

1 Adopted: June 3, 2015  
2 Effective: June 19, 2015

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4 SNOHOMISH COUNTY COUNCIL  
5 Snohomish County, Washington

6  
7 AMENDED ORDINANCE NO. 15-033

8  
9 RELATING TO THE GROWTH MANAGEMENT ACT; ADOPTING REGULATIONS FOR  
10 FOREST PRACTICES; ADDING A NEW CHAPTER 30.43F SNOHOMISH COUNTY CODE  
11 (SCC); AND AMENDING CHAPTERS 30.71 AND 30.86 SCC

12  
13 WHEREAS, the Growth Management Act, chapter 36.70A RCW (GMA), requires  
14 Snohomish County (the "County") to regulate land use and development within the County's  
15 jurisdiction; and

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17 WHEREAS, RCW 36.70A.130 of the GMA requires that the County take action by June  
18 30, 2015, to review and if needed, revise its comprehensive plan and development regulations  
19 to ensure compliance with the requirements of the GMA; and

20  
21 WHEREAS, RCW 76.09.240 of the Forest Practices Act requires those counties  
22 planning under the GMA with certain population and forest practices permitting thresholds to  
23 adopt and enforce regulations over the forest practices described in RCW 76.09.240(1)(a)(i) and  
24 (ii); and

25  
26 WHEREAS, the County meets the population and permitting thresholds in RCW  
27 76.09.240(1)(a) of the Forest Practices Act, with an unincorporated population of approximately  
28 320,330 and a total of over 25 Class IV forest practices applications filed between January 1,  
29 2003, and December 31, 2005, and therefore must adopt and enforce regulations for forest  
30 practices as described in RCW 76.09.240; and

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32 WHEREAS, those forest practices described in RCW 76.09.240(1)(a)(i) and (ii) of the  
33 Forest Practices Act occur on lands with a high likelihood to convert to a nonforestry use,  
34 including lands both inside and outside of urban growth areas (UGAs) as designated under  
35 RCW 36.70A.110; and

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37 WHEREAS, RCW 36.70A.110 of the GMA, Objective PE 1.A of the Population and  
38 Employment chapter of the County's GMA Comprehensive Plan (GMACP) – General Policy  
39 Plan (GPP), and policies LU 1.A.1 and LU 6.A.1 of the Land Use chapter of the GMACP – GPP  
40 require that the County direct its population into UGAs to implement the goals of the GMA; and

41  
42 WHEREAS, because most of the County's population is directed into UGAs, forest lands  
43 within those UGAs have a high likelihood for conversion to urban development consistent with  
44 WAC 222-16-060; and

45  
46 WHEREAS, RCW 76.09.460 of the Forest Practices Act requires the County to deny all  
47 applications for permits or approvals, including building permits and subdivision approvals,  
48 relating to nonforestry uses of land subject to a Washington State Department of Natural  
49 Resources' notice of conversion to a nonforestry use for a period of six years or until the actions  
50 listed in RCW 76.09.460(2) are satisfied; and

1 WHEREAS, RCW 76.09.470 of the Forest Practices Act requires the County, upon being  
2 contacted by a landowner about that landowner's intent to convert his or her land to a  
3 nonforestry use within six years of receiving an approved forest practices application or  
4 notification under the Forest Practices Act, to take specific actions that include coordinating with  
5 the Washington State Department of Natural Resources and landowner to resolve any  
6 outstanding final order or decisions issued by the Washington State Department of Natural  
7 Resources, requiring the landowner to comply with chapter 43.21C RCW, if applicable, and  
8 assessing if the condition of the land is in full compliance with the Snohomish County Code; and  
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10 WHEREAS, RCW 36.70A.570 of the GMA requires the County to adopt development  
11 regulations that protect public resources, are consistent with or supplement the County's critical  
12 areas regulations, require appropriate approvals for all phases of the conversion of forest lands,  
13 including clearing and grading, and are guided by the planning goals of the GMA and by the  
14 purposes and policies of the Forest Practices Act when the County assumes regulation of forest  
15 practices as described in RCW 76.09.240; and  
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17 WHEREAS, Objective NE 3.G of the Natural Environment chapter of the County's  
18 GMACP – GPP and its associated policies direct the County to adopt regulations and  
19 development standards for forest practices as required by the Forest Practices Act, including  
20 regulations for Class IV-General forest practices, conversion option harvest plans (COHPs), and  
21 lifting of the six-year development moratorium; and  
22

23 WHEREAS the Snohomish County Council ("County Council") last amended chapter  
24 30.65 of the Snohomish County Code (SCC) on December 17, 2014, to provide regulations to  
25 protect public health, safety, and welfare in those areas subject to periodic inundation due to  
26 flooding, and to minimize losses due to flood conditions in the specific areas subject to chapter  
27 30.65 SCC; and  
28

29 WHEREAS, on August 1, 2007, the County Council adopted chapter 30.62A SCC to  
30 provide critical area regulations for the designation and protection of wetlands and fish and  
31 wildlife habitat conservation areas; and  
32

33 WHEREAS, on August 1, 2007, the County Council adopted chapter 30.62B SCC to  
34 provide regulations for the protection of public safety, health and welfare in geologically  
35 hazardous areas, including: erosion hazard, landslide hazard, seismic hazard, mine hazard,  
36 volcanic hazard, and tsunami hazard areas; and  
37

38 WHEREAS, on August 1, 2007, the County Council adopted chapter 30.62C SCC to  
39 provide regulations that designate and protect critical aquifer recharge areas to safeguard public  
40 health, safety, and welfare, and to protect groundwater resources; and  
41

42 WHEREAS, on June 9, 2010, the County Council adopted stormwater regulations, as  
43 described in SCC 30.63A.100, to implement the provisions of the Federal Clean Water Act (33  
44 U.S.C. § 1251 et seq.) as administered by the Washington State Department of Ecology  
45 ("Ecology") through issuance of the National Pollutant Discharge Elimination System (NPDES)  
46 Phase I Municipal Stormwater Management Permit in accordance with chapter 90.48 RCW; and  
47

48 WHEREAS, on July 27, 2012, the County Council adopted chapter 30.67 SCC to  
49 implement the Shoreline Management Act, chapter 90.58 RCW, and provide a uniform basis for  
50 applying the County's Shoreline Management Program policies and development regulations  
51 within distinctive shoreline areas; and

1  
2 WHEREAS, on May 14, 2014, the County Council adopted Amended Motion No. 14-  
3 140, which adopted a list of items the County has completed or intends to complete by June 30,  
4 2015, to satisfy the requirements of the GMA periodic compliance review set forth in RCW  
5 36.70A.130; and  
6

7 WHEREAS, Amended Motion No. 14-140 identified the need to adopt development  
8 regulations assuming the regulation of Class IV-General forest practices for consistency with  
9 RCW 36.70A.570 and GPP Objective NE 3.G and GPP policies NE 2.G.1 and NE 3.G.2; and  
10

11 WHEREAS, on September 30, 2014, Snohomish County Department of Planning and  
12 Development Services (PDS) staff met with representatives from the Washington State  
13 Department of Natural Resources (DNR) and Ecology to discuss the process for the  
14 development of this ordinance; and  
15

