



Snohomish County
Planning Commission
Planning and Development Services

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201
Clerk Email: Megan.Moore@snoco.org

REGULAR (Remote) MEETING AGENDA
Snohomish County Planning Commission

February 22, 2022
5:30 PM

Join the Zoom Meeting: <https://zoom.us/j/92068125282>
or call (253) 215-8782
Webinar ID: 920 6812 5282

For access to supporting documents reviewed by the Planning Commission, visit the Snohomish County Planning Commission webpage at <https://snohomishcountywa.gov/164>

A. CALL TO ORDER AND ROLL CALL

B. PUBLIC COMMENT

C. APPROVAL OF MINUTES

- [January 25, 2022](#): Regular Meeting

D. STATUS OF FUTURE AGENDA ITEMS AND PAST RECOMMENDATIONS

- [Upcoming Planning Commission Meeting Topics](#)
- County Council Actions on Planning Commission Recommendations

E. UNFINISHED BUSINESS

F. NEW BUSINESS

1. Notice Requirements for Type 1 and Type 2 Permits: Briefing

Sarah Titcomb, PDS Principal Planner, Sarah.Titcomb@snoco.org

Staff will brief the Planning Commission on proposed code amendments to Chapters 30.71 and 30.72 of the Snohomish County Code (SCC) related to appeal hearing notice requirements. The proposed amendments would work to streamline the noticing process for Type 1 permit open record appeal hearings by identifying one responsible party and one method. The proposed amendments would also allow the responsible party to email notice of Type 1 and Type 2 permit appeal hearings to parties of record.

For further information, please review the following:

- [Briefing Staff Report dated 2/22/2021](#)



2. Subdivisions and Short Subdivisions: Briefing

Sarah Titcomb, PDS Principal Planner, Sarah.Titcomb@snoco.org

Staff will brief the Planning Commission on proposed code amendments to Chapters 30.41A and 30.41B of the Snohomish County Code (SCC) relating to subdivisions and short subdivisions. The proposed code amendments will increase consistency between the subdivision and short subdivision chapters, as well as with other Title 30 chapters, the Snohomish County Comprehensive Plan, and a recent administrative rule. The proposal also includes housekeeping changes for internal code consistency.

For further information, please review the following:

- [Briefing Staff Report dated 2/22/2021](#)

G. OPEN PUBLIC RECORDS, OPEN PUBLIC MEETINGS, AND ROBERT’S RULES OF ORDER TRAINING

David Killingstad, PDS, Long Range Planning Manager, David.Killingstad@snoco.org
Matthew Otten, Deputy Prosecuting Attorney, Matthew.Otten@snoco.org
Alex Witenberg, Deputy Prosecuting Attorney, Alex.Witenberg@snoco.org

H. ADJOURN



Snohomish County
Planning Commission
Planning and Development Services

PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:

At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.

PARTY OF RECORD / PUBLIC TESTIMONY:

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WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:

Please check www.snohomishcountywa.gov for additional information or the Snohomish County Department of Planning and Developmental Services, Reception Desk, 2nd Floor, County Administration Building East, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Megan.Moore@snoco.org.

AMERICANS WITH DISABILITIES ACT NOTICE:

Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD.

Snohomish County Planning Commissioners:

Merle Ash, District 1
Mark James, District 1
Tom Norcott, District 2
Raymond Sheldon, Jr., District 2
Robert Larsen, District 3
Vacant, District 3

Tom Campbell, District 4
Neil Pedersen, District 4
Rosanna Brown, District 5
Leah Everett, District 5
Keri Moore, Executive Appointee

Commission Staff (from Planning and Development Services (PDS) Department):

Mike McCrary, Commission Secretary

Megan Moore, Commission Clerk

Everett Daily Herald

Affidavit of Publication

State of Washington }

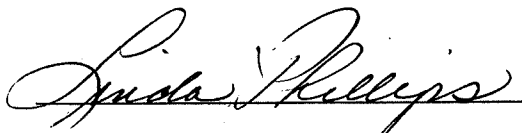
County of Snohomish } ss

Michael Gates being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH948456 REG. MTG AGENDA as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 02/12/2022 and ending on 02/12/2022 and that said newspaper was regularly distributed to its subscribers during all of said period.

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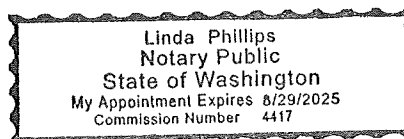
Subscribed and sworn before me on this

14th day of February,
2022.



Notary Public in and for the State of
Washington.

Snohomish County Planning | 14107010
MEGAN MOORE



Snohomish County
Planning Commission
Planning and Development Services
3000 Rockefeller Avenue, M/S #604
Everett, WA 98201

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David.Killingslad@snoco.org

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Raymond Sheldon, Jr., District 2	Leah Everett, District 5
Robert Larsen, District 3	Keri Moore,
Vacant, District 3	Executive Appointee

Commission Staff (from Planning and Development Services (PDS) Department):

Mike McCrary, Commission Secretary
Megan Moore, Commission Clerk

Published: February 12, 2022.

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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

MEMORANDUM

TO: Snohomish County Planning Commission **Dave Somers**
County Executive

FROM: Sarah Titcomb, Principal Planner

SUBJECT: Staff Report: Proposed Code Amendments Relating to Subdivisions and Short Subdivisions

DATE: February 22, 2022

INTRODUCTION

The purpose of this staff report is to provide information on a non-project proposal to amend Chapters 30.41A and 30.41B of the Snohomish County Code (SCC) relating to subdivisions and short subdivisions. The code amendments will increase consistency between the subdivision and short subdivision chapters, as well as with other Title 30 chapters, the Snohomish County Comprehensive Plan, and a recent administrative rule. The proposal also includes housekeeping changes for internal code consistency. Attachment A presents the staff recommended draft findings.

PROPOSAL BACKGROUND

Chapters 30.41A and 30.41B SCC describe the subdivision and short subdivision process for development within unincorporated Snohomish County. The specific processes have changed slightly over time, although subdivisions and short subdivisions have existed as forms of development since the creation of code in Snohomish County. Over time, other chapters of Title 30 were amended, and administrative rules were adopted which were not consistently mirrored within Chapters 30.41A and 30.41B SCC. The proposed amendments are intended to correct these errors.

Snohomish County Planning and Development Services (PDS) staff identified several instances where the current subdivision and short subdivision code provisions conflict with best available science, and other Title 30 provisions, including other sections of Chapter 30.41A SCC. Current subdivision and short subdivision code provisions also conflict with a new administrative rule and changes in PDS's practice. These are all issues related to subdivision of land, and the proposed amendments are intended to address and correct outdated code provisions.

Before the County's development regulations were consolidated in Title 30 SCC, Amended Ordinance No. 86-037 created Chapter 18.46 SCC that placed limits on development on sloping land. The original pre-Growth Management Act (GMA) provisions were ultimately amended over time and portions were recodified in SCC 30.41A.250 and SCC 30.41B.210. These sections also pre-date adoption of Chapter 30.62B SCC that was established to protect Geologically Hazardous Areas. Amended Ordinance No. 86-

037, which adopted the predecessors of SCC 30.41A.250 and SCC 30.41B.210, was originally adopted to “protect the health, safety and welfare of the citizenry and to guard the environment against unsafe and unnecessary degradation by implementing a policy regulating the development of certain sloping land” (SCC 18.46.010). Chapter 18.46 SCC identified other supporting purposes as,

- 1) To control development on steep slopes and landslide areas,
- 2) To achieve land use densities that are in conformity with the comprehensive plan...,
- 3) To allow land planning and development patterns which take into account the added costs and increased benefits of alternative designs...,
- 4) To encourage development on sloping areas that will retain or provide a desirable amount and distribution of wooded land...,
- 5) To assure the placement of dwellings, roads and utilities on sloped land so that the open space will coincide with areas of critical environmental concern and/or recreational opportunity,
- 6) To provide lots on which dwellings may be safely constructed and maintained by the homeowner,
- 7) To assure that developments on sloped lands demonstrate a concern for the view of the hills as well as the view from the hills,
- 8) To protect citizens of the county from hazards and risks of soils movement caused by construction, occupation and maintenance of development on certain sloping land only to the extent that these hazards and risks are in excess of those which would occur on lands of lesser slope, and
- 9) To protect citizens of the county by assured compliance with all applicable ordinances relating to storm water control, site grading, temporary and permanent control of erosion and sediment deposition.

In 1986 the best method available to ensure the safety of the residents was to look at the slope of the land based on a topographic survey and limit development based on that slope. Since that time science has progressed, the State adopted the GMA in 1991, and Snohomish County adopted Chapter 30.62B SCC in 2007. The GMA requires the protection of critical areas such as geologically hazardous areas, utilizing the best available science. This is accomplished through the implementation of Chapter 30.62B SCC that requires a geotechnical report for any development activity requiring a project permit or clearing within an erosion hazard area, a landslide hazard area, two hundred feet of a mine hazard area, or two hundred feet of any faults (SCC 30.62B.140). This geotechnical report must contain the topography of the area, as well as significant geologic contacts, landslides, or downslope soil movement within 200 feet of the site, a channel migration zone study, and the geological condition of the site among many other items listed within SCC 30.62B.140. It is also important to note that a landslide hazard area is more precisely defined than a steep slope within SCC 30.91L.040, as the best available science has determined that steep slopes alone may not create such a hazard.

Importantly, like the purpose supporting the adoption of Chapter 18.46 SCC in 1986, the purpose of Chapter 30.62B SCC is to “provide regulations for the protection of public safety, health and welfare pursuant to the Growth Management Act (chapter 36.70A RCW), in geologically hazardous areas, including: erosion hazard, landslide hazard, seismic hazard, mine hazard, volcanic hazard, and tsunami hazard areas.” The chapter’s provisions are intended to “provide the protection required by chapter 36.70A RCW for wetlands and for fish & wildlife habitat conservation areas while simultaneously protecting property rights. The County Council nevertheless recognizes that implementation of some provisions of this chapter 30.62B SCC will inevitably entail some restriction of property rights. It is the intent of the County Council that this chapter be always construed and interpreted so that property rights

be restricted no further than strictly necessary for the critical area protection required under chapter 36.70A RCW.” As a result, SCC 30.41A.250 and SCC 30.41B.210 are outdated and no longer necessary to protect geologically sensitive areas such as steep slopes and retaining these two provisions in Title 30 require applicants to go beyond what is required within the GMA. This could place undue burdens on the development of land that could increase the cost and time to develop beyond what is necessary for development within other critical areas in the county. Further, the current provisions work to limit a development’s housing density and can result in sprawl contrary to the GMA’s state goal of reducing such patterns.

Other issues caused by outdated code that the proposed amendments aim to fix for subdivisions include:

- SCC 30.41A.500 through .550 allow for the development of model homes within subdivisions, although there is not an equivalent allowance within Chapter 30.41B SCC. An administrative rule (20-01) was adopted on January 13, 2021, to apply model home provisions to short subdivisions to “fill gaps in code” as short subdivisions are considered subdivisions of land.
- SCC 30.41A.550 requires “two copies of a plot plan.” PDS accepts all permit applications and as-built drawings digitally and does not require a hard copy. The requirement for two copies is a holdover from when all permits were submitted to the PDS on paper.
- Amended Ordinance No. 17-045 authorized PDS to approve final subdivisions administratively. Previously, the County Council was required to approve all final plats. Nonetheless, SCC 30.41A.640(2) still requires a final subdivision submittal to be publicly noticed. When PDS reviews a final subdivision submittal, all major decisions related to the project, such as the number and configuration of lots, road placement, and landscaping have been previously approved by the Hearing Examiner after the conclusion of an open record hearing requiring public notice. Final plat approval is now a ministerial and non-discretionary process. This means that PDS may administratively approve a final subdivision and that final subdivision can then be recorded with the Snohomish County Auditor when it finds the final plat is consistent with the approved preliminary subdivision, meets all conditions of approval and applicable codes, and all necessary improvements are completed. Requiring a public noticing period for the final subdivision submittal when a public hearing is no longer required leads to a false expectation that the public can comment on and influence the final subdivision in the same way they can earlier in the process when an application is first submitted and considered by the Hearing Examiner at the preliminary subdivision stage.
- Amended Ordinance No. 17-045 allowing final plats to be approved administratively inadvertently left in the word “council” within SCC 30.41A.665(1) and (3).

