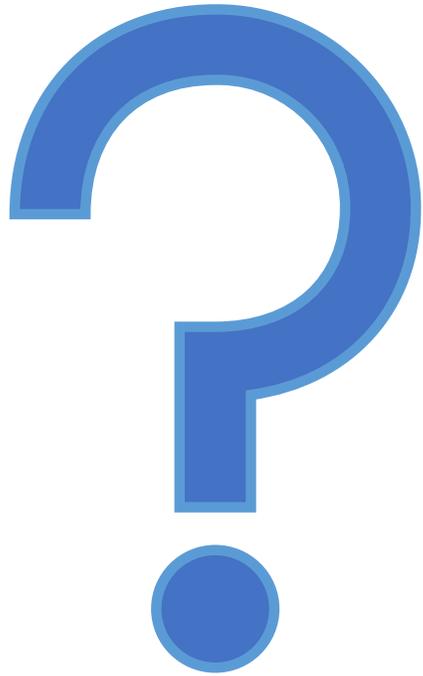
## Clean Up Dated Code in Fee Table

- Subdivisions and Short Subdivisions
- No valid permits under current language
- Update extensions

# Proposed Executive Amendment

- Increase LDA application and permit expirations for Snohomish County Department of Public Works' projects
- Amend the timelines in SCC Table 30.70.140(1)
  - 36 month expiration timeline for LDA permit applications
  - 60 months expiration timeline for LDA permits





Questions?

EXHIBIT 3.2.003

Planning and Community Development Committee Meeting Minutes –  
12/06/22

[Minutes](#) and [Video](#)