16 WHEREAS, the Snohomish County Planning Commission ("Planning Commission") held a  
17 briefing on January 27, 2014, concerning proposed amendments contained in this ordinance; and  
18

19 WHEREAS, on March 10, 2015, PDS briefed the Snohomish County Agricultural  
20 Advisory Board on proposed amendments contained in this ordinance; and  
21

22 WHEREAS, the Planning Commission held a public hearing on March 24, 2015, to  
23 receive public testimony concerning proposed amendments contained in this ordinance; and  
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25 WHEREAS, at the conclusion of the public hearing the Planning Commission voted to  
26 recommend approval of proposed amendments contained in this ordinance, as set forth in its  
27 recommendation letter dated March 25, 2015; and  
28

29 WHEREAS, on June 3, 2015, the County Council held a public hearing after proper  
30 notice, and considered public comments and the entire record related to the proposal contained  
31 in this ordinance; and  
32

33 WHEREAS, following the public hearing, the County Council deliberated on the code  
34 amendments contained in this ordinance;  
35

36 NOW, THEREFORE, BE IT ORDAINED:  
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38 Section 1. The County Council adopts the following findings in support of this ordinance:  
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- 40 A. The foregoing recitals are adopted as findings as if set forth fully herein.  
41  
42 B. This ordinance will complete a project identified in Amended Motion No. 14-140, passed by  
43 the County Council on May 14, 2014, to adopt development regulations assuming the  
44 regulation of Class IV-General forest practices to implement policies in the GMACP – GPP,  
45 and comply with the GMA (chapter 36.70A RCW) and the Forest Practices Act (chapter  
46 76.09 RCW).  
47  
48 C. This ordinance will amend title 30 SCC to:  
49  
50 1. Add new chapter 30.43F SCC to establish procedures for the County to:  
51

- 1 a. Regulate through a County-administered Class IV-General forest practices permit  
2 those forest practices described in RCW 76.09.240(1)(a)(i) and (ii) of the Forest  
3 Practices Act:  
4  
5 i. Forest practices classified as Class I, II, III, IV-General, and IV-Special (as those  
6 practices are defined in WAC 222-16-050) that are conducted on lands within the  
7 designated UGAs and for which there exists a high likelihood of conversion to a  
8 nonforestry use; and  
9  
10 ii. Forest practices conducted on lands outside of the UGAs for which the landowner  
11 intends to convert to a nonforestry use.  
12  
13 b. Report to the Washington State Department of Revenue after issuing a forest  
14 practices permit under this chapter;  
15  
16 c. Review and approve COHPs;  
17  
18 d. Impose a six-year development moratorium for certain violations of the Forest  
19 Practices Act (chapter 76.09 RCW) and chapter 30.43F SCC;  
20  
21 e. Lift a six-year development moratorium; and  
22  
23 f. Waive a six-year development moratorium.  
24  
25 2. Amend SCC 30.71.020 to add a Class IV-General forest practices permit and the  
26 application to lift the six-year development moratorium as Type 1 administrative  
27 decisions under chapter 30.71 SCC.  
28  
29 3. Amend chapter 30.86 SCC to add new fees pertaining to the administration of chapter  
30 30.43F SCC.  
31  
32 D. This ordinance is consistent with RCW 76.09.460:  
33  
34 1. The proposed amendments provide for the County's denial of applications for permits or  
35 approvals as required by RCW 76.09.460, referenced in the proposed amendments as a  
36 six-year development moratorium.  
37  
38 2. Consistent with RCW 76.09.460(1), the proposed amendments establish a six-year  
39 period, from the date indicated in this provision, during which the County will deny all  
40 applications for permits or approvals as required by RCW 76.09.460.  
41  
42 3. Consistent with RCW 76.09.460(2), the proposed amendments establish requirements  
43 that must be satisfied before the County may "lift" the six-year development moratorium:  
44 compliance with chapter 43.21C RCW, resolution of any outstanding final orders or  
45 decisions issued by the Washington State Department of Natural Resources, and a  
46 determination by the County that the land is otherwise in full compliance with the  
47 Snohomish County Code.  
48  
49 4. The proposed amendments contain a provision to "waive" the six-year development  
50 moratorium established by RCW 76.09.460 on an area not to exceed two acres solely  
51 for the purpose of constructing a single-family dwelling and accessory structures. This

1 waiver provision contained in the proposed amendments is consistent with the Forest  
2 Practices Act and is supported by the following:

- 3
- 4 a. WAC 222-16-050(3)(r)(iii), which defines Class I forest practices as those operations  
5 that have been determined to have no direct potential for damaging a public  
6 resource, and includes any forest practices involving a single landowner where  
7 contiguous ownership is less than two acres in size so long as none of the operation  
8 or limits of construction takes place within certain defined types of waters and the  
9 operation does not involve off-road use of tractor or wheeled or skidding systems on  
10 a sideslope of greater than forty percent.
- 11
- 12 b. Chapters 30.62A and 30.62B of the Snohomish County Code address the critical  
13 areas identified in WAC 222-16-050(3)(r)(iii): chapter 30.62A of the Snohomish  
14 County Code contains water typing consistent with WAC 222-16-050(3)(r)(iii) and  
15 chapter 30.62B of the Snohomish County Code addresses steep slopes.
- 16
- 17 c. RCW 76.09.050(1), which states that Class I forest practices may be conducted  
18 without submitting a forest practices application or notification, except that when the  
19 authority to regulate forest practices is transferred to a local governmental entity,  
20 those Class I forest practices that involve timber harvesting or road construction  
21 within urban growth areas are processed as Class IV forest practices and are not  
22 subject to environmental review under chapter 43.21C RCW.
- 23
- 24 d. A single-family dwelling waiver from the six-year development moratorium required  
25 by RCW 76.09.460 is a common provision that has been codified by many other  
26 jurisdictions including King County, Pierce County, Chelan County, Skamania  
27 County, and Okanogan County.

28

29 E. This ordinance is consistent with RCW 76.09.470:

- 30
- 31 1. Consistent with RCW 76.09.470(2), the proposed amendments require the County to  
32 notify the Washington State Department of Natural Resources upon being contacted by  
33 a landowner about that landowner's intent to convert his or her land to a nonforestry use  
34 within six years of receiving an approved forest practices application or notification under  
35 the Forest Practices Act. The proposed amendments also require compliance with  
36 chapter 43.21C RCW, resolution of any outstanding final orders or decisions from the  
37 Washington State Department of Natural Resources, and compliance with the  
38 Snohomish County Code.