PROPOSED CODE AMENDMENTS

Table 1 outlines the proposed code amendments, as well as the findings in support of the proposed code amendments by subsection. The proposed code amendments will increase consistency between Chapters 30.41A and 30.41B, with the GMA Comprehensive Plan (GMACP), and with the rest of Title 30 SCC by:

- Aligning the chapters with the County’s post-GMA critical area regulations;
- Codifying Rule 20-01 allowing model homes in short subdivisions;
- Making housekeeping amendments to improve implementation and readability; and
- Ensuring internal consistency within Chapter 30.41A SCC related to the administrative final plat approval process.

TABLE 1: SUMMARY OF PROPOSED CODE CHANGES AND FINDINGS																																																	
Proposed Change			Finding																																														
<p>((30.41A.250—Density for sloping land. All subdivisions shall comply with applicable requirements regarding development in erosion and landslide hazard areas pursuant to SCC 30.62B.320 and 30.62B.340. In addition, the following requirements shall apply to all subdivisions:</p> <p>(1) Determination of Slope. The applicant shall determine land slope and assess the applicability of this section. This information shall be provided to the department along with the completed application. In determining slope, the applicant shall obtain a topographic survey from a registered professional engineer or land surveyor which defines the slope of the property to a recognized and acceptable mapping standard. In all areas proposed for roads or dwellings, elevations of 90 percent of the area shall be within three feet of the actual ground elevations;</p> <p>(2) Determination of Potential Maximum Dwelling Unit Density. The applicant shall determine maximum unit yield for the specified zones from Table 30.41A.250(2), except that this requirement shall not apply to a planned residential development combined with a preliminary subdivision; and</p> <p>Table 30.41A.250(2) Residential Density for Sloping Land</p> <table><tr><th>Zoning</th><th colspan="4">Dwelling Units/Gross acre</th></tr><tr><th></th><th>15–20% slope</th><th>21–25% slope</th><th>26–33% slope</th><th>Over 33% slope</th></tr><tr><td>Rural Conservation</td><td>.5</td><td>.5</td><td>.5</td><td>.25</td></tr><tr><td>SA 1 Acre</td><td>1.0</td><td>1.0</td><td>1.0</td><td>.25</td></tr><tr><td>R-20,000</td><td>1.8</td><td>1.8</td><td>1.8</td><td>.25</td></tr><tr><td>R-12,500</td><td>2.8</td><td>2.8</td><td>1.8</td><td>.25</td></tr><tr><td>R-9,600</td><td>4.0</td><td>2.8</td><td>1.8</td><td>.25</td></tr><tr><td>R-8,400</td><td>4.0</td><td>2.8</td><td>1.8</td><td>.25</td></tr><tr><td>R-7,200/WEB</td><td>4.0</td><td>2.8</td><td>1.8</td><td>.25</td></tr></table>			Zoning	Dwelling Units/Gross acre					15–20% slope	21–25% slope	26–33% slope	Over 33% slope	Rural Conservation	.5	.5	.5	.25	SA 1 Acre	1.0	1.0	1.0	.25	R-20,000	1.8	1.8	1.8	.25	R-12,500	2.8	2.8	1.8	.25	R-9,600	4.0	2.8	1.8	.25	R-8,400	4.0	2.8	1.8	.25	R-7,200/WEB	4.0	2.8	1.8	.25	<p>SCC 30.41A.250 is being repealed because since its original enactment in 1986, Snohomish County adopted critical area codes under the GMA aimed at protecting landslide hazard areas and guiding development near those areas. Namely, Chapter 30.62B SCC was adopted in 2007 by Amended Ord 06-061 with its purpose stated in SCC 30.62B.010(1) as to “[P]rovide regulations for the protection of public safety, health and welfare pursuant to the Growth Management Act (chapter 36.70A RCW), in geologically hazardous areas, including: erosion hazard, landslide hazard, seismic hazard, mine hazard, volcanic hazard, and tsunami hazard areas” (SCC 30.62B.010(1)). The intent supporting Chapter 30.62B SCC is further stated in SCC 30.62B.015 and is to “[P]rovide the protection required by chapter 36.70A RCW for wetlands and for fish & wildlife habitat conservation areas while simultaneously protecting property rights. The County Council nevertheless recognizes that implementation of some provisions of this chapter 30.62B SCC will inevitably entail some restriction of property rights. It is the intent of the County Council that this chapter be always construed and interpreted so that property rights be restricted no further than strictly necessary for the critical area protection required under chapter 36.70A RCW.” Where a proposed development activity impacts a geologically hazardous area it must be supported by a geotechnical report meeting the requirements of SCC 30.62B.140.</p>	
Zoning	Dwelling Units/Gross acre																																																
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<p>Slope means an inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance. Slope percentages are calculated by taking the vertical rise over the horizontal run. For land areas greater than 15 percent natural slope, maximum unit yield in the identified zones shall be determined by multiplying the gross site area by the appropriate density factors found in SCC Table 30.41A.250(2). For the purpose of this table, a continuous slope with a horizontal run of less than 50 feet shall be considered level when the slope percentage is less than 33 percent.</p> <p>(3) The department may require engineering or other technical justification for development in sloped areas where it determines that the public health, safety, welfare, or environment may be jeopardized by the proposed development.))</p>	<p>SCC 30.41A.250 is no longer required to protect geologically hazardous areas such as landslide hazards areas that incorporate steep slopes, and this provision places an undue burden on applicants that can led to increased development costs without increased environmental protections. Implementation of this provision can lead to unnecessary sprawl contrary to the GMA's mandate.</p>
<p>((30.41B.210 Design standards—slopes. All short subdivisions shall comply with the requirements of SCC 30.41A.250.))</p>	<p>This subsection is proposed to be repealed for consistency with the repeal of SCC 30.41A.250 described above.</p>
<p>30.23.020 Minimum net density for residential development in UGAs.</p> <p>(6) The minimum net density requirement of this section shall not apply:</p> <p>(a) In the Darrington, Index, and Gold Bar UGAs; and</p> <p>(b) Where ((regulations on development of steep slopes, SCC 30.41A.250,)) or sewerage regulations, SCC 30.29.100, require a lesser density.</p>	<p>This cross-reference to SCC 30.41A.250 is proposed to be removed in order to be consistent with the repealed subsections described above.</p>

<p>30.41B.500 ((Reserved)) Model Homes <u>A limited number of model homes are allowed to be constructed in an approved preliminary short subdivision prior to final short subdivision approval and recording in accordance with the process outline for preliminary subdivisions within SCC 30.41A.510 through 30.41A.550. These sections shall not be construed to supersede or amend the purpose and intent of the Snohomish County Code regarding the requirements for short subdivision approval.</u></p>	<p>This subsection is proposed to be added because under state law and county code, short subdivisions are a type of subdivision (the only significant difference being the number of lots and a simplified approval process) and there is no articulable reason to not allow model homes to be built in short subdivisions. As Chapter 30.41B SCC is silent on allowing model homes to be constructed in short subdivisions, PDS Administrative Rule 20-01 was implemented in 2021 to allow model homes in short subdivisions. The addition of this code section will codify the previously adopted administrative rule allowing model homes in short subdivisions.</p>
<p>30.41A.550 Model homes - as-built submittal. Prior to final subdivision approval, the applicant shall submit ((two copies of)) a plot plan delineating the as-built location of the model home on the lot. The corners of the lot shall be set by a registered professional land surveyor prior to commencement of construction. The plot plan shall be included in both the building permit record and the subdivision file record.</p>	<p>No substantive changes proposed. Rather this is a housekeeping amendment to align the provision with current PDS practice of only accepting electronic submittals where duplicate digital copies are not necessary for permit review.</p>
<p>30.41A.640 ((Public notice of final)) Final subdivision submittal and approval procedure ((for final subdivision)) ((2) Public notice of final subdivision submittal shall be provided by the department within 21 days of determination that the application is complete by:</p> <p>(a) Mailing to all taxpayers of record and known site addresses within 300 feet of any portion of the boundary of the final subdivision, and to those official parties of record listed in the hearing examiner decision on the preliminary subdivision application;</p> <p>(b) Posting in accordance with SCC 30.70.050 and 30.70.045;</p> <p>(c) Mailing to all parties that have provided written comment on the preliminary subdivision in accordance with SCC 30.70.045; and</p>	<p>This amendment will remove the requirement to publicly notice a final subdivision submittal because at that stage, the development has been approved by the Hearing Examiner and is likely under construction. Public notice of final subdivisions is a holdover from when final subdivisions had to be approved by the County Council after a public hearing. Current code, adopted under the authority of RCW 58.17.100, allows PDS to approve a final subdivision submittal if it complies with state law and county code, is in the proper form for recordation, is consistent with the approved preliminary subdivision, meets all conditions of approval for the preliminary subdivision, and all required improvements have been constructed. Continuing to require public notice of a final subdivision submittal is not required under state law and sets a false expectation that public comments and questions can have the same impact at the final subdivision</p>

<p>((d)) Notices required pursuant to subsections (2)(a), (b) and (c) of this section shall solicit comments on the final subdivision recommendation. All comments shall be submitted to the department within 15 days of the mailing of the public notice.))</p> <p>((3)) <u>(2)</u> The department shall coordinate the final subdivision review process among the appropriate county departments and other agencies. ((after compliance with the public notice provisions of subsection (2) of this section.))</p> <p>((4)) <u>(3)</u> The final subdivision shall be approved or disapproved by the department. The department shall base its decision on the following:</p> <p>(a) The recommendations of the Snohomish Health District and any purveyors with jurisdiction as to the adequacy of the sewage disposal and potable water supply;</p> <p>(b) The recommendation of the provider with jurisdiction as to the adequacy of electrical availability;</p> <p>(c) The recommendation of the department of public works;</p> <p>(d) The recommendation of the fire marshal;</p> <p>(e) The recommendations of other relevant federal, state, and local agencies;</p> <p>(f) The requirements of state law, the county code, and all other applicable codes;</p> <p>(g) The submittal of a certificate of title prepared by a title insurance company no more than 30 days prior to submittal of the final subdivision which must show the names of all persons, firms, or corporations whose consent is necessary to dedicate land for public usage, as well as any easements or other encumbrances to the land proposed for subdivision;</p>	<p>submittal as they can during Hearing Examiner's review and decision on the preliminary subdivision proposal. Under the county code, final subdivision approval is now an administrative, ministerial, and non-discretionary process that does not require a hearing in which the public may participate. Providing notice of the final submittal is not required under state law and removing the noticing requirement will save PDS money and time without substantially changing the review process or lessening the impact of the public.</p> <p>There is not a state requirement for the submittal of a final subdivision to be publicly noticed.</p>
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<p>(h) Any evidence of ownership interests not shown on title; and</p> <p>(i) Compliance with all conditions imposed in the granting of the preliminary subdivision.</p> <p>((5)) <u>(4)</u> Upon finding that the final subdivision has been completed in accordance with the county code, that the plat is in proper form for recording as established by the submittal requirements, that all required improvements have been completed or the arrangements or contracts have been entered into to guarantee that such required improvements will be completed, that all conditions of the preliminary subdivision approval and requirements of state law and county code have been met, and that the interests of the county are fully protected, the department shall obtain the necessary signatures on the final plat and the director shall sign the final plat, accepting such dedications and easements as may be included thereon, for final approval.</p>	
<p>30.41A.665 File with auditor.</p> <p>(1) The original of the final subdivision shall be filed and recorded with the county auditor within 30 days from the date of ((council)) approval or the final approval shall lapse. In the case of a lapsed final approval, SCC 30.41A.300 shall govern the expiration of the preliminary approval.</p> <p>(3) The auditor shall refuse to accept any final subdivision for filing and recording until final subdivision approval has been given. Should a final subdivision or dedication be filed or recorded without such approval, the prosecuting attorney shall apply for a writ of mandate in the name of and on behalf of the ((council)) <u>department</u>, directing the auditor and assessor to remove from their files or records the unapproved subdivision or dedication of record.</p>	<p>Proposed amendment to align the section with Amended Ordinance No. 17-045 which amended SCC 30.41A.640 where the authority to administratively approve final subdivisions was given to PDS.</p>
<p>30.91M.180 Model home.</p> <p>"Model home" means a dwelling permitted in an approved preliminary ((plat)) <u>subdivision or short subdivision</u> prior to final plat <u>or final short plat</u> recording in accordance with chapters <u>30.41A and 30.41B</u> SCC.</p>	<p>With the addition of SCC 30.41B.500 allowing model homes within short subdivisions, the definition of model home must be revised to ensure consistency across Title 30 SCC.</p>

The following analysis provides a summary of the proposed code amendments compliance with state law, as well as regional, countywide, and county Comprehensive Plan policies.

