



CO00014385

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 06-003

RELATING TO THE UNIFIED DEVELOPMENT CODE, AMENDING
CHAPTER 30.91W SCC TO CORRECT INADVERTENT DELETION OF THE
WEDDING FACILITY, RURAL RESOURCE, DEFINITION DURING THE
TRANSFER OF FORMER TITLE 18 SCC TO THE UNIFIED
DEVELOPMENT CODE, TITLE 30 SCC

WHEREAS, the definition for Wedding Facility, Rural Resource, was adopted under Ordinance No. 00-092 on December 20, 2000; and

WHEREAS, on December 9, 2002, the County adopted the Unified Development Code (UDC) in Title 30 SCC, as Amended Ordinance No. 02-064, to consolidate and streamline county land use and development codes to eliminate duplication, inconsistency, and ambiguity; and

WHEREAS, the adopted UDC became effective on February 1, 2003; and

WHEREAS, the UDC combined 15 titles including former Title 18 into one title, Title 30, also known as the UDC; and

WHEREAS, the transfer of former Title 18 into the UDC occurred over approximately two years and the review and adoption process took almost another year, requiring numerous draft documents; and

WHEREAS, during drafting and adoption of the UDC, many ordinances were adopted requiring merging of the amendments into the UDC draft documents or the adopted UDC before the effective date; and

WHEREAS, several provisions in former Title 18 SCC were inadvertently omitted or transferred incorrectly in the UDC adoption process resulting in unintended consequences that require correction clarification; and

WHEREAS, determination of errors and inconsistencies between the former Title 18 and the UDC required research of working drafts to determine if the difference was intentional or an error in transfer or translation; and

WHEREAS, this ordinance reestablishes an inadvertent deletion of the definition "Wedding Facility, Rural Resource"; and

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WHEREAS, the Planning Commission was briefed on December 6, 2005, held a public hearing for the development code amendment on December 6, 2005, and forwarded a recommendation to the County Council, dated December 6, 2005; and

WHEREAS, the County Council held a public hearing on February 22, 2006, to consider the entire record and hear public testimony on Ordinance 06-003, adopting amendments to development regulations.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The County Council makes the following findings of fact:

- A. The error identified in this ordinance for amendment to the existing code consists of the inadvertent omission of the definition of Wedding Facility, Rural Resource.
- B. During transfer of the definition references from former SCC 18.90.882 to the UDC (Chapter 30.91W SCC), the definition was omitted from the transfer to the UDC.
- C. Examination of the UDC/SCC Section Citation Comparison Table showed the omission of the "Wedding Facility, Rural Resource," definition, although the use "Wedding Facility" was included on the use matrix (SCC 30.22.110).
- D. The regulatory text and use matrix use the term "Wedding Facility" rather than "Wedding Facility, Rural Resource."
- E. The SEPA Determination of Nonsignificance issued for the amendments to the use matrix, bulk regulations and associated references on May 12, 2005, was adopted.
- F. The County published legal notices in The (Everett) Herald notifying the public of public hearings held by the Planning Commission and the County Council.

Section 3. The County Council makes the following conclusions:

- A. Transfer of the definition references from former SCC 18.90.882 to the UDC (Chapter 30.91W SCC) resulted in the inadvertent omission of the definition of Wedding Facility, Rural Resource.

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- B. This amendment to Chapter 30.91W SCC satisfies the procedural and substantive requirements of and is consistent with the GMA.
- C. The State Environmental Policy Act requirements for this code amendment are satisfied by the adoption of the prior DNS.
- D. The words "rural resource" in the definition serves no clarifying purpose and may confuse individuals interpreting the code and should be removed from the definition.
- E. The County broadly disseminated the proposed amendment and provided opportunities for the public to provide written comments and testimony at public hearings after effective notice.

Section 4. A new section is added to Chapter 30.91W of the Snohomish County Code to read:

30.91W.044 – Wedding facility.

"Wedding facility" means a privately-owned facility or site in certain rural and resource zones where weddings and associated events are conducted in exchange for compensation.

Section 5. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings Board (Board), or a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance. Provided, however, that if any section, sentence, clause, or phrase of this ordinance is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence, clause, or phrase in effect prior to the effective date of this ordinance shall be in full force and effect for that individual section, sentence, clause, or phrase as if this ordinance had never been adopted.

PASSED this 22nd day of February, 2006.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ATTEST:


Asst. Clerk of the Council


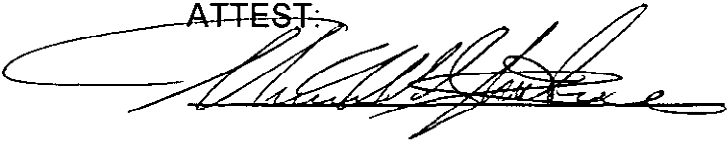

Chairperson

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- APPROVED
- EMERGENCY
- VETOED

DATE: 2/28/06

ATTEST:


Aaron G. Reardon
County Executive

Approved as to form only:


Deputy Prosecuting Attorney

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