39

40 F. This ordinance complies with the requirements of RCW 36.70A.570:

- 41
- 42 1. The proposed amendments are consistent with provisions of the SCC that protect public  
43 resources, as defined in RCW 76.09.020 as water, and fish and wildlife, including the  
44 critical area regulations, the Shoreline Management Program, and stormwater  
45 regulations.
- 46
- 47 2. As required by RCW 36.70A.570(b), the County has adopted clearing and grading  
48 regulations which are contained in chapter 30.63B SCC.
- 49
- 50 3. The proposed amendments are consistent with the GMA Planning Goals in RCW  
51 36.70A.020, in particular goals 8 and 10:

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- a. GMA Planning Goal 8 (RCW 36.70A.020(8)) “Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agriculture, and fisheries industries. Encourage the conservation of productive forest lands, and discourage incompatible uses.” The ordinance helps to maintain natural productive timber industries and discourage incompatible uses by implementing the requirements of RCW 76.09.240 of the Forest Practices Act, which requires the County to assume the regulation and enforcement of certain forest practices.
  - b. GMA Planning Goal 10 (RCW 36.70A.020(10)) “Environment. Protect the environment and enhance the state’s high quality of life, including air and water quality, and the availability of water.” The ordinance helps to protect the environment by requiring consistency with the County’s critical areas regulations and stormwater regulations. The County’s critical areas regulations include the protection of wetlands and fish habitat, and the County’s stormwater regulations aim to prevent or minimize degradation of water quality to protect human health, recreational opportunities, and fish and wildlife habitat.
4. This ordinance is guided by the purposes and policies of the Forest Practices Act as set forth in RCW 76.09.010, including the following:
- a. RCW 76.09.010(2)(e) “Provide for regulations of forest practices so as to avoid unnecessary duplication in such rules.” The ordinance will authorize the County to regulate and enforce certain forest practices as required by the Forest Practices Act (chapter 76.09 RCW), and thereby eliminate redundant review by two jurisdictions. Under the current practice, an applicant submits a Class IV-General forest practice application to the County for environmental review and then to the DNR for final approval.
  - b. RCW 76.09.010(2)(g) “Achieve compliance with all applicable requirements of federal and state law with respect to nonpoint sources of water pollution from forest practices.” The proposed amendments require consistency with federal, state, and County regulations with respect to nonpoint sources of water pollution from forest practices, including the County’s stormwater regulations.
- G. This ordinance complies with the requirements of RCW 76.09.240:
- 1. The proposed amendments to title 30 SCC provide for the regulation and enforcement of forest practices on lands identified in RCW 76.09.240(1)(a).
  - 2. As required by RCW 76.09.240(2), the County’s critical areas and development regulations are in compliance with RCW 36.70A.130.
  - 3. As required by RCW 76.09.240(2), on February 6, 2015, the County provided a notification to the DNR, the Washington State Department of Revenue, and Ecology of the County’s intent to adopt the proposed amendments.
  - 4. As required by RCW 76.09.240(2), the proposed amendments are consistent with the following County regulations in the SCC that protect critical areas and address clearing and grading: the critical area regulations, the Shoreline Management Program, and stormwater regulations.

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5. As required by RCW 76.09.240(2)(a) and (b), the proposed amendments contain provisions for the County to regulate the conversion of forest lands to nonforestry use and to collect permit and recording fees.
6. As required by RCW 76.09.240(7), the proposed amendments contain a provision to require every permit issued for Class IV-General forest practices to include a verification from the DNR that the land in question is not or has not been subject to a notice of conversion to nonforestry uses under RCW 76.09.060 during the six-year period prior to the submission of a permit application.
7. As required by RCW 76.09.240(8), the proposed amendments contain a provision that requires the County to notify the Washington State Department of Revenue of all approved forest practice permits by the County within 60 days of the date of approval.
- H. This ordinance implements the following goals, objectives, and policies contained in the GMACP – GPP:
1. Goal NE 3 "Comply with the requirements of state, federal and local laws for protecting and managing critical areas, shorelines, and water." The proposed chapter 30.43F SCC contains a provision that requires consistency with state, federal, and local laws, including consistency with other provisions of the SCC such as the critical area regulations, stormwater management regulations, and the Shoreline Management Program.
  2. Objective NE 3.G "Adopt regulations and development standards as required by the Forest Practices Act (chapter 76.09 RCW)." The ordinance contains provisions to comply with the Forest Practices Act including regulations for those forest practices the County is required to regulate under the Forest Practices Act: procedures for imposing, lifting, and waiving the six-year development moratorium; procedures for reviewing COHPs; reporting to the Washington State Department of Revenue after the County issues a forest practices permit; and a fee structure for the collection of the associated fees.
  3. NE Policy 3.G.1 "The county shall develop regulations for Class IV General forest practices and for conversion option harvest plans." The ordinance implements NE Policy 3.G.1 by including provisions to regulate Class IV-General forest practices and COHPs.
  4. NE Policy 3.G.2 "The county shall develop a process and criteria for lifting forest practices moratoria, which shall include public notification and procedures for appeals and public hearings." The proposed amendments implement NE Policy 3.G.2 by providing an application process and criteria for lifting the six-year development moratorium. An application to lift the moratorium will be processed as a Type 1 administrative decision, or will be consolidated with and processed as a Type 2 decision if submitted in conjunction with a Type 2 application. Provisions for notification, review, approval, and appeal are included in both Type 1 and Type 2 processes. When processed in conjunction with and as a Type 2 decision, the decision-maker is the hearing examiner and the process involves an open record hearing, with opportunity for appeal.

1 5. NE Policy 3.G.3 "County forest practice regulations shall be consistent with critical areas  
2 and shoreline regulations to the maximum extent possible." The proposed chapter  
3 30.43F SCC contains a provision that requires consistency with state, federal, and local  
4 laws, including consistency with the County's critical area regulations and the Shoreline  
5 Management Program.  
6

7 I. Procedural requirements.  
8

- 9 1. This ordinance is consistent with state law and chapter 30.73 SCC.  
10  
11 2. State Environmental Policy Act requirements with respect to this non-project action have  
12 been satisfied through the completion of an environmental checklist and the issuance of  
13 a determination of non-significance on February 6, 2015.  
14  
15 3. Pursuant to RCW 36.70A.106(1), a notice of intent to adopt this ordinance was  
16 transmitted to the Washington State Department of Commerce for distribution to state  
17 agencies on February 2, 2015.  
18  
19 4. On February 6, 2015, and pursuant to RCW 76.09.240(2), the County notified the DNR,  
20 Ecology, and the Washington State Department of Revenue of the County's intent to  
21 adopt this ordinance.  
22  
23 5. The public participation process used in the adoption of this ordinance has complied with  
24 all applicable requirements of the GMA and the SCC.  
25  
26 6. The Washington State Attorney General last issued an advisory memorandum, as  
27 required by RCW 36.70A.370, in December of 2006 entitled "Advisory Memorandum:  
28 Avoiding Unconstitutional Takings of Private Property" to help local governments avoid  
29 the unconstitutional taking of private property. The process outlined in the State  
30 Attorney General's 2006 advisory memorandum was used by Snohomish County in  
31 objectively evaluating the regulatory changes proposed by this ordinance.  
32

33 J. This ordinance is consistent with the record.  
34

- 35 1. A new chapter is added to title 30 SCC, chapter 30.43F SCC, Forest Practices, to  
36 comply with RCW 36.70A.130, implement policies in the GMACP – GPP, and regulate  
37 forest practices pursuant to chapter 76.09 RCW and RCW 36.70A.570.  
38  
39 a. A new section is added, SCC 30.43F.010, to state the authority and purpose of this  
40 chapter. This section states that the Forest Practices Act (chapter 76.09 RCW) is the  
41 authority under which chapter 30.43F SCC is established.  
42  
43 b. A new section is added, SCC 30.43F.020, to adopt by general reference definitions  
44 in chapter 76.09 RCW, chapter 222-16 WAC, and chapter 30.91 SCC.  
45  
46 c. A new section is added, SCC 30.43F.030, pertaining to the applicability of chapter  
47 30.43F SCC to certain forest practices as described in RCW 76.09.240, conversion  
48 option harvest plans (COHPs), and the imposition, lift, and waiver of the six-year  
49 development moratorium.  
50