Compliance with State Law

The Growth Management Act (GMA) planning goals adopted in RCW 36.70A.020 guide the development and adoption of comprehensive plans and development regulations. The goals are not priority-listed. In particular the GMA goals guide the policies in the Snohomish County's GMA Comprehensive Plan (GMACP), and require consistency between the GMACP and implementing development regulations. Table 2 identifies the reasonably related GMA planning goals listed in RCW 36.70A.020, and describes how the proposed code amendments are consistent with and advance those goals.

Table 2 Compliance with GMA Planning Goals

GMA Planning Goal	Finding
GMA Goal 2: Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.	Removing the density limitations for sloping land currently found in SCC 30.41A.250, while recognizing that developments must comply with development regulation found in Chapter 30.62B SCC, may allow for denser developments and reduce sprawl while still protecting the environment.
GMA Goal 4: Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.	Removing the density limitations for sloping land and allowing for model homes could allow for denser development where all forms of housing are permitted. As densities increase, so to do the number of housing units allowed, which encourages both the availability and affordability of housing.
GMA Goal 7: Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.	Aligning Chapters 30.41A and 30.41B SCC with the rest of Title 30, Rule 20-01, and previous internal changes will allow for more predictability and efficiency in permit processing.
GMA Goal 10. Environment. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.	Areas available for infill development may be sloped. The proposed code amendments may allow for more dense development on these lands where such development is appropriate and consistent with the provisions protecting geologically hazardous areas found in Chapter 30.62B SCC.

Compliance with the Multi-County Planning Policies

Multi-County Planning Policies (MPPs) within Vision 2050 “provide for coordination and consistency among the metropolitan counties sharing common borders and related regional issues as required by RCW 36.70A.100, and, in order to ensure consistency, the directive policies of the MPPs need to have a binding effect.” (Summit-Waller Community Association, et al, v Pierce County). Table 3 identifies the reasonably related MPPs within Vision 2050, and describes how the proposed code amendments are consistent with and advance those goals.

Table 3 Compliance with MPPs

MPP	Finding
MPP-En-5: Locate development in a manner that minimizes impacts to natural features. Promote the use of innovative environmentally sensitive development practices, including design, materials, construction, and on-going maintenance.	Areas available for infill development may be sloped. The proposed code amendments may allow for more dense development on these lands where such development is appropriate and consistent with the provisions protecting geologically hazardous areas found in Chapter 30.62B SCC.
MPP-En-6: Use the best information available at all levels of planning, especially scientific information, when establishing and implementing environmental standards established by any level of government.	The county code provisions restricting density on sloping land are based on the best available science from 1986. The regulations found in Chapter 30.62B SCC were developed utilizing more current best available science methodologies and are aimed at protecting geologically hazardous areas which are critical areas as defined by the GMA.

Compliance with the Countywide Planning Policies

Countywide Planning Policies (CPPs) establish a countywide framework for developing and adopting county, city, and town comprehensive plans. The role of the CPPs is to coordinate comprehensive plans of jurisdictions in the same county in regard to regional issues and issues affecting common borders (RCW 36.70A.100). Table 4 identifies the reasonably related CPPs, and describes how the proposed code amendments are consistent with and advance those goals.

Table 4 Compliance with CPPs

CPP	Finding
CPP DP-15: The County and cities should adopt policies, development regulations, and design guidelines that allow for infill and redevelopment of underutilized lands and other appropriate areas.	Areas available for infill development may be sloped. The proposed code amendments may allow for more dense development on these lands where such development is appropriate and consistent with the provisions protecting geologically hazardous areas found in Chapter 30.62B SCC.
CPP DP-33: Jurisdictions should minimize the adverse impacts on resource lands and critical areas from new developments through the use of environmentally sensitive development and land use practices.	
CPP Env-1: All jurisdictions shall protect and enhance natural ecosystems through their comprehensive plans, development regulations, capital facilities programs, and management practices. Jurisdictions should work collaboratively, employing integrated and interdisciplinary approaches, to consider regional and countywide strategies and assessments, as well as best available qualitative and quantitative information, in formulating plans and regulations that are specific to their community.	

Compliance with the Snohomish County Comprehensive Plan

The proposed code amendments will better achieve, comply with, and implement the policies identified in Table 5 contained in the County's GMACP.

Table 5 Compliance with the Comprehensive Plan

GMACP Policy	Finding
Goal LU 2: Establish development patterns that use urban land more efficiently.	Areas available for infill development may be sloped. The proposed code amendments may allow for more dense development on these lands where appropriate and consistent with the provision protecting geologically hazardous areas found in Chapter 30.62B SCC. Allowing more dense development will reduce sprawl and result in diverse housing types and development patterns which use land efficiently.
Objective LU 6.A: Reduce the rate of growth that results in sprawl in rural and resource areas.	

GMACP Policy	Finding
Goal HO 1: Ensure that all county residents have the opportunity to obtain safe, healthy, and affordable housing.	Removing the limitation on density for sloping land and allowing for model homes in short subdivisions will allow for denser development where all forms of housing are permitted, while ensuring the protection of the environment. As densities increase, so to do the number of housing units allowed, which can help reduce the prices of homes.
Objective HO 1.B: Ensure that a broad range of housing types and affordability levels is available in urban and rural areas.	
Objective HO 3.A: Encourage land use practices, development standards, and building permit requirements that reduce housing production costs.	Ensuring that the code is internally consistent will allow for more efficient permit processing by reducing confusion.
ED Policy 2.A.3: To ensure timeliness, responsiveness, and increased efficiency, the county shall develop and maintain a program of periodic review of the permitting process to eliminate unnecessary administrative procedures that do not respond to legal requirements for public review and citizen input.	
Objective NE 1.A: Balance the protection of the natural environment with economic growth, housing needs and the protection of property rights.	Repealing SCC 30.41A.250 and SCC 30.41B.210 better aligns county code development regulations with the GMA and Chapter 30.62B SCC.
Goal NE 3: Comply with the requirements of state, federal and local laws for protecting and managing critical areas, shorelines, and water.	
Objective NE 3.E: Designate and protect geologic hazard areas pursuant to the Growth Management Act.	

Environmental Review

A State Environmental Policy Act (SEPA) Determination is required for the proposed code amendments. A SEPA Determination of Non-Significance was issued on February 3, 2022.

Notification of State Agencies

Pursuant to RCW 36.70A.106, a notice of intent to adopt the proposed regulations and standards was transmitted to the Washington State Department of Commerce on February 3, 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: Ken Klein, Executive Director
Mike McCrary, PDS Director
David Killingstad, PDS Manager
Michael Dobesh, PDS Manager
Ryan Countryman, Legislative Analyst

Attachments

Attachment A: Proposed Code Amendments, Draft Findings of Fact and Conclusions

Attachment A
Subdivision and Short Subdivision Proposed Code Amendments
Findings of Fact and Conclusions

Section 1. Snohomish County Planning Commission adopts the following findings in support of this ordinance:

- A. The foregoing recitals are adopted as findings as if set forth in full herein.
- B. This ordinance will amend Title 30 SCC to revise subdivision and short subdivision development regulations in Chapters 30.41A and 30.41B SCC. The code amendments are intended to address outdated sections of code, increase consistency within and between Chapters 30.41A and 30.41B SCC, and increase consistency between these chapters and the rest of Title 30 SCC, by: 1) aligning the chapters with post-GMA critical area regulations; 2) codifying PDS administrative Rule 20-01 and allowing the construction of model homes in short subdivisions; 3) making housekeeping amendments to improve implementation and readability; and 4) removing unnecessary final plat noticing provisions given that final plat approval in Snohomish County is now an administrative and ministerial process which does not require a public hearing before the County Council.
- C. In developing the code amendments, the County considered the goals of the GMA identified in RCW 36.70A.020, specifically those goals related to reducing sprawl, housing, permitting, and the environment. The proposed regulations are reasonably related to, and necessary for, the advancement of the before mentioned GMA planning goals.
- D. The code amendments will allow Chapters 30.41A and 30.41B SCC to achieve, comply with, and implement the below listed goals, objectives, and policies contained in the County's General Policy Plan (GPP) a component of the GMACP, by using land more efficiently, fostering compact development to minimize impacts to the natural environment, and providing regulations that are predictable.
 - 1. Goal LU 2: "Establish development patterns that use urban land more efficiently."
 - 2. Objective LU 6.A: "Reduce the rate of growth that results in sprawl in rural and resource areas."
 - 3. Goal HO 1: "Ensure that all county residents have the opportunity to obtain safe, healthy, and affordable housing."
 - 4. Objective HO 1.B: "Ensure that a broad range of housing types and affordability levels is available in urban and rural areas."
 - 5. Objective HO 3.A: "Encourage land use practices, development standards, and building permit requirements that reduce housing production costs."
 - 6. Objective NE 1.A: "Balance the protection of the natural environment with economic growth, housing needs and the protection of property rights."
 - 7. Goal NE 3: "Comply with the requirements of state, federal and local laws for protecting and managing critical areas, shorelines, and water."

8. Objective NE 3.E: "Designate and protect geologic hazard areas pursuant to the Growth Management Act."
 9. ED Policy 2.A.3: "To ensure timeliness, responsiveness, and increased efficiency, the county shall develop and maintain a program of periodic review of the permitting process to eliminate unnecessary administrative procedures that do not respond to legal requirements for public review and citizen input."
- E. The proposed code amendments are consistent with the record:
1. SCC 30.41A.250 is repealed because since its adoption in 1986 there have been advances in science and several iterations of critical area code updates intended to protect geological hazard areas and limit nearby growth. The GMA requires the protection of critical areas such as geologically hazardous areas, and this is implemented within Chapter 30.62B SCC that was adopted in 2007 (Amended Ord 06-061). Repealing SCC 30.41A.250 promotes internal consistency within Title 30 SCC and does not place an undue burden on development that could limit the variety and affordability of housing in urban and rural areas.
 2. SCC 30.41B.210 repealed to be consistent with the deletion of SCC 30.41A.250.
 3. SCC 30.23.020(6)(b) is revised to remove a reference to SCC 30.41A.250 and be consistent with the repeal of this provision.
 4. SCC 30.41B.500 is amended to allow short subdivisions to propose model homes prior to the recordation of a final short plat. This addition will reference SCC 30.41A.510 through .550 as model homes are permitted in subdivisions, and short subdivisions are another form of subdivision with limited new lots. PDS administrative Rule 20-01 was adopted in 2021 that allows model homes in short subdivisions, and this amendment codifies that administrative rule.
 5. The definition of model homes within SCC 30.91M.180 is amended to be consistent with amendments made within SCC 30.41B.500 that allow model homes within approved preliminary short subdivisions prior to final short subdivision recordation.
 6. SCC 30.41.550 is amended to delete the requirement that two copies of a plot plan be submitted for review. This is a housekeeping amendment to align the provision with current PDS practice of accepting only electronic submittals where duplicate digital copies are not necessary.
 7. SCC 30.41A.640 is amended to remove the requirement to publicly notice a final plat submittal. As allowed by RCW 58.17.100, Amended Ordinance No. 17-045 made final plat approval an administrative process that does not require a public hearing. Despite the removal of the County Council from the final subdivision decision process, the public noticing requirements were inadvertently left unchanged. This amendment would rectify the situation and remove expectations that public comments during the final subdivision review could have the same impact as public comments made before the preliminary subdivision was approved by the Hearing Examiner.
 8. SCC 30.41A.665(1) and (3) are amended by deleting the word "council" and replacing it with "department" within (3). Amended Ordinance No. 17-045 within SCC 30.41A.640 made final plat

approval an administrative process, and SCC 30.41A.665 was not updated at that time to reflect the changes elsewhere in the chapter. This is a housekeeping amendment.

