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SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 06-077

**RELATING TO THE TIMING FOR APPLICATIONS AND APPROVAL OF THE GMA
COMPREHENSIVE PLAN FINAL DOCKET, AMENDING SECTION 30.74.050 AND
SECTION 30.74.080 OF THE SNOHOMISH COUNTY CODE**

WHEREAS, the Snohomish County Council, through the enactment of Amended Ordinances 96-032 and 97-082, adopted a procedure for interested persons to propose amendments or revisions to the GMA comprehensive plan or development regulations implementing the comprehensive plan subject to certain restrictions; and

WHEREAS, pursuant to RCW 36.70A.130, with certain exceptions, the Snohomish County Council may consider proposed revisions to the GMA comprehensive plan no more frequently than once a year; and

WHEREAS, the Snohomish County Council has determined that the consideration of such proposed amendments to the GMA comprehensive plan or development regulations would promote a legitimate county purpose as established under RCW 36.70A.130 and 36.70A.470, and Chapter 30.74 SCC; and

WHEREAS, in accordance with Chapter 30.74 SCC applications for the GMA comprehensive plan docket must be submitted by July 31 of each year and Planning and Development Services must forward recommendations for further processing of the final docket for each of the proposed amendments by December 31 of each year for final council consideration and action the fall of the following year; and

WHEREAS, the Snohomish County Council Planning and Development Committee on July 11, 2006, and July 25, 2006, had discussions regarding revisions to the GMA comprehensive plan docket schedule so that final action on the GMA comprehensive plan docket be taken in the spring rather than the fall; and

WHEREAS, it has been determined that this code amendment is procedural and is not required to go the Planning Commission for consideration pursuant to Chapter SCC 30.73.040(2)(b); and

WHEREAS, pursuant to RCW 36.70A.106, on August 18, 2006, the County sent notice of intent to adopt and requested expedited state agency review of the amendment to the Washington State Department of Community, Trade and Economic Development; and

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WHEREAS, this proposal is procedural and is exempt from the State Environmental Policy Act (SEPA) review pursuant to WAC 197-11-800(19); and

WHEREAS, the Snohomish County Council Planning and Development Committee on July 25, 2006, requested county staff to present a revised GMA comprehensive plan docket schedule so that final action on the final docket would occur in the spring; and

WHEREAS, the County Council held a public hearing on October 2, 2006, to consider public testimony on Ordinance No. 06-077 adopting amendments to Chapter 30.74 SCC.

NOW, THEREFORE, BE IT ORDAINED:

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

Section 2. The Snohomish County Council adopts the following findings of fact and conclusions:

- A. The ordinance is consistent with the Snohomish County Comprehensive Plan and the Growth Management Act (GMA).
- B. Pursuant to RCW 36.70A.106, on August 18, 2006, the County sent notice of intent to adopt and requested expedited state agency review of the amendment to the Washington State Department of Community, Trade and Economic Development.
- C. This proposal is procedural and is exempt from the State Environmental Policy Act (SEPA) review pursuant to WAC 197-11-800(19).
- D. The County published legal notice in The (Everett) Herald on September 18, 2006 notifying the public of public hearings held by the county council.
- E. A public hearing was held before the county council on October 2, 2006 which meets state and local public participation requirements for the adoption of an ordinance under the GMA.
- F. The county council considered the entire hearing record and written testimony during the public comment period, and oral testimony given during a public hearing before the county council.

Section 3. Snohomish County Code Section 30.74.050, adopted by Amended Ordinance 02-064 on December 9, 2002, is amended to read:

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30.74.050 Council approval of final docket.

(1) On or before ~~December 31st~~ the last business day of March of each year, the department shall prepare a recommendation on each of the amendments proposed for consideration, and forward the recommendation to the county council.

(2) The county council will review the recommendation and determine in a public hearing which of the proposed amendments should be further processed.

(3) Notice of the council hearing shall be given as required by SCC 30.73.070.

(4) The proposed amendments approved for further processing by the council shall be known as the final docket.

Section 4. Snohomish County Code Section 30.74.080, adopted by Amended Ordinance 02-064 on December 9, 2002, is amended to read:

30.74.080 Timing for submittal of proposals.


(1) The department will accept proposals for amendments at any time; however, proposals received after ~~July 31st~~ the last business day of October of each year will be processed in the next annual amendment review cycle.

(2) The department may establish administrative procedures necessary to administer this chapter.

Section 5. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by a 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 2nd day of October, 2006.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

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ATTEST:

Shula McCallister
Clerk of the Council *asst*

- APPROVED
- EMERGENCY
- VETOED

DATE: 10/4/06

Peter B. Camp
County Executive

PETER B. CAMP
Executive Director

ATTEST:

Geri Bailiff
Approved as to form only:

Tom R. W. [Signature]
Deputy Prosecuting Attorney
8-28-06

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