- 1 d. A new section is added, SCC 30.43F.040, pertaining to exemptions from chapter  
2 30.43F SCC. Exemptions from this chapter include: those forest practices under the  
3 jurisdiction of the DNR; removal of less than five thousand board feet of timber for  
4 personal use; removal of trees grown for commercial nurseries or Christmas tree  
5 farms; landscape maintenance or pruning; and removal of trees to abate an  
6 emergency or for the purpose of public safety or maintenance of existing public  
7 roads and existing facilities.  
8
- 9 e. A new section is added, SCC 30.43F.050, to require consistency with federal and  
10 state regulations, and compliance with all other applicable provisions of the SCC.  
11
- 12 f. A new section is added, SCC 30.43F.060, pertaining to the administration and  
13 enforcement of chapter 30.43F SCC. This section states that the enforcement of the  
14 chapter is under chapter 30.85 SCC (Enforcement Procedures) and the fees  
15 associated with this chapter are contained in chapter 30.86 SCC (Fees).  
16
- 17 g. A new section is added, SCC 30.43F.070, to provide that by submitting a forest  
18 practices application, an applicant consents to entry upon the subject site to allow  
19 the County to verify compliance with chapter 30.43F SCC.  
20
- 21 h. A new section is added, SCC 30.43F.080, to require notification to the Washington  
22 State Department of Revenue of County-issued forest practices permits.  
23
- 24 i. A new section is added, SCC 30.43F.100, to codify procedures for the Class IV-  
25 General forest practices permit.  
26
- 27 j. A new section is added, SCC 30.43F.110, to codify regulations and procedures for  
28 COHPs.  
29
- 30 k. A new section is added, SCC 30.43F.220, to codify procedures for the County's  
31 imposition of a six-year development moratorium for enumerated violations of the  
32 Forest Practices Act and chapter 30.43F SCC, including landowner notification and  
33 appeal rights.  
34
- 35 l. A new section is added, SCC 30.43F.230, to codify application procedures, review  
36 criteria, and appeal procedures for lifting the six-year development moratorium. This  
37 new provision states that applications for lifting the six-year development moratorium  
38 will be processed as a Type 1 administrative decision, or consolidated with and  
39 processed as a Type 2 decision if submitted with a Type 2 application.  
40
- 41 m. A new section is added, SCC 30.43F.240, to codify application procedures, review  
42 criteria, and appeal procedures for waiver of the six-year development moratorium  
43 for construction of a single-family residence and appurtenances on no more than two  
44 acres of land.  
45
- 46 2. Amendments to SCC 30.71.020 are necessary to add the Class IV-General forest  
47 practices permit and lifting of the six-year development moratorium as Type 1  
48 administrative decisions.  
49
- 50 3. Amendments to chapter 30.86 SCC are necessary to add fees associated with the Class  
51 IV-General forest practices permit, lifting and waiving of the six-year development

1 moratorium, recording fees, and notification to the Washington State Department of  
2 Revenue of County-issued forest practices permits.

- 3  
4 4. This ordinance is consistent with the record as set forth in the PDS staff memoranda  
5 dated January 22, 2015, and March 10, 2015.

6  
7 Section 2. The County Council makes the following conclusions:

- 8  
9 A. This ordinance is consistent with Washington State law and the SCC.  
10  
11 B. This ordinance is necessary to comply with RCW 36.70A.570 and RCW 76.09.240, and to  
12 implement policies in the GMACP – GPP.  
13  
14 C. This ordinance completes the project identified in Amended Motion No. 14-140 to adopt  
15 development regulations assuming the regulation of certain forest practices as required  
16 under the Forest Practices Act (chapter 76.09 RCW), in compliance with RCW 36.70A.130  
17 of the GMA.  
18  
19 D. This ordinance implements and is consistent with the goals, objectives and policies of the  
20 GMACP – GPP.  
21  
22 E. All State Environmental Policy Act requirements with respect to this non-project action have  
23 been satisfied.  
24  
25 F. This ordinance does not result in an unconstitutional taking of private property for a public  
26 purpose and does not violate substantive due process guarantees.  
27

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

32 Section 4. A new chapter is added to title 30 of the Snohomish County Code, to read:

33  
34 Chapter 30.43F  
35 FOREST PRACTICES  
36

37 Sections:

38 PART 000 – GENERAL PURPOSE AND APPLICABILITY  
39

- 40 30.43F.010 Authority and purpose.  
41 30.43F.020 Definitions.  
42 30.43F.030 Applicability.  
43 30.43F.040 Exemptions.  
44 30.43F.050 Relationship to other regulatory requirements.  
45 30.43F.060 Administration and enforcement.  
46 30.43F.070 Right of entry.  
47 30.43F.080 Notification to the Washington State Department of Revenue.  
48

1 PART 100 – PERMIT AND CONVERSION OPTION HARVEST PLAN

- 2  
3 30.43F.100 Class IV-General forest practices – permit required.  
4 30.43F.110 Conversion option harvest plan (COHP).

5  
6 PART 200 – IMPOSITION, LIFT, AND WAIVER OF THE SIX-YEAR DEVELOPMENT  
7 MORATORIUM

- 8  
9 30.43F.220 Six-year development moratorium.  
10 30.43F.230 Lift of the six-year development moratorium.  
11 30.43F.240 Request for single-family dwelling moratorium waiver.

12  
13 PART 000 – GENERAL PURPOSE AND APPLICABILITY

14  
15 **30.43F.010 Authority and purpose.**

16 This chapter is established pursuant to the Forest Practices Act, chapter 76.09 RCW, which  
17 provides for the county's regulation and enforcement of certain forest practices on lands  
18 intended for conversion to nonforestry uses within the county's jurisdictional boundaries. This  
19 chapter also sets forth procedures and criteria for the department's review of conversion option  
20 harvest plans (COHPs) and the department's imposition, lift, and waiver of the six-year  
21 development moratorium described in SCC 30.43F.220.

22  
23 **30.43F.020 Definitions.**

24 The definitions contained in RCW 76.09.020 of the Forest Practices Act and in WAC 222-16-  
25 010 and 222-16-050 of the Forest Practice Act's implementing regulations shall apply to all  
26 terms used in this chapter, provided that the definitions contained in this title 30 of the SCC shall  
27 be applicable where not in conflict with the above-referenced Forest Practices Act and the  
28 Forest Practice Act's implementing regulations. In the event of any conflict between the  
29 definitions, the definitions in chapter 222-16 WAC shall prevail.

30  
31 **30.43F.030 Applicability.**

32 This chapter applies to the following:

33 (1) The following forest practices on lands within the county's jurisdiction:

34 (a) Forest practices classified as Class I, II, III, IV-General, and IV-Special that are conducted  
35 within urban growth areas designated under RCW 36.70A.110, except for forest practices on  
36 contiguous forest lands equal to or greater than twenty acres where the applicant provides to  
37 the department and the Washington State Department of Natural Resources a written statement  
38 of intent, signed by the forest landowner, not to convert to a use other than growing commercial  
39 timber for ten years; and

40 (b) Forest practices classified as Class IV-General that are conducted outside urban growth  
41 areas designated under RCW 36.70A.110 and involve either timber harvest, road construction,  
42 or both on:

43 (i) Forest lands that are being converted to another use; or

44 (ii) Lands, and the associated subject site, that the applicant has declared will not be  
45 reforested under RCW 76.09.070 because of the likelihood of future conversion to urban  
46 development.