- F. The proposed code amendments are consistent with the record as set forth in the PDS Staff Report dated February 22, 2022.
- G. Procedural requirements:
 - 1. The proposal is a Type 3 legislative action under SCC 30.73.010 and 30.73.020.
 - 2. As required by RCW 30.70A.106(1), a notice of intent to adopt the proposed code amendments was transmitted to the Washington State Department of Commerce for distribution to state agencies on February 3, 2022.
 - 3. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with respect to this non-project action have been satisfied through the completion of an environmental checklist and the issuance of a determination of non-significance on February 3, 2022.
 - 4. The public participation process used in the adoption of the proposed code amendments has complied with all applicable requirements of the GMA and SCC.
 - 5. As required by RCW 30.70A.370, the Washington State Attorney General last issued an advisory memorandum in September 2018 entitled “Advisory Memorandum and Recommended Process for Evaluating Proposed Regulatory or Administrative Actions to Avoid Unconstitutional Takings of Private Property” to help local governments avoid unconstitutional takings of private property. The process outlined in the State Attorney General’s 2015 advisory memorandum was used by the County in objectively evaluating the regulatory changes in this ordinance.

Section 2. The County Council makes the following conclusions:

- A. The proposal is consistent with Washington State law and Snohomish County Code.
- B. The proposal is consistent with the GMACP and with the goals, objectives, and policies of the GPP.
- C. The County has complied with all SEPA requirements with respect to this non-project action.
- D. The regulations proposed by this ordinance do not result in an unconstitutional taking of private property for a public purpose.
- E. The County complied with the state and local public participation requirements under the GMA and chapter 30.73 SCC.

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

Proposed Code Amendments Relating to Subdivisions and Short Subdivisions

Snohomish County Planning Commission: Briefing

February 22, 2022

Sarah Titcomb, Principal Planner

Presentation Overview

- Identify inconsistencies in Chapters 30.41A and 30.41B SCC with best available science, administrative rules, practice, and Title 30 SCC
- Explain how issues could be addressed
- List the proposed amendments



Density for Sloping Land

SCC 30.41A.250
Amendment Ordinance
No. 86-037

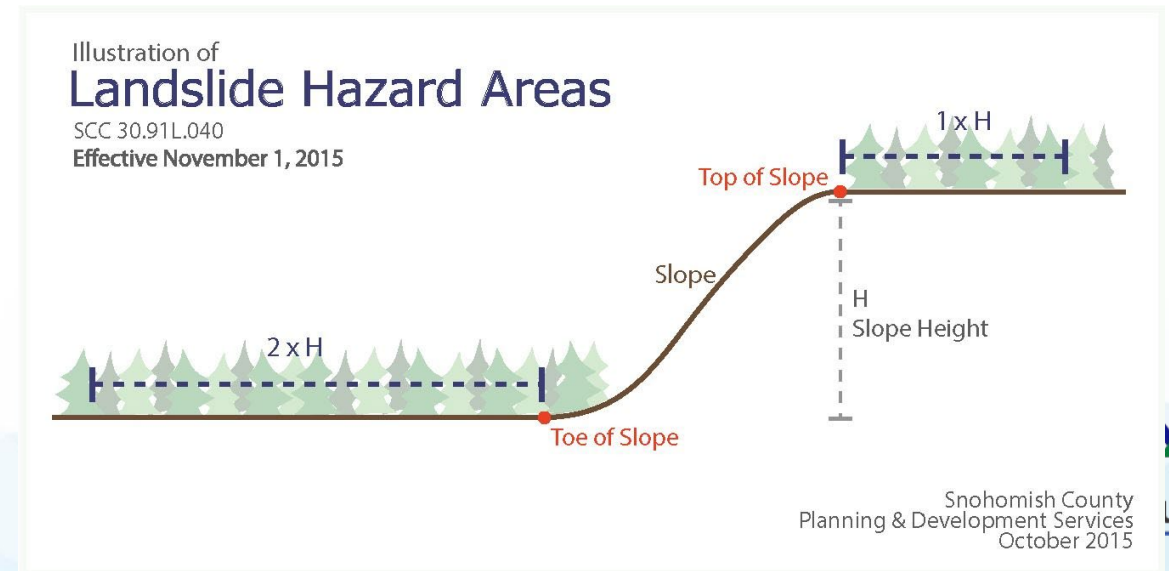
Growth Management Act
Adopted 1990

Geological Hazardous Areas
(Chapter 30.62B SCC)
Adopted 2007



Density for Sloping Land

- Amended Ordinance No. 86-037: “protect the health, safety and welfare of the citizenry and to guard the environment against unsafe and unnecessary degradation by implementing a policy regulating the development of certain sloping land” (SCC 18.46.010)
 - Best available science and policy has evolved.
 - Undue burden on development



Additional Conflicts

- Administrative Rule (20-01) applies model home provisions to short subdivisions to “fill gaps in code” within Chapter 30.41B SCC.
 - Definition of model home within SCC 30.91M.180 refers only to plats.
- SCC 30.41A.550 requires “two copies of a plot plan.”
- SCC 30.41A.640(2) requires a final subdivision submittal to be publicly noticed after all major decisions have been made by the Hearing Examiner.
- Amended Ordinance No. 17-045 inadvertently left in the word “council” within SCC 30.41A.665(1) and (3).

Proposal Objectives

Align Chapters 30.41A
and 30.41B SCC with
post GMA critical area
regulations



Codify Rule 20-01



Make housekeeping
and internal
consistency
amendments

Proposed Amendments: Density for Sloping Land

~~((30.41A.250 Density for sloping land.~~

~~All subdivisions shall comply with applicable requirements regarding development in erosion and landslide hazard areas pursuant to SCC 30.62B.320 and 30.62B.340. In addition, the following requirements shall apply to all subdivisions:~~

~~(1) *Determination of Slope.* The applicant shall determine land slope and assess the applicability of this section. This information shall be provided to ...~~

~~((30.41B.210 Design standards – slopes.~~

~~All short subdivisions shall comply with the requirements of SCC 30.41A.250.))~~