47 (2) Review of conversion option harvest plans (COHPs).

48 (3) The imposition, lift, and waiver of the six-year development moratorium described in SCC  
49 30.43F.220.

1  
2 **30.43F.040 Exemptions.**

3 The provisions of this chapter shall not apply to:

- 4 (1) Forest practices regulated exclusively by the Washington State Department of Natural  
5 Resources pursuant to chapter 76.09 RCW;  
6 (2) The removal of less than five thousand board feet of timber (including live, dead, and down  
7 material) for personal use in any twelve-month period;  
8 (3) The removal of trees which have been grown to be sold as Christmas trees or used in  
9 landscaping such as trees sold by commercial nurseries;  
10 (4) The abatement of an emergency, such as the removal of trees necessary to protect the  
11 safety of persons or property from clear and imminent danger;  
12 (5) Landscape maintenance or pruning which does not impair the health or survival of trees  
13 required to be retained or planted pursuant to this chapter; and  
14 (6) The removal of trees in the public right-of-way as required by the county engineer for the  
15 purpose of public safety or for the maintenance of existing public roads and existing facilities,  
16 consistent with chapter 76.09 RCW.

17  
18 **30.43F.050 Relationship to other regulatory requirements.**

19 (1) Compliance with federal and state regulations. Applications filed pursuant to this chapter  
20 shall comply with all applicable federal and state regulations, including but not limited to chapter  
21 76.09 RCW and title 222 WAC. Where other agencies or entities have concurrent jurisdiction  
22 over the proposed forest practice or development, and the department determines that the  
23 permit conditions imposed by such agencies or entities satisfy the requirements of this chapter,  
24 then those permit conditions may be relied upon for the purpose of determining compliance with  
25 the requirements of this chapter.

26 (2) Compliance with other provisions of the Snohomish County Code. Applications and plans  
27 filed pursuant to this chapter shall comply with all applicable provisions of the Snohomish  
28 County Code.

29  
30 **30.43F.060 Administration and enforcement.**

31 (1) Permit, recording, and review fees associated with this chapter shall be in accordance with  
32 the schedule of fees in chapter 30.86 SCC.

33 (2) The enforcement of this chapter shall be under chapter 30.85 SCC.

34 (3) Failure to comply with the requirements of this chapter may result in the imposition of a six-  
35 year development moratorium described in SCC 30.43F.220.

36  
37 **30.43F.070 Right of entry.**

38 By submitting an application under this chapter, the applicant consents to entry upon the subject  
39 site by the department during regular business hours for the purposes of making reasonable  
40 inspections to verify information provided by the applicant and to verify that work is being  
41 performed in accordance with the approved plans and permits and the requirements of this  
42 chapter.

43  
44 **30.43F.080 Notification to the Washington State Department of Revenue.**

45 The department shall notify the Washington State Department of Revenue within 60 days of  
46 approving a forest practices permit issued under this chapter. Such notification shall include the  
47 following information:

- 48 (1) Landowner's legal name, address, and telephone number;  
49 (2) Decision date of permit; and  
50 (3) Parcel number and legal description (section, township, and range) of the subject site.

PART 100 – PERMIT AND CONVERSION OPTION HARVEST PLAN

**30.43F.100 Class IV-General forest practices – permit required.**

(1) Permit required for Class IV-General forest practices. An approved Class IV-General forest practices permit shall be obtained from the department prior to conducting any forest practices described in SCC 30.43F.030(1).

(2) Procedure. The department shall process a Class IV-General forest practices permit application according to the procedures for a Type 1 administrative decision under chapter 30.71 SCC unless submitted concurrently with a Type 2 application under chapter 30.72 SCC, in which case the Class IV-General forest practices permit application shall be consolidated and processed as a Type 2 permit application. Applications for Class IV-General forest practices permits shall be submitted in compliance with the requirements in SCC 30.70.030, and may be processed concurrently with other development applications.

(3) General requirements. The department shall not issue a Class IV-General forest practices permit unless the following requirements are met:

(a) The applicant submits a completed State Environmental Policy Act checklist;

(b) The applicant has either obtained a land disturbing activity (LDA) permit under chapter 30.63B SCC, or has obtained a determination from the department that an LDA permit is not required; and

(c) The applicant provides verification from the Washington State Department of Natural Resources that the subject site is not and has not been subject to a notice of conversion to nonforestry use under RCW 76.09.060 during the six-year period prior to the submission of the permit application.

(4) Compliance with other conditions. If a Class IV-General forest practices permit is issued in association with any other development permits or approvals, the applicant shall comply with any conditions of approval established in those associated development permits or approvals.

(5) Permit expiration and extension.

(a) A Class IV-General forest practices permit approval shall be valid for 18 months following the date of issuance unless a longer time period has been established through an associated approval issued by the county, in which case the time limits applicable to the associated approval shall apply.

(b) The director may grant, in writing, one extension of time, for a period of not more than 18 months. The extension shall be requested in writing prior to expiration and must demonstrate justifiable cause.

(c) The fee for the permit extension shall be in accordance with chapter 30.86 SCC.

**30.43F.110 Conversion option harvest plan (COHP).**

(1) Optional process. As an alternative to applying for a Class IV-General forest practices permit under SCC 30.43F.100, an applicant may choose to submit an application for a conversion option harvest plan (COHP), as defined in SCC 30.91C.296, that, if approved, may preserve the landowner's option to convert forest land to a non-commercial forest use without subjecting the site to the six-year development moratorium in SCC 30.43F.220.

(2) General requirements for an application for a COHP approval to the department.

(a) An application for a COHP approval shall be submitted in compliance with the submittal requirements in SCC 30.70.030.

(b) An application for a COHP approval shall be submitted prior to submittal of an application for development, and prior to conducting forest practices on the subject site.

(3) The department's review and approval process.

(a) The department shall review applications for COHP approvals for consistency with applicable county regulations and policies, and may inspect the subject site prior to rendering a decision.

1 (b) The applicant has the burden of proving that the application for COHP approval complies  
2 with all applicable laws.

3 (c) The department may approve, approve with conditions, or deny an application for a COHP  
4 approval.

5 (d) The department's approval of a COHP shall not release the applicant from the requirement  
6 to reforest a site under chapter 222-34 WAC.

7 (e) An appeal of the department's decision on an application for COHP approval must state the  
8 basis for the appeal and be submitted in writing to the director within 30 days of the  
9 department's decision date. The director shall issue a written decision on the appeal to the  
10 landowner and to the appellant within 30 calendar days of receipt of the appeal.

11 (4) Recording obligation. After the department has approved the COHP, the applicant shall  
12 record it with the county auditor. The COHP shall be binding upon the landowner and the  
13 landowner's successors in interest.

14 (5) Duration of a COHP approved by the department. The department-approved COHP shall be  
15 valid for a period of two years from the date of approval by the department. .

16  
17 PART 200 – IMPOSITION, LIFT, AND WAIVER OF THE SIX-YEAR DEVELOPMENT  
18 MORATORIUM  
19

20 **30.43F.220 Six-year development moratorium.**

21 (1) Applicability. The department shall impose a six-year development moratorium on a site  
22 when any of the following occurs:

23 (a) The department receives from the Washington State Department of Natural Resources a  
24 notice of conversion to a nonforestry use under RCW 76.09.060.

25 (b) The department discovers a violation of a Class IV-General forest practices permit.

26 (c) The department becomes aware that a landowner converted his or her land to a  
27 nonforestry use without the proper permits or approvals that are required under this chapter.

28 (d) The department discovers that any condition of a conversion option harvest plan (COHP)  
29 approved by the department has been significantly violated.

30 (i) For the purposes of this subsection, a significant violation of a COHP means exceeding the  
31 conditions of the COHP such as, but not limited to:

32 (A) Enlarging the area approved to be harvested, or increasing the volume of timber  
33 approved to be harvested; or

34 (B) Engaging in forest practices within a critical area or a critical area buffer as defined in  
35 chapters 30.62A and 30.62B SCC.

36 (ii) If the department discovers that any condition of a COHP is significantly violated, a six-  
37 year development moratorium shall be recorded from the date the associated forest practice  
38 approval became effective.

39 (2) Duration of the six-year development moratorium. Unless relief is granted under this chapter,  
40 the department shall deny any application for permits or approvals, including building permits  
41 and subdivision approvals, relating to nonforestry uses of land that is subject to the six-year  
42 development moratorium:

43 (a) For a period of six years from the approval date of the applicable forest practices  
44 application or notification issued by the Washington State Department of Natural Resources, or  
45 the date that either the department or the Washington State Department of Natural Resources  
46 discovered the unauthorized harvest activities; or

47 (b) Until the following activities are completed for the subject site:

48 (i) Full compliance with the State Environmental Policy Act (chapter 43.21C RCW), if  
49 applicable;

1 (ii) The Washington State Department of Natural Resources has notified the department that  
2 any outstanding final orders or decisions it has issued concerning the site have been resolved;  
3 and

4 (iii) The department makes a determination that the subject site is in full compliance with the  
5 Snohomish County Code. If full compliance is not found, the landowner must submit to the  
6 department a mitigation plan to address the violations. Required mitigation plans must be  
7 prepared by the landowner and approved by the department. Once approved, the mitigation  
8 plan must be implemented by the landowner.

9 (3) Notification to the landowner of imposition of the six-year development moratorium.

10 (a) The department shall notify the landowner when the following occurs:

11 (i) The department receives a notice of conversion to a nonforestry use from the Washington  
12 State Department of Natural Resources for the subject site; or

13 (ii) The department has identified a violation of this chapter as described in SCC  
14 30.43F.220(1).

15 (b) The notification shall contain the following:

16 (i) Name of landowner and tax parcel number;

17 (ii) Basis for the moratorium;

18 (iii) The effective date of the moratorium; and

19 (iv) Description of the appeal process.

20 (4) Extent of application of the six-year development moratorium. The six-year development  
21 moratorium imposed by the department shall apply to an entire site, unless the applicant can  
22 demonstrate that the area subject to forest practices activities complies with all provisions of the  
23 Snohomish County Code. Where such compliance is demonstrated, the moratorium shall only  
24 apply to those portions of the site that were subject to the actions described in SCC  
25 30.43F.220(1).

26 (5) Appeals.

27 (a) Appeals of a notice of conversion to a nonforestry use issued by the Washington State  
28 Department of Natural Resources can be appealed to the Washington State Pollution Control  
29 Hearings Board under chapter 43.21B RCW.

30 (b) Appeals of the department's imposition of the six-year development moratorium resulting  
31 from actions described in SCC 30.43F.220(1)(b), (c), and (d), can be appealed under the  
32 procedures in SCC 30.71.050.

33 (6) Recording of the six-year development moratorium. The department shall record the six-year  
34 development moratorium with the county auditor after the appeal deadline to challenge the  
35 moratorium has expired, or after all appeals have been resolved if any appeals have been filed.

36  
37 **30.43F.230 Lift of the six-year development moratorium.**

38 (1) An applicant may apply for a lift of a moratorium for a site subject to the six-year  
39 development moratorium described in SCC 30.43F.220. A moratorium lift is the mechanism by  
40 which the six-year development moratorium is removed from the entire site to which it was  
41 applied.

42 (2) Applications.

43 (a) An application to lift the six-year development moratorium shall be processed as a Type 1  
44 permit application under chapter 30.71 SCC unless submitted concurrently with a Type 2  
45 application under chapter 30.72 SCC, in which case the application to lift the moratorium shall  
46 be consolidated and processed as a Type 2 permit application.

47 (b) The applicant shall submit an application in compliance with the submittal requirements in  
48 SCC 30.70.030.

49 (c) The applicant shall submit a completed State Environmental Policy Act checklist.

50 (d) If there are any outstanding forest practice violations on the subject site, written approval  
51 from the Washington State Department of Natural Resources stating that the outstanding final

1 order, decisions, or violations have been corrected must be submitted by the applicant to the  
2 department prior to the department's consideration of the application to lift the moratorium.

3 (e) An applicant may request a pre-application meeting pursuant to SCC 30.70.020 to obtain a  
4 preliminary analysis of how the requirements of this chapter apply to a proposed project.

5 (f) Notice of the application shall be provided pursuant to chapter 30.71 SCC and shall contain  
6 the following the text: "Attention: The proposed application is on land regulated by the  
7 Washington State Forest Practices Act. This Act imposes a moratorium that is enforced by  
8 Snohomish County on conversions of land to nonforestry uses. Snohomish County may lift the  
9 moratorium if it finds that the proposed application complies with the criteria in SCC  
10 30.43F.230(3)."

11 (3) Review criteria. Lifting of a six-year development moratorium imposed under this chapter  
12 shall be granted when all of the following criteria are met:

13 (a) The forest practices conducted on the site meet the standards set forth in chapter 76.09  
14 RCW; and

15 (b) Corrective actions are completed which would bring the forest practices into compliance  
16 with all applicable provisions of the Snohomish County Code.

17 (4) Appeal. If the application to lift the moratorium was processed as a Type 1 permit, then the  
18 process to appeal a decision regarding a moratorium lift is pursuant to SCC 30.71.050. If an  
19 application was processed as a Type 2 permit, then the process to appeal a decision regarding  
20 a moratorium lift is pursuant to SCC 30.72.070.

21 (5) Recording the lift of the six-year development moratorium. The applicant shall record the  
22 lifting of the six-year development moratorium with the county auditor after the appeal deadline  
23 to challenge the lifting of the moratorium has expired, or after all appeals have been resolved if  
24 any appeals have been filed.