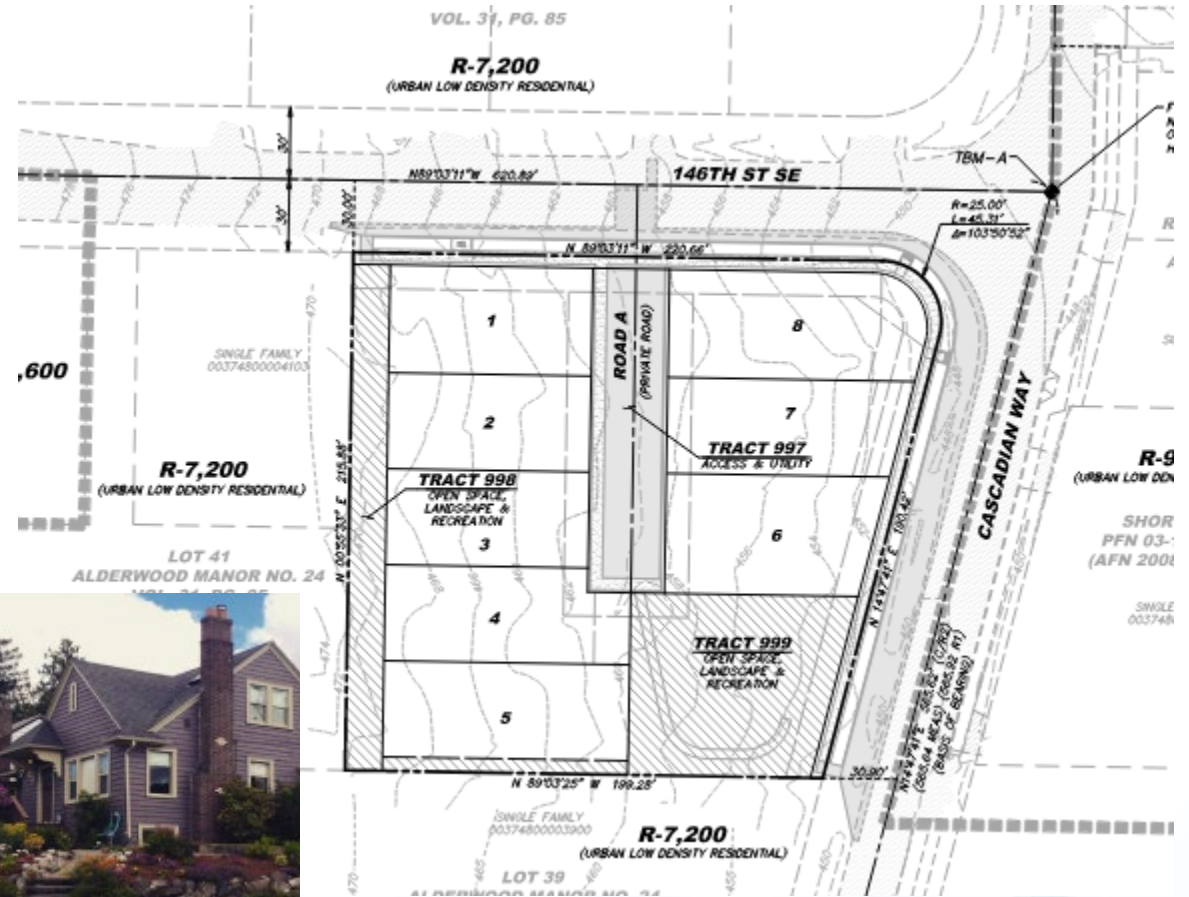
Proposed Amendments: Model Homes

30.41B.500 (~~(Reserved)~~) Model Homes

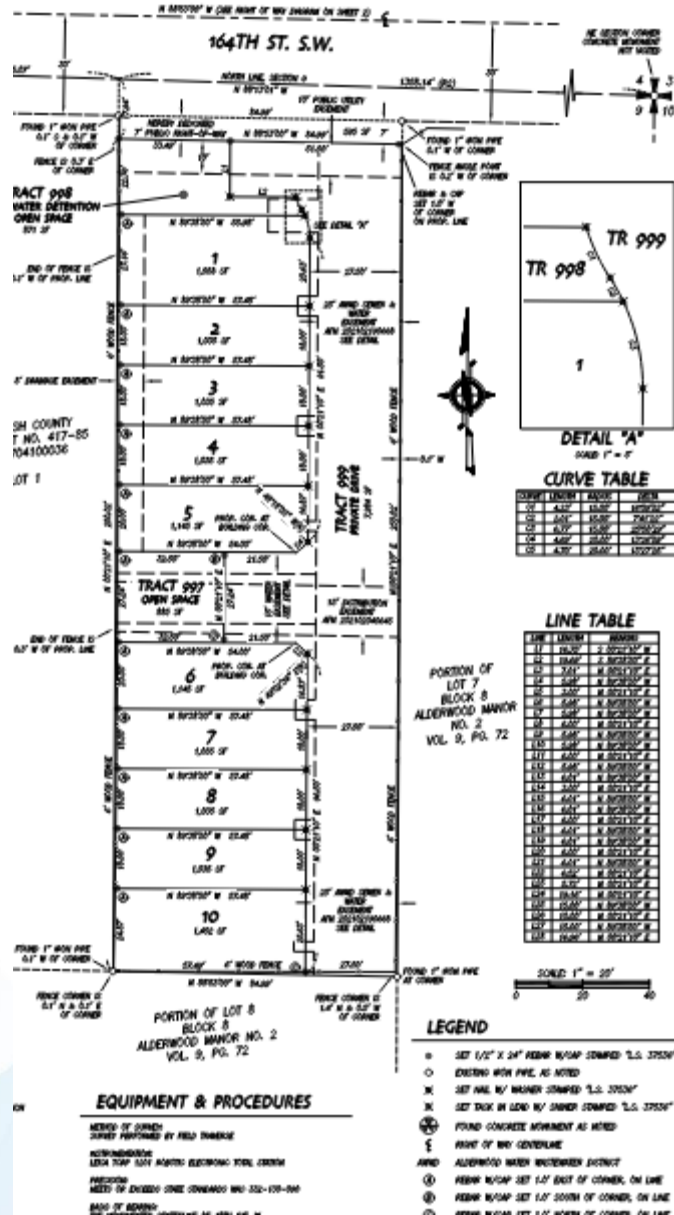
A limited number of model homes are allowed to be constructed in an approved preliminary short subdivision prior to final short subdivision approval and recording in accordance with the process outline for preliminary subdivisions within SCC 30.41A.510 through 30.41A.550. These sections shall not be construed to supersede or amend the purpose and intent of the Snohomish County Code regarding the requirements for short subdivision approval.

30.91M.180 Model home.

"Model home" means a dwelling permitted in an approved preliminary (~~(plat)~~) subdivision or short subdivision prior to final plat or final short plat recording in accordance with chapters 30.41A and 30.41B SCC.



Snohomish County



Proposed Amendments: Final Subdivisions

30.41A.640 (~~Public notice of final~~) Final subdivision submittal and approval procedure (~~for final subdivision~~)

~~((2) Public notice of final subdivision submittal shall be provided by the department within 21 days of determination that the application is complete by: ...~~

30.41A.665 File with auditor.

(1) The original of the final subdivision shall be filed and recorded with the county auditor within 30 days from the date of (~~council~~) approval or the final approval shall lapse. ...



Snohomish County

Public Engagement

- Outreach to broader public
 - Requested comments from development and environmental organizations
- SEPA determination of non-significance issued February 3, 2022
- Commerce notified on February 3, 2022





Questions?



Snohomish County
Planning Commission
Planning and Development Services

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201
Clerk Email: Megan.Moore@snoco.org

REGULAR SESSION
FEBRUARY 22, 2022
MINUTES

For access to supporting documents reviewed by the Planning Commission, visit the Snohomish County Planning Commission webpage at <https://snohomishcountywa.gov/164>

A. CALL TO ORDER AND ROLL CALL

Commissioner Robert Larsen, Planning Commission Chair, called the meeting to order at 5:35 p.m.

Of the ten (10) currently appointed commissioners, eight (8) were in attendance (a quorum being six (6) members and a majority being six (6) members):

Commissioners Present

Rosanna Brown
Tom Campbell
Leah Everett
Mark James
Robert Larsen
Keri Moore
Neil Pedersen @5:40 pm
Raymond Sheldon

Commissioners Absent

Merle Ash
Tom Norcott

David Killingstad, PDS, Long Range Planning Manager served as the Planning Commission Secretary for this meeting.

A. PUBLIC COMMENT

No public comment was given.

B. APPROVAL OF MINUTES

The minutes of [January 25, 2022](#) were unanimously approved.

C. STATUS OF FUTURE AGENDA ITEMS AND PAST RECOMMENDATIONS

- [Upcoming Planning Commission Meeting Topics](#)
- [County Council Actions on Planning Commission Recommendations](#)

D. UNFINISHED BUSINESS

E. NEW BUSINESS



Snohomish County
Planning Commission
Planning and Development Services

1. Notice Requirements for Type 1 and Type 2 Permits: Briefing

Sarah Titcomb, PDS Principal Planner, Sarah.Titcomb@snoco.org

Sarah Titcomb briefed the Planning Commission on proposed code amendments to Chapters 30.71 and 30.72 of the Snohomish County Code (SCC) related to appeal hearing notice requirements. The proposed amendments would work to streamline the noticing process for Type 1 permit open record appeal hearings by identifying one responsible party and one method. The proposed amendments would also allow the responsible party to email notice of Type 1 and Type 2 permit appeal hearings to parties of record.

After the briefing there were several questions from commissioners including tax-payer notification radius for type 1 permit appeals, hearing requirements for type 1 permits, and clarification on the notification process.

For further information, please review the following:

- [Staff Presentation dated 2/22/2022](#)
- [Briefing Staff Report dated 2/22/2022](#)

2. Subdivisions and Short Subdivisions: Briefing

Sarah Titcomb, PDS Principal Planner, Sarah.Titcomb@snoco.org

Sarah Titcomb briefed the Planning Commission on proposed code amendments to Chapters 30.41A and 30.41B of the Snohomish County Code (SCC) relating to subdivisions and short subdivisions. The proposed code amendments will increase consistency between the subdivision and short subdivision chapters, as well as with other Title 30 chapters, the Snohomish County Comprehensive Plan, and a recent administrative rule. The proposal also includes housekeeping changes for internal code consistency.

After the briefing there were several questions from commissioners including the approval process from preliminary approval for short subdivisions to final approval for short subdivisions, Tribal noticing, and protections for geologically hazardous and critical areas.

For further information, please review the following:

- [Staff Presentation dated 2/22/2022](#)
- [Briefing Staff Report dated 2/22/2022](#)

F. OPEN PUBLIC RECORDS, OPEN PUBLIC MEETINGS, AND ROBERT'S RULES OF ORDER TRAINING

David Killingstad, PDS, Long Range Planning Manager, David.Killingstad@snoco.org
Matthew Otten, Deputy Prosecuting Attorney, Matthew.Otten@snoco.org
Alex Witenberg, Deputy Prosecuting Attorney, Alex.Witenberg@snoco.org

Matt Otten, Deputy Prosecuting Attorney, presented on the Open Public Meetings Act (OPMA).

- [Open Public Meetings Act Presentation dated 2/22/2022](#)



Snohomish County
Planning Commission
Planning and Development Services

Alex Witenberg, Deputy Prosecuting Attorney, presented on Open Public Records.

- [Open Public Records Presentation dated 2/22/2022](#)

David Killingstad, Long Range Planning Manager, presented on Parliamentary Procedures.

- [Parliamentary Procedures Presentation dated 2/22/2022](#)

G. ADJOURN

The meeting was adjourned at 8:12 p.m.



Snohomish County
Planning Commission
Planning and Development Services

PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:

At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.

PARTY OF RECORD / PUBLIC TESTIMONY:

You may become a party of record for any specific topic that comes before the Planning Commission by submitting a written request or testimony to Megan Moore, Planning Commission Clerk, PDS, M/S 604, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Megan.Moore@snoco.org.

WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:

Please check www.snohomishcountywa.gov for additional information or the Snohomish County Department of Planning and Developmental Services, Reception Desk, 2nd Floor, County Administration Building East, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Megan.Moore@snoco.org.

AMERICANS WITH DISABILITIES ACT NOTICE:

Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD.

Snohomish County Planning Commissioners:

Merle Ash, District 1
Mark James, District 1
Tom Norcott, District 2
Raymond Sheldon, Jr., District 2
Robert Larsen, District 3
Vacant, District 3

Tom Campbell, District 4
Neil Pedersen, District 4
Rosanna Brown, District 5
Leah Everett, District 5
Keri Moore, Executive Appointee

Commission Staff (from Planning and Development Services (PDS) Department):

David Killingstad, Commission Secretary Megan Moore, Commission Clerk

EXHIBIT 2.0006

Planning Commission Meeting 02/22/22

Contact Clerk of the Council for recording at 425-388-3494 or contact.council@snoco.org

(Clerk Note: saved in G:\ECAF\Council Approved\2022\Subdivision and short subdivisions\Part 2 Documents\2.0006 – PC 20220222 Recording)



Snohomish County
Planning Commission
Planning and Development Services

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201
Clerk Email: Megan.Moore@snoco.org

REGULAR (Remote) MEETING AGENDA
Snohomish County Planning Commission

March 22, 2022
5:30 PM

Join the Zoom Meeting: <https://zoom.us/j/92068125282>
or call (253) 215-8782
Webinar ID: 920 6812 5282

For access to supporting documents reviewed by the Planning Commission, visit the Snohomish County Planning Commission webpage at <https://snohomishcountywa.gov/164>

A. CALL TO ORDER AND ROLL CALL

B. PUBLIC COMMENT

C. APPROVAL OF MINUTES

- [February 22, 2022](#): Regular Meeting

D. STATUS OF FUTURE AGENDA ITEMS AND PAST RECOMMENDATIONS

- [Upcoming Planning Commission Meeting Topics](#)
- County Council Actions on Planning Commission Recommendations

E. UNFINISHED BUSINESS

1. Notice Requirements for Type 1 and Type 2 Permits: Hearing

Sarah Titcomb, PDS Principal Planner, Sarah.Titcomb@snoco.org

The Planning Commission will hold a public hearing on the proposed code amendments to Chapters 30.71 and 30.72 of the Snohomish County Code (SCC) related to appeal hearing notice requirements. The proposed amendments would work to streamline the noticing process for Type 1 permit open record appeal hearings by identifying one responsible party and one method. The proposed amendments would also allow the responsible party to email notice of Type 1 and Type 2 permit appeal hearings to parties of record.

For further information, please review the following:

- [Staff Presentation dated 2/22/2022](#)
- [Briefing Staff Report dated 2/22/2022](#)



2. Subdivisions and Short Subdivisions: Hearing

Sarah Titcomb, PDS Principal Planner, Sarah.Titcomb@snoco.org

The Planning Commission will hold a public hearing on the proposed code amendments to Chapters 30.41A and 30.41B of the Snohomish County Code (SCC) relating to subdivisions and short subdivisions. The proposed code amendments will increase consistency between the subdivision and short subdivision chapters, as well as with other Title 30 chapters, the Snohomish County Comprehensive Plan, and a recent administrative rule. The proposal also includes housekeeping changes for internal code consistency.

For further information, please review the following:

- [Staff Presentation dated 2/22/2022](#)
- [Briefing Staff Report dated 2/22/2022](#)

F. NEW BUSINESS

1. Annual Tree Canopy Report: Briefing

Hilary McGowan, PDS Planner, Hilary.McGowan@snoco.org

PDS staff will provide an overview of tree canopy monitoring and regulations and present the findings of the 2021 Tree Canopy Monitoring Report.

For further information, please review the following:

- [Tree Canopy Presentation](#)
- [2021 Tree Canopy Monitoring Report](#)

G. ADJOURN



Snohomish County
Planning Commission
Planning and Development Services

PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:

At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.

PARTY OF RECORD / PUBLIC TESTIMONY:

You may become a party of record for any specific topic that comes before the Planning Commission by submitting a written request or testimony to Megan Moore, Planning Commission Clerk, PDS, M/S 604, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Megan.Moore@snoco.org.

WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:

Please check www.snohomishcountywa.gov for additional information or the Snohomish County Department of Planning and Developmental Services, Reception Desk, 2nd Floor, County Administration Building East, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Megan.Moore@snoco.org.