### 25 26 **30.43F.240 Request for single-family dwelling moratorium waiver.**

27 (1) An applicant may apply for a waiver of a six-year development moratorium for up to two  
28 acres of a site subject to the six-year development moratorium described in SCC 30.43F.220. A  
29 moratorium waiver is the mechanism by which the six-year development moratorium is removed  
30 from a portion of a site, not to exceed two acres, solely for the construction of one single-family  
31 dwelling, permitted accessory structures, lawn and landscaped area, and access road, together  
32 with site development activities necessary to construct the dwelling, subject to the procedures  
33 and conditions described in this section SCC 30.43F.240. If the waiver is granted, the six-year  
34 development moratorium shall remain in effect for the remainder of the subject site.

35 (2) Applications.

36 (a) An applicant shall submit an application for a single-family dwelling moratorium waiver in  
37 compliance with the submittal requirements in SCC 30.70.030.

38 (b) A binding written commitment must be submitted to and approved by the department, and  
39 recorded by the applicant with the county auditor, so as to run with the subject parcel(s) which:

40 (i) Contains a site plan depicting the building site area, any critical areas within the building  
41 site area, and access roads;

42 (ii) Affirms that critical areas or critical area buffers have not been damaged or damage to  
43 critical areas or critical area buffers have been restored, pursuant to chapter 30.62A SCC; and

44 (iii) Commits the applicant to complete the reforestation in accordance with applicable forest  
45 practices reforestation requirements for areas other than the building site area.

46 (3) Review Criteria. The department may approve an application for a single-family dwelling  
47 moratorium waiver on land subject to a development moratorium if all of the following criteria are  
48 satisfied:

49 (a) The parcel has legal lot status;

50 (b) The building site area proposed for development shall not exceed two acres in size;



1 (c) Aside from the actions described in SCC 30.43F.220(1) that triggered imposition of the six-  
2 year development moratorium, the site is in compliance with all applicable provisions of the  
3 Snohomish County Code;

4 (d) The single-family waiver of the six-year development moratorium will not be detrimental to  
5 the public health, safety, and general welfare;

6 (e) The single-family waiver of the six-year development moratorium will not be injurious to the  
7 property or improvements adjacent to and in the vicinity of the proposal; and

8 (f) The single-family waiver of the six-year development moratorium will not result in significant  
9 adverse environmental impacts.

10 (4) Appeal. An appeal of the department's decision on an application for a waiver from the six-  
11 year development moratorium must state the basis for the appeal and be submitted in writing to  
12 the director within 30 days of the decision date. The director shall issue a written decision on the  
13 appeal to the landowner and to the appellant within 30 calendar days of receipt of the appeal  
14 request. The director's decision constitutes a final decision.

15  
16 Section 5. Snohomish County Code Section 30.71.020, last amended by Amended  
17 Ordinance No. 13-007 on September 11, 2013, is amended to read:

18  
19 **30.71.020 Type 1 permits and decisions.**

20 The following are processed as Type 1 administrative decisions:

21 (1) Administrative conditional use permit;

22 (2) Binding site plan approval;

23 (3) Boundary line adjustment, except as provided in 30.41E.020 SCC;

24 (4) Building and land disturbing activity permits subject to SEPA review pursuant to chapter  
25 30.61 SCC, or subject to conditions imposed pursuant to chapter 30.32D;

26 (5) Free standing signs in the FS and RFS zones;

27 (6) Code interpretations;

28 (7) Flood hazard permit, except as provided in SCC 30.43C.020;

29 (8) Flood hazard variance;

30 (9) Freeway service zone official site plan (existing FS zone);

31 (10) Shoreline substantial development permit, shoreline conditional use, and shoreline  
32 variance, except when processed as a Type 2 decision pursuant to SCC 30.44.210;

33 (11) Short subdivision approval with no dedication of a new public road right-of-way;

34 (12) Variance;

35 (13) Single-family detached units applications pursuant to chapter 30.41F SCC;

36 (14) Administrative site plan pursuant to SCC 30.23A.100; ~~((and))~~

37 (15) Minor development activities and the expansion of an existing structure containing a  
38 permitted use in the UC zone as provided in SCC 30.34A.180(1) that require a permit or land  
39 use approval application and are subject to SEPA review pursuant to chapter 30.61 SCC, or  
40 subject to conditions imposed pursuant to chapter 30.32D SCC((-));

41 (16) Class IV-General forest practices permit, except when processed as a Type 2 decision  
42 pursuant to SCC 30.43F.100; and

43 (17) Application to lift a six-year development moratorium, except when processed as a Type 2  
44 decision pursuant to SCC 30.43F.230.

45  
46 Section 6. Snohomish County Code Section 30.86.400, last amended by Ordinance No. 15-  
47 005 on March 18, 2015, is amended to read:

1 **30.86.400 Construction Code fees.**

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

5 (2) **Outstanding fees.** Any outstanding fees or portions of fees shall be added to the required  
 6 fee(s) of any future plan review or permit prior to application acceptance or permit issuance. Any  
 7 fee shall not relieve the applicant from a duty to obtain permits for moving buildings upon roads  
 8 and/or highways from the appropriate authorities. The permit fee for construction of a new  
 9 foundation, enlargement, or remodeling of the move-in building shall be in addition to the pre-  
 10 move fee. The fee for any factory built structure as approved by the Washington State  
 11 Department of Labor and Industries is specified in SCC 30.86.440 under mobile homes.

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

13  
 14 **Table 30.86.400(3) - COMMERCIAL AND RESIDENTIAL OCCUPANCIES DEFINED**

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

16  
 17 (4) **Commercial pre-application review.**<sup>(1)</sup>

18  
 19 **Table 30.86.400(4) - COMMERCIAL PRE-APPLICATION REVIEW**

REVIEW FEE <sup>(2)</sup>	\$400
SITE REVIEW (at applicants request)	\$100
ADDED SERVICES REQUEST	\$60/hour
REVIEW FEE FOR PLAYING FIELDS ON DESIGNATED RECREATIONAL LAND IN ACCORDANCE WITH SCC 30.28.076	\$0/hour
<b>Reference notes:</b>  (1) Prior to making application for a commercial building permit, an applicant may request pre-application review to learn about submittal requirements. The department will provide a written outline of requirements, and may include identification of site-specific issues when known, depending on the detail and scope of the submitted materials.  (2) Includes a conference with only a senior planner in attendance, and does not include review of detailed construction plans and specifications.	

21  
 22 (5) **Base permit fees.**<sup>(1)</sup>

23  
 24 **Table 30.86.400(5) - BASE PERMIT FEES**

COMMERCIAL	\$250
COMMERCIAL PLUMBING	\$125
COMMERCIAL MECHANICAL	\$125
COMMERCIAL MECHANICAL AND PLUMBING (not in conjunction with a commercial building permit)	\$125
MECHANICAL, PLUMBING, OR MECHANICAL, AND PLUMBING	\$80
RESIDENTIAL	\$80

<b>COMMERCIAL REVIEW FEE FOR PLAYING FIELDS ON DESIGNATED RECREATIONAL LAND IN ACCORDANCE WITH SCC 30.28.076</b>	<b>\$0</b>
<b>Reference notes:</b>	
(1) Base fees shall compensate the department for preliminary application screening and the establishment and administration of the permit application file.	