AMERICANS WITH DISABILITIES ACT NOTICE:

Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD.

Snohomish County Planning Commissioners:

*Merle Ash, District 1
Mark James, District 1
Tom Norcott, District 2
Raymond Sheldon, Jr., District 2
Robert Larsen, District 3
Vacant, District 3*

*Tom Campbell, District 4
Neil Pedersen, District 4
Rosanna Brown, District 5
Leah Everett, District 5
Keri Moore, Executive Appointee*

Commission Staff (from Planning and Development Services (PDS) Department):

Mike McCrary, Commission Secretary

Megan Moore, Commission Clerk

Subdivisions: Index # 2.0008.pdf

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Mon-Fri - 8AM-5PM

Dogs



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Merchandise

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Cemetery Plots

4 Adjoining Plots Cypress Lawn in Everett. \$3500. ea. + transfer fees. Will sell separately. 360-807-5401

4 Burial Plots - Floral Hills - Azalea Garden. \$3800/ea + trans. fees. Call Bob 425.772.0719



Cypress Lawn Mem Park - 4 plots for sale. Lakeview Garden, Sec 133, plots 2, 3, 4 & 5, all plots face East w/ views of the Cascade Mtn. Current mkt value \$6,500 ea, asking \$5,000 ea. + \$430 deed transfer fee. Each plot can have 1 casket & 3 urns or 4 urns. Comes with 1 interment right.

Marysville Cemetery 2 side by side plots. GARDEN C LOT 90 - SPACES 1 & 2 \$3950.00 BUYS BOTH 509-331-6656 - STEVEN

Firewood, Fuel & Stoves

Dry Seas. Fir 15" split, \$280/cord Free delivery within 10 mi. of Smokey Pt. Call 425-348-8665

Medical Equipment

Pride Electric Lift Chair recliner Lt green. Good condition. \$250 206-321-3879

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Mr. Baseball. coming to Washington, Buying Sports cards & Memorabilia, 203-767-2407

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Dogs

Little Dog Everything!
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Pit Bull Massif Mix 4 (m) 4 (f) Shots and de-wormed. 3 mos old. \$400 ea. 425-446-2948



Valentine's Special WESTIE Male Pups \$1700, Females Up.
Out of AKC Parents with C.H. bloodline but go as pets to be fixed at 6 mo., shots, wormed. 16/21 lb std, well socialized, live in home, parents on site. Been a breeder over 50 yrs. Marysville exit 199 out by Warm Beach. 360-722-1974

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FOUND AMMO. Case #2022-25279. Will need to provide specifics to prove ownership. Contact Everett Police if yours. 425-257-7474

FOUND PROPERTY: Apple Watch
Callers will be asked to describe the item in detail and if they can provide a serial number and/or proof of purchase/ownership Ref Case#: 22-04976 Contact: Mukilteo Police Dept. 425-263-8100

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Garage Sales and bazzars

To advertise, call 425.339.3100

Estate Sales

K & P Bailey Managers of Eastside for Estate Sale of Prominent Public Official.
Amazing Fab high-end. Antiques & household. Details only at estatesales.net click/wash at map/click-sea-tac-bel/click K&P Bailey Managers. March 12, 13, 14, 15, & 19-22. Inquiries at sale.

Transportation

To advertise, call 425.339.3100

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1974 Chevy C-30 1 Ton 12' Dump Bed have time, needs engine and fender. Good Tires \$3000 OBO 425-293-7945

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Offering a service and don't see a classification that fits?

Call us, we will happily find a suitable one.

425-339-3100

NOTICE TO CONTRACTORS:
Washington State law (RCW 18.27.100) requires that all advertisements for construction-related services include the contractor's current Department of Labor & Industries registration number in the advertisement. Failure to obtain a certificate of registration from L & I or show the registration number in all advertising will result in a fine up to \$5000 against the unregistered contractor. For more information, call Labor & Industries Specialty Compliance Services Division at 1-800-647-0982 or check out L & I's internet site at www.wa.gov/lini.

Public Notices

Snohomish County Planning Commission
Planning and Development Services
3000 Rockefeller Avenue, M/S #604
Everett, WA 98201
Clerk Email: Megan.Moore@sno.co.gov
REGULAR (Remote) MEETING AGENDA
Snohomish County Planning Commission
March 22, 2022
5:30 PM
Join the Zoom Meeting: <https://zoom.us/j/92068125282> or call (253) 215-8782
Webinar ID: 920 681 25282

For access to supporting documents reviewed by the Planning Commission, visit the Snohomish County Planning Commission webpage at <https://snohomishcountywa.gov/164>

A. CALL TO ORDER AND ROLL CALL
B. PUBLIC COMMENT
C. APPROVAL OF MINUTES
D. STATUS OF FUTURE AGENDA ITEMS AND PAST RECOMMENDATIONS
E. UNFINISHED BUSINESS

1. Notice Requirements for Type 1 and Type 2 Permits: Hearing Sarah Titcomb, PDS Principal Planner, Sarah.Titcomb@sno.co.gov
The Planning Commission will hold a public hearing on the proposed code amendments to Chapters 30.71 and 30.72 of the Snohomish County Code (SCC) related to appeal hearing notice requirements. The proposed amendments would work to streamline the notifying process for Type 1 permit over record appeal hearings by identifying one responsible party and one method. The proposed amendments would also allow the responsible party to email notice of Type 1 and Type 2 permit appeal hearings to parties of record.

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Snohomish County Planning Commissioners:
Merle Ash, District 1
Mark James, District 1
Tom Norcott, District 2
Raymond Sheldon, Jr., District 2
Robert Larsen, District 3
Vacant, District 3
Executive Appointee
Commission Staff (from Planning and Development Services (PDS) Department):
Mike McCrary, Commission Secretary
Megan Moore, Commission Clerk
Published: March 12, 2022. EDH950276

CITY OF GOLD BAR PUBLIC NUISANCE
120 Lewis Avenue, Gold Bar WA
Property owner must take action or incur fees, within 30 days.
Contact Gold Bar City Hall, 360-793-1101.
Published: March 10, 11, 12, 13, 14, 15, 16, 2022. EDH950251



CITY OF LYNNWOOD NOTICE OF HEARING: ADOPTION OF ORDINANCE FOR ACTUAL CHARGES FOR VIDEO OF BODY WORN CAMERAS
The Lynnwood Police Department will conduct a public hearing at which the below-referenced project will be considered. Interested community members are invited to attend this public hearing and to provide comments, either orally or in writing.
Project Description: The City of Lynnwood has proposed to adopt an ordinance relating to fees charged by the city establishing a fee for redaction of body worn camera recordings amending LMC 3.104.020 providing for severability, and effective date and summary publication.
Applicant: City of Lynnwood
Date of Notice: March 7, 2022
Hearing Date: March 28, 2022
Hearing Time: 6:00pm
Hearing Location: The hearing will be held in city council chambers at 19100 44th Ave W, Lynnwood WA 98036.
Virtual - Please visit <https://www.lynnwoodwa.gov/Government/City-Council/City-Council-Meetings> for information on joining or streaming this meeting.
Additional Information: There are occasions when meetings may be postponed or items removed from an agenda. It is therefore advised that you confirm that the meeting is going to be held and that this item is on the agenda. Upon reasonable notice to the City Clerk's Office (425-670-5161), the City will make reasonable effort to accommodate those who need special assistance to attend the City Council meeting.
City Contact: The file on this ordinance is maintained in the police department and is available for review. If you have questions, would like to review ordinance documents, or would like to provide comments, please contact Chuck Steichen, Deputy Chief of Police, at (425) 670-5605 or CSteichen@lynnwoodWA.gov.
Published: March 12, 2022. EDH950379

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MARYSVILLE

CITY OF MARYSVILLE
Community Development Department
80 Columbia Avenue • Marysville, WA 98270
(360) 363-8100 • (360) 651-5099 FAX
Office Hours: Monday - Friday 7:30 AM - 4:00 PM
Notice is hereby given that on March 7, 2022 an application was made to the City of Marysville Community Development Department requesting State Environmental Policy Act Review for a proposed road widening project along State Avenue from 104th Street NE to 116th Street NE. The project includes expanding the roadway corridor capacity from 3-lanes to 5-lanes to improve operations, constructing sidewalks on the east side of State Avenue to provide safety and non-motorized access, replacement of water main within the project limits, upgrading stormwater systems for conveyance and treatment, revisions to luminaire design to improve lighting along the corridor and coordination with franchise utilities to relocate underground where possible.
File Number: RA 22009
Project Title: State Avenue 104th to 116th
Applicant: City of Marysville - Public Works
Project Contact: Lisa Danielski HDR
929 108th Avenue, Suite 1300
Bellevue, WA 98004
State Avenue from 104th Street NE to 116th Street NE
Project Location: N/A - right-of-way
APNs: N/A
Date of Completeness: March 7, 2022
A decision on this application will be made within 120 days from the date of completeness. The application and complete case file are available for review at the City of Marysville Community Development Department located at 80 Columbia Avenue, Marysville, WA 98270.
Project Information: Chris Holland, Planning Manager (360) 363-8207 cholland@marysylvewa.gov
Written comments on the aforementioned application are solicited and should be forwarded to the City of Marysville Community Development Department, 80 Columbia Avenue, Marysville, WA 98270, no later than April 1, 2022.
Published: March 12, 2022. EDH950377

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360-659-4727 425-346-6413
Lic#B0819a #GDLANL0927MQ

Public Notices

Everett Transportation Benefit District
Official Notice of 2021 Annual Report
NOTICE IS HEREBY GIVEN that the Everett Transportation Benefit District is issuing the 2021 Annual Report to the Everett residents.
The Everett Transportation Benefit District (ETBD) was created by the Everett City Council on June 18, 2014. The creation of the ETBD established the boundaries as the entire City of Everett as it currently exists or any adjustments to the boundaries in the future. Revenues from this vehicle license fee are dedicated for the City of Everett annual overview program.
The ETBD is governed by a Board of Directors which consists of the City of Everett councilmembers. The ETBD began receiving sales tax receipts in March 2015.
2021 Everett Transportation Benefit District Annual Report
2021 Financial Summary of the ETBD activity:
2021 ETBD Beginning Balance: \$1,906,628
ETBD Vehicle Fees and Investment Income: \$1,617,913
ETBD Total Revenues: \$3,524,541
ETBD Expenditures (Overlay & Audit Expense): \$1,550,000
2021 ETBD Ending Balance: \$1,974,541
Please visit <http://www.everettwa.gov> for additional information.
CITY OF EVERETT
Richard Tarry, Everett Transportation Benefit District
Dated: March, 10, 2022
Published: March 12, 13, 2022. EDH950389

MONROE SCHOOL DISTRICT 103 NOTICE OF CHANGE FOR SCHOOL BOARD MEETING
The March 14, 2022 workshop and regular meeting of the Monroe School District Board of Directors will now be held as ZOOM Webinar meetings.
Members of the public can access the meetings at: March 14, 2022
Workshop: <https://monroe-wednet.zoom.us/j/89280993916>
Regular Meeting: <https://monroe-wednet.zoom.us/j/85381162416>
The Workshop will begin at 5:00 p.m.
The Regular Board Meeting will begin at 6:00 p.m.
Public comment input can be given virtually. Details on how to participate virtually can be found on the website below: <https://www.monroe.wednet.edu/about/school-board/public-comments>
Jennifer Bumpus, President Board of Directors
Monroe School District No. 103
Monroe, Washington 98272
Published: March 12, 2022. EDH950376

ORDINANCE NO. 3864-22 OF THE CITY OF EVERETT, WASHINGTON
On the 2nd day of March 2022, the City Council of the City of Everett passed Ordinance No. 3864-22: AN ORDINANCE creating a special improvement project entitled "WFP Portal 4 Improvements," Fund 336, Program 018, to accumulate all costs for the improvement and repealing Ordinance No. 3800-21. The full text of this proposed Ordinance will be mailed upon request.
Dated this 10th day of March 2022.
Deputy City Clerk, Ashleigh Scott
2930 Wetmore Avenue, Suite 1-A
Everett, WA 98201
(425) 257-8603
Published: March 12, 2022. EDH950396

PUBLIC NOTICE
NOTICE IS HEREBY GIVEN that the Public Utility District No. 1 of Snohomish has declared that an emergency exists and waived competitive bidding requirements to select a contractor to perform the following work:
• District crews will relocate three poles near 1130 208th St SE, Bothell. Estimated cost of work is \$100,000.00. Work order 100083736.
• District crews will install a primary line extension at 2630 164th St NE, Marysville. Estimated cost of work is \$52,000.00. Work order 100077819.
• District crews remove fourteen poles and install three new poles, underground cables, and pad-mounted switch near 2930 Maple St, Everett. Estimated cost of work is \$510,000.00. Work order 100054300.
• District crews will assist with the modification of an existing cell site located at 22725 44th Ave W, Mountlake Terrace. Estimated cost of work is \$84,000.00. Work order 100083772.
• District crews will reconfigure 115kV jumpers to a substation located at 5600 Harbour Pointe Blvd, Mukilteo. Estimated cost of work is \$50,000.00. Work order 100085854.
• District crews will replace and underground existing PUD fiber to accommodate two WSDOT SR526 bridge projects near Hardeson Rd and Casino Rd in Everett. Estimated cost of work is \$150,000.00. Work order 100077367.
If you desire further information concerning this work, please call: 425-783-4315 or toll free 1-877-783-1000, within the State of Washington.
PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY
BY: John Haarlow
CEO / GENERAL MANAGER
DATE: Saturday, March 12th, 2022
Published: March 12, 2022. EDH950437

SNOHOMISH CONSERVATION DISTRICT NOTICE OF PUBLIC MEETING
Snohomish Conservation District is holding a public meeting on 3/22/22 at 6:15 PM via zoom to discuss proposed construction of an office building in Lake Stevens. Please see website for details: snohomsd.org
Published: March 12, 2022. EDH950449

Bids, RFQ's, RFP's

INVITATION TO BID
NOTICE IS HEREBY GIVEN that sealed bids will be received by Snohomish County 911 for: Bid No. 2022-093 DAVID CLARK AND FIRECOM HEADSET INTERCOM INTERFACE CABLES. Interested parties should obtain the bid documents from SNO911 via email to htucker@sno911.org and submit their Bids in accordance with the ITB by 9:00 am March 15, 2022. The Agency encourages minority and women's business enterprises to request these bid documents and submit proposals with full opportunity and no discrimination in accordance with Title VI of the Civil Rights Act of 1964.
Published: March 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 2022. EDH949704

Summons

No. 16-3-00727-1
Summons Served by Publication (SMPB)
Superior Court of Washington
County of Snohomish

In re:
Petitioner: Brigitte B. LaBarge
And Respondent: Jeffrey M. Fischer
To: Jeffrey M. Fischer. The other party has asked the court to: Approve or change a Child Support Order.
Order payment of court costs.
You must respond in writing if you want the court to consider your side.
Deadline! Your Response must be filed and served within 60 days of the date this summons is published. If you do not file and serve your Response or a Notice of Appearance by the deadline:
• No one has to notify you about other hearings in this case, and
• The court may approve the requests in the Petition without hearing your side (called a **default judgment**).
Follow these steps:
1. Read the Petition and any other documents that were filed at court with this Summons. Those documents explain what the other party is asking for.
2. Fill out a Response on this form: FL Modify 502, **Response to Petition to Modify Child Support Order**.
You can get the Response form and other forms you need at:
• The Washington State Courts' website: www.courts.wa.gov/forms
• The Administrative Office of the Courts - call: (360) 705-5328
• Washington LawHelp: www.washingtonlawhelp.org, or
• The Superior Court Clerk's office or county law library (for a fee).
3. Serve (give) a copy of your Response to the person who filed this Summons at the address below, and to any other parties. You may use certified mail with return receipt requested. For more information on how to serve, read Superior Court Civil Rule 5.
4. File your original Response with the court clerk at this address:
Superior Court Clerk, Snohomish County
3000 Rockefeller Avenue, M/S 605, Everett, WA 98201
5. **Lawyer not required:** It is a good idea to talk to a lawyer, but you may file and serve your Response without one.
BRIGITTE LA BARGE 2/16/2022
I agree to accept legal papers for this case at the following address:
1245 Bradley Rd, Unit 1
Lynden, WA 98264
bsorn007@hotmail.com
This Summons is issued according to Rule 4.1 of the Superior Court Civil Rules of the State of Washington.
Published: February 19, 26; March 6, 12, 19, 26, 2022. EDH949047

Probate Notices

Case No.: 22-4-00269-31
NOTICE TO CREDITORS
IN THE SUPERIOR COURT OF WASHINGTON
FOR SNOHOMISH COUNTY
Estate of: RONALD JAY THOMPSON, Deceased.
The Personal Representative named below has been appointed as Personal Representative of this Estate. Any person having a claim against the Decedent that arose before the Decedent's death must, before the time the claim would be barred by any other otherwise applicable statute of limitations, present the claim in the manner as provided in RCW 11.40.070 by serving on or mailing to the Personal Representative or the Personal Representative's attorney at the address stated below a copy of the claim and filing the original of the claim with the court. The claim must be presented within the later of: (a) Thirty days after the Personal Representative served or mailed the notice to the creditor as provided under RCW 11.40.020(1)(c); or (2) four months after the date of first publication of the notice. If the claim is not presented within this time frame, the claim will be forever barred, except as otherwise provided in RCW 11.40.51 and 11.40.060. This bar is effective as to claims against both the decedent's probate and non-probate assets.
DATE OF FILING NOTICE TO CREDITORS WITH COURT CLERK:
March 3, 2022
DATE OF FIRST PUBLICATION:
March 5, 2022
PERSONAL REPRESENTATIVE:
TAMI M. THOMPSON
ATTORNEY FOR THE PERSONAL REPRESENTATIVE:
Douglas W. Purcell
Rachel J. Wright
Purcell Legal & Mediation Services, PLLC
7127 196th Street, S.W., Suite 201
Lynnwood, WA 98036
(425) 774-0444
Published: March 5, 12, 19, 2022. EDH949952

No. 22-4-00662-2 SEA
PROBATE
NOTICE TO CREDITORS
RCW 11.40.030
SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY
Estate of: PEARL MORTENSON, Deceased.
The Personal Representative named below has been appointed as personal representative of this estate. Any person having a claim against the decedent must, before the time the claim would be barred by any otherwise applicable statute of limitations, present the claim in the manner as provided in RCW 11.40.070 by serving on or mailing to the personal representative or the personal representative's attorney at the address stated below a copy of the claim and filing the original of the claim with the court. The claim must be presented within the later of: (1) Thirty days after the personal representative served or mailed the notice to the creditor as provided under RCW 11.40.020(3); or (2) four months after the date of first publication of the notice. If the claim is not presented within this time frame, the claim will be forever barred, except as otherwise provided in section 11 of this act and RCW 11.40.060. This bar is effective as to claims against both the decedent's probate and nonprobate assets.
Date of First Publication:
March 5, 2022
KRISTINE GRIFFITH, Personal Representative
Attorney for
Personal Representatives:
Catherine E. Janicki
Address for
Mailing or Service:
5806 A – 119th Ave. SE #143
Bellevue, WA 98006
Published: March 5, 12, 19, 2022. EDH949968

No. 22-4-01451-0 KNT
NONPROBATE
NOTICE TO CREDITORS
(RCW 11.42.030)
SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY
In the Matter of the Estate of MINA SHILLING, Deceased.
The notice agent named below has elected to give notice to creditors of the above-named decedent. As of the date of the filing of this notice, the claim would be barred by any otherwise applicable statute of limitations, present the claim in the manner as provided in RCW 11.40.070 by serving on or mailing to the personal representative of the decedent's estate below a copy of the claim and filing the original of the claim with the court. The claim must be presented within the later of: (1) Thirty days after the personal representative served or mailed the notice to the creditor as provided under RCW 11.40.020(3); or (2) four months after the date of first publication of the notice. If the claim is not presented within this time frame, the claim will be forever barred, except as otherwise provided in section 11 of this act and RCW 11.40.060. This bar is effective as to claims against both the decedent's probate and nonprobate assets.
Date of First Publication:
March 5, 2022
KRISTINE GRIFFITH, Personal Representative
Attorney for
Personal Representatives:
Catherine E. Janicki
Address for
Mailing or Service:
5806 A – 119th Ave. SE #143
Bellevue, WA 98006
Published: March 5, 12, 19, 2022. EDH949968

No. 22-4-00665-7 SEA
PROBATE
NOTICE TO CREDITORS
RCW 11.40.030
SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY
Estate of: KELLY G. MORTENSON, Deceased.
The Personal Representative named below has been appointed as personal representative of this estate. Any person having a claim against the decedent must, before the time the claim would be barred by any otherwise applicable statute of limitations, present the claim in the manner as provided in RCW 11.40.070 by serving on or mailing to the personal representative or the personal representative's attorney at the address stated below a copy of the claim and filing the original of the claim with the court. The claim must be presented within the later of: (1) Thirty days after the personal representative served or mailed the notice to the creditor as provided under RCW 11.40.020(3); or (2) four months after the date of first publication of the notice. If the claim is not presented within this time frame, the claim will be forever barred, except as otherwise provided in section 11 of this act and RCW 11.40.060. This bar is effective as to claims against both the decedent's probate and nonprobate assets.
Date of First Publication:
February 26, 2022.
The notice agent declares under penalty of perjury under the laws of the State of Washington on February 18, 2022, that the foregoing is true and correct.
Notice Agent:
Rehberg Law Group, PLLC, Notice Agent
18000 International Blvd Suite 550
SeaTac, WA 98188
Attorney for Notice Agent: WAYLON L. POLAND WBSA #53700
Rehberg Law Group, PLLC
18000 International Blvd Suite 550
SeaTac, WA 98188
Published: February 26; March 6, 12, 2022. EDH949386

Case No.: 22-4-01561-3 KNT
PROBATE
NOTICE TO CREDITORS
(RCW 11.40.030)
SUPERIOR COURT OF WASHINGTON
FOR KING COUNTY
In the Matter of the Estate of WILLA WAE MODIN, Deceased.
The Admin-Personal Representative

Hello Commissioners,

Thank you for taking part in the two briefings last week concerning proposed amendments to the Type 1 and Type 2 appeal hearing notification process (Chapters 30.71 and 30.72 SCC) and to the subdivision and short subdivision chapters of Snohomish County Code (Chapters 30.41A and 30.41B SCC). At the end of the two presentations there were two comments that I feel could benefit from additional information.

The first comment related to concern about the proposal to remove the requirement to mail notices of Type 1 open record appeal hearings to taxpayers of record within a certain radius of a subject property. When a Type 1 permit is first submitted, public notice of the application is required to be posted on site, published in the Herald, and mailed to taxpayers of record within a certain radius to the property as well as to other parties pursuant to [SCC 30.70.045](#). It is important to note that notice of Type 1 decisions are only required to be mailed to the applicant and parties of record per [SCC 30.71.040](#), except for Type 1 permits subject to SEPA. When a determination of nonsignificance (DNS) or other SEPA document is issued, public notice must be posted, published, and mailed per [SCC 30.61.110](#).

Only aggrieved parties of record can appeal a Type 1 decision ([SCC 30.71.050\(1\)](#)). Then at the open record appeal hearings only parties to the appeal can participate in the hearing, unless they call on a specific interested person to present relevant testimony. Further, once appeal issues are set, additional issues cannot be raised at the appeal hearing by parties to the appeal or other interested persons ([SCC 30.71.100](#)).

Due to the procedures within existing code described above, PDS staff believe that the removal of the requirement to mail notices of Type 1 appeal hearings to taxpayers of record for short subdivisions and projects subject to SEPA will not reduce opportunities for public engagement with land use development projects.

The second comment related to concern that removal of the provisions to limit density on sloping lands would remove protections for residents and the environment. Geologically hazardous areas are considered critical areas in the county and will be protected regardless of [SCC 30.41A.250](#) and [SCC 30.41B.210](#) through implementation of [Chapter 30.62B SCC](#). SCC 30.41A.250 and SCC 30.41B.210 also do not necessarily limit development within sloping lands, they only limit density on properties that contain sloping lands, "The department may require engineering or other technical justification for development in sloped areas where it determines that the public health, safety, welfare, or environment may be jeopardized by the proposed development" (SCC 30.41A.250(3)). Chapter 30.62B SCC provides staff and applicants more specificity around when engineering reports (ie geotechnical reports) or other technical justifications are required, as well as what must be included within the report and where and how development can occur to create safer environments. The stated purpose of Chapter 30.62B SCC is, "to provide regulations for the protection of public safety, health and welfare pursuant to the Growth Management Act (chapter 36.70A RCW), in geologically hazardous areas, including: erosion hazard, landslide hazard, seismic hazard, mine hazard, volcanic hazard, and tsunami hazard areas" ([SCC 30.62B.010\(1\)](#)). It is also important to note that the provisions of SCC 30.41A.250 and SCC 30.41B.210 are not applicable to all development proposals, namely Planned Residential Developments (PRDs) are exempt per SCC 30.41A.250(2), and projects within many rural, urban, and resource zones, such as R-5, A-10, F, LDMR, MR, MHP, NB, etc., are also exempt because they are not listed within Table 30.41A.250(2).

As all projects are required to comply with Chapter 30.62B SCC, PDS staff believe that repealing 30.41A.250 and SCC 30.41B.210 will not remove GMA required protections for residents and the environment.

Please let me know if you have any further questions or comments.

Sarah Titcomb
Principal Planner, Long Range Planning
Sarah.Titcomb@snoco.org



Snohomish County
Planning Commission
Planning and Development Services

3000 Rockefeller Avenue, M/S #604, Everett, WA 98201
Clerk Email: Megan.Moore@snoco.org

REGULAR SESSION
MARCH 22, 2022
DRAFT MINUTES

For access to supporting documents reviewed by the Planning Commission, visit the Snohomish County Planning Commission webpage at <https://snohomishcountywa.gov/164>

A. CALL TO ORDER AND ROLL CALL

Commissioner Robert Larsen, Planning Commission Chair, called the meeting to order at 5:31 p.m.

Of the ten (10) currently appointed commissioners, ten (10) were in attendance (a quorum being six (6) members and a majority being six (6) members):

Commissioners Present	Commissioners Absent
Merle Ash	
Rosanna Brown	
Tom Campbell	
Leah Everett	
Mark James	
Robert Larsen	
Keri Moore	
Tom Norcott	
Neil Pedersen	
Raymond Sheldon	

Mike McCrary, Planning and Development Services Director served as the Planning Commission Secretary for this meeting.

B. PUBLIC COMMENT

No public comment was given.

C. APPROVAL OF MINUTES

The minutes of [February 22, 2022](#) were unanimously approved.

D. STATUS OF FUTURE AGENDA ITEMS AND PAST RECOMMENDATIONS

Mike McCrary reviewed anticipated topics for upcoming Planning Commission meetings and the status of past recommendations.



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Planning Commission
Planning and Development Services

- [Upcoming Planning Commission Meeting Topics](#)
- [County Council Actions on Planning Commission Recommendations](#)

E. UNFINISHED BUSINESS

1. Notice Requirements for Type 1 and Type 2 Permits: Hearing

Sarah Titcomb, PDS Principal Planner, Sarah.Titcomb@snoco.org

Principal Planner, Sarah Titcomb, briefly discussed questions raised during the briefing for Type 1 and Type 2 permits at the February 22, 2022, meeting and reiterated the information sent to commissioners in answer to their questions regarding the public noticing requirements for permit appeals.

Commissioner Larsen opened the **Public Hearing at 5:47 p.m.** for the proposed code amendments to Chapters 30.71 and 30.72 of the Snohomish County Code (SCC) related to appeal hearing notice requirements.

No written comments were received by the Planning Commission from the public before the public hearing. No one spoke at the public hearing.

The **Public Hearing was closed at 5:47 p.m.**

After the hearing the commissioners discussed the public noticing process and clarified the notification radius of permit applications.

A Secondary Motion was made by Commissioner Campbell and seconded by Commissioner Norcott to retain the postal mail notification process for Type 1 and Type 2 permit appeals as is, in existing code.

VOTE (Amendment):

8 in favor (*Brown, Campbell, Everett, James, Larsen, Moore, Norcott, Sheldon*)

2 opposed (*Ash, Pedersen*)

0 abstention

Amendment PASSED

A main motion was made by Commissioner Campbell and seconded by Commissioner Sheldon recommending approval of the proposed code amendments to Chapter 30.71 and 30.72 of the SCC related to appeal hearing notice requirements.

VOTE (Motion):

10 in favor (*Ash, Brown, Campbell, Everett, James, Larsen, Moore, Norcott, Pedersen, Sheldon*)

0 opposed

0 abstention

Motion PASSED



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For further information, please review the following:

- [Type 1 and Type 2 Response to Commissioners dated 3/7/2022](#)
- [Staff Presentation dated 2/22/2022](#)
- [Briefing Staff Report dated 2/22/2022](#)

2. Subdivisions and Short Subdivisions: Hearing

Sarah Titcomb, PDS Principal Planner, Sarah.Titcomb@snoco.org

Principal Planner, Sarah Titcomb, discussed the questions raised during the briefing for to Chapters 30.41A and 30.41B of the Snohomish County Code (SCC) relating to subdivisions and short subdivisions at the February 22, 2022, meeting. She reiterated the information sent to commissioners in answer to their questions regarding geologically hazardous areas.

Commissioner Larsen opened the **Public Hearing at 6:17 p.m.** for the proposed code amendments to Chapters 30.41A and 30.41B of the Snohomish County Code (SCC) relating to subdivisions and short subdivisions.

No written comments were received by the Planning Commission from the public before the public hearing. No one spoke at the public hearing.

The **Public Hearing was closed at 6:17 p.m.**

After the hearing the commissioners had questions about Growth Management Act (GMA) and SCC protections of critical areas.

A **Motion** was made by Commissioner Norcott and seconded by Commissioner Everett recommending **APPROVAL** to the proposed code amendments to Chapters 30.41A and 30.41B of the Snohomish County Code (SCC) relating to subdivisions and short subdivisions.

VOTE (Motion):

10 in favor (*Ash, Brown, Campbell, Everett, James, Larsen, Moore, Norcott, Pedersen, Sheldon*)

0 opposed

0 abstention

Motion PASSED

For further information, please review the following:

- [Subdivisions and Short Subdivisions Response to Commissioners dated 3/7/2022](#)
- [Staff Presentation dated 2/22/2022](#)
- [Briefing Staff Report dated 2/22/2022](#)

F. NEW BUSINESS

1. Annual Tree Canopy Report: Briefing

Hilary McGowan, PDS Planner, Hilary.McGowan@snoco.org

PDS Planner, Hilary McGowan presented the Annual Tree Canopy Report.



Snohomish County
Planning Commission
Planning and Development Services

Planner, Hilary McGowan presented the Annual Tree Canopy Report. The presentation included developmental regulations and their goals, 2021 report findings, canopy data analysis and tree type diversity. It also gave recommendations for future analysis including GIS data analysis, and updating the native trees species list.

After the briefing there were several topics discussed by commissioners including carbon footprint, carbon retention and sequestration, ariel surveys for canopy analysis, and the expanding work needed in this field.

For further information, please review the following:

- [Tree Canopy Presentation](#)
- [2021 Tree Canopy Monitoring Report](#)

G. ADJOURN

The meeting was adjourned at 6:47 pm.



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Planning Commission
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PLANNING COMMISSION'S RANGE OF POSSIBLE ACTIONS:

At the conclusion of its public hearing, the County Planning Commission will consider transmitting a formal recommendation to County Council concerning adoption of the proposal. The Commission may make a recommendation to adopt or to not adopt the proposal. The Commission's recommendation may also propose amendments to the proposal. The Planning Commission is an advisory body and the final decision rests with the County Council.

PARTY OF RECORD / PUBLIC TESTIMONY:

You may become a party of record for any specific topic that comes before the Planning Commission by submitting a written request or testimony to Megan Moore, Planning Commission Clerk, PDS, M/S 604, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Megan.Moore@snoco.org.

WHERE TO GET COPIES OF DOCUMENTS AND WEBSITE ACCESS:

Please check www.snohomishcountywa.gov for additional information or the Snohomish County Department of Planning and Developmental Services, Reception Desk, 2nd Floor, County Administration Building East, 3000 Rockefeller Avenue, Everett, WA 98201 or email at Megan.Moore@snoco.org.

AMERICANS WITH DISABILITIES ACT NOTICE:

Snohomish County facilities are accessible. The county strives to provide access and services to all members of the public. Sign language interpreters and communication materials in alternate form will be provided upon request of one calendar week. Contact Angela Anderson at 425-262-2206 Voice, or 425-388-3700 TDD.

Snohomish County Planning Commissioners:

Merle Ash, District 1
Mark James, District 1
Tom Norcott, District 2
Raymond Sheldon, Jr., District 2
Robert Larsen, District 3
Vacant, District 3

Tom Campbell, District 4
Neil Pedersen, District 4
Rosanna Brown, District 5
Leah Everett, District 5
Keri Moore, Executive Appointee

Commission Staff (from Planning and Development Services (PDS) Department):

Mike McCrary, Commission Secretary

Megan Moore, Commission Clerk

EXHIBIT 2.0011

Planning Commission Meeting 03/22/22

Contact Clerk of the Council for recording at 425-388-3494 or contact.council@snoco.org

(Clerk Note: saved in G:\ECAF\Council Approved\2022\Subdivision and short subdivisions\Part 2 Documents\2.0011 – PC 20220322 Recording)



SNOHOMISH COUNTY PLANNING COMMISSION

March 28, 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 to the subdivision and short subdivision chapters of Snohomish County Code

Dear Snohomish County Council:

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendation to amend regulations related to subdivisions and short subdivisions. The Planning Commission had a briefing on this topic on February 22, 2022, and conducted a public hearing on March 22, 2022.

The proposed code amendments would increase consistency between the subdivision and short subdivision chapters, as well as with other Title 30 chapters, the Snohomish County Comprehensive Plan, and a recent administrative rule. The proposal also includes housekeeping changes for internal code consistency

There were no written comments received by the Planning Commission from the public prior to the March 22nd hearing, and no members of the public commented at the public hearing.

PLANNING COMMISSION RECOMMENDATION

At the March 22, 2022, Planning Commission meeting, Commissioner Norcott made a motion, seconded by Commissioner Everett, recommending APPROVAL of the proposed appeal hearing notice requirement amendments contained in the staff report dated February 22, 2022.

Vote (Motion):

9 in favor (*Ash, Brown, Campbell, Everett, James, Larsen, Moore, Norcott, Pedersen*)

0 opposed

0 abstentions

Motion 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 February 22, 2022, staff report, with which the Commission concurred.

During the deliberations, the topic of density on sloping lands was discussed at length. The commissioners feel strongly that the County should continue to ensure protection of geologically hazardous areas and people.

Respectfully submitted,

Robert Larsen

Robert Larsen (Mar 30, 2022 08:14 PDT)

SNOHOMISH COUNTY PLANNING COMMISSION
Robert Larsen, Chairman

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