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**(6) Plan review fees.<sup>(1)</sup>**

**Table 30.86.400(6) - PLAN REVIEW FEES**

<b>PLAN, DRAWING, OR DOCUMENT BEING REVIEWED</b>	
• R-3 and U Occupancies for residential purposes	65% of building permit fee
• A, I, R-1, R-2, R-4, E, H, F, M, S, U and B Occupancies	85% of building permit fee
<b>EXCEPTIONS</b>	
<b>Successive construction (2) (3)</b>	
• R-3, U-1 and U-3 Occupancies	20% of building permit fee
• R-1 Occupancies	45% of building permit fee
The plan review fee shall be supplemented for A, I, R-1, R-2, R-4, E, H, F, M, S, U and B Occupancies as follows:	
• Commercial permit application for 1 or more buildings or additions requiring site review	\$640
• Commercial permit application for 1 or more buildings or additions with a previously approved official site plan	\$500
• Tenant improvements not requiring site plan review	\$100
<b>ADDITIONAL REVIEW (4)</b>	\$200 or 25% of the plan review fee, whichever is less.
<b>PLAN REVIEW FEE FOR PLAYING FIELDS ON DESIGNATED RECREATIONAL LAND IN ACCORDANCE WITH SCC 30.28.076</b>	\$0.
<b>APPLICATION EXTENSION</b>	The fee for the permit application extension includes a percentage of the original plan review fee equal to the percentage of work completed plus a \$400 administration fee.
<b>Reference notes:</b>	
(1) Plan review fees shall compensate the department for the plan review necessary to determine compliance with the adopted construction codes and other county regulations.	
(2) A plan review fee for successive construction will be assessed where more than one building or structure is proposed to be constructed in accordance with a single basic plan for the following classifications of buildings and structures:	
(a) Group R occupancies.	
(b) Garages, carports, storage buildings, agricultural buildings, and similar structures for private use.	
(3) Procedures for approval of basic plans for successive construction shall be established by the director.	
(4) This fee is charged whenever an applicant re-submits documents failing to make county-required corrections noted on "markup" plans, drawings, or such other documents during plan review; or whenever as a result of changes, additions, or revisions to previously approved plans, drawings or such other documents, a subsequent plan review is required.	

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

**Table 30.86.400(7) - BUILDING PERMIT FEES**

TOTAL BUILDING/STRUCTURAL VALUATION <sup>(2)</sup>	PERMIT FEE <sup>(3)(4)</sup>
\$1-\$500	\$23.50
\$501-\$2,000	\$23.50 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, including \$2,000
\$2001-\$25,000	\$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000 or fraction thereof, including \$25,000
\$25,001-\$50,000	\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000 or fraction thereof, including \$50,000
\$50,001-\$100,000	\$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000 or fraction thereof, including \$100,000
\$100,001-\$500,000	\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof, including \$500,000
\$500,001-\$1,000,000	\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof, including \$1,000,000
Over \$1,000,000	\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000 or fraction thereof.
<b>FIRE SPRINKLER SYSTEM PLAN REVIEW</b>	100% of valuation plus \$1.50/square foot
<b>BUILDING/STRUCTURAL PERMITS INCLUDING REQUIRED FIRE SPRINKLER SYSTEM PLANS</b>	100% of valuation plus \$1.50/square foot
<b>PERMIT EXTENSION</b>	The fee for the permit extension includes a percentage of the original permit fee equal to the percentage of work to be completed.
Reference notes:	
(1) Permit fees shall compensate the department for inspections necessary to determine compliance with the adopted construction codes, other county regulations, and the approved plan. The fee table shall be applied separately to each building within a project and used for the calculation of all plan review and permit fees, except those for which a separate permit fee is required to be paid in accordance with title 30 SCC.	
(2) The department shall use the building valuation multipliers provided in the most current building valuation data (BVD) published by the International Code Council that is in effect on January 1 of the year in which the permit is applied for by the applicant.	
(3) Permit fees for playing fields on designated recreational land in accordance with SCC 30.28.076 shall be set at \$0, regardless of valuation. All buildings on the site shall be permitted on one permit.	
(4) For new construction of Group R-3 occupancies, a fee of 11 percent of the building permit fee shall apply for mechanical and plumbing inspections. (See SCC 30.86.410 and 30.86.420)	

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2 (8) Certificates of occupancy/changes of use fees.  
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**Table 30.86.400(8) - CERTIFICATES OF OCCUPANCY/CHANGE OF USE FEES**

<b>CERTIFICATE OF OCCUPANCY</b>	
Home occupation in detached accessory structures	\$100
Temporary or final, when applicant requests phased issuance for each structure or structures	\$100
<b>COMMERCIAL BUILDING CHANGE OF USE OR OCCUPANCY <sup>(1)</sup></b>	
Under 10,000 square feet	\$250
Over 10,000 square feet	\$500
<b>Reference note:</b>	
(1) This fee shall be deducted from the permit fee if a permit is required.	

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7 (9) Special inspections and investigation fees.  
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**Table 30.86.400(9) - SPECIAL INSPECTIONS AND INVESTIGATION FEES**

<b>BUILDING AND MOBILE HOME PRE-MOVE INSPECTIONS</b>	
Snohomish County inspection	\$60/hour-2 hour min
Outside Snohomish County inspection for move to Snohomish County	\$120 plus County's standard mileage rate/mile
<b>INSPECTIONS OUTSIDE NORMAL COUNTY BUSINESS HOURS</b>	\$60/hour-2 hour min
<b>INSPECTIONS FOR WHICH NO FEE IS OTHERWISE INDICATED</b>	\$60/hour -2 hour min
<b>REINSPECTION FEE <sup>(1)</sup></b>	\$60
<b>INVESTIGATION PENALTY <sup>(2)</sup></b>	100% of permit fee
<b>Reference notes:</b>	
(1) A fee assessed for work requiring an inspection or re-inspection when said work is not complete at the last inspection or re-inspection. No further inspection or re-inspection of the work will be performed until the required fees have been paid.	
(2) A penalty charged for work requiring a permit, which is commenced without first obtaining said permit. This penalty shall be collected regardless of whether a permit is subsequently issued or not.	

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12 (10) Miscellaneous review and permit fees. <sup>(1)</sup>  
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**TABLE 30.86.400(10) - MISCELLANEOUS REVIEW AND PERMIT FEES**

<b>PRE-APPLICATION SITE REVIEW</b> (\$200 to be applied towards site review/permit fees at time of application)	\$250
<b>ACCESSORY BUILDINGS LESS THAN 1000 SQUARE FEET</b>	50% of site review fee
<b>BUILDING ADDITIONS</b>	50% of site review fee
<b>((CONVERSION OPTION HARVEST PLAN REVIEW))</b>	<b>(((\$300))</b>
<b>((Sites larger than 10 acres))</b>	<b>(((\$5/acre))</b>
<b>COMPLETION PERMIT</b>	\$50
<b>CONDOMINIUM CONVERSION PERMIT (per unit)</b>	\$50

DECK PERMIT	\$50
DEMOLITION PERMIT	\$50
DOCK PERMIT	\$50
FIREPLACE PERMIT	\$50
SWIMMING POOL PERMIT	\$50
TEMPORARY BUILDING PERMIT	\$50
TITLE ELIMINATION	\$30
LOT STATUS DETERMINATION	\$120 per tax parcel researched. No fee if submitted with a subdivision or building permit application
PRE-APPLICATION DESIGN REVIEW	\$2,500
ROOFING PERMIT <sup>(2)</sup>	
11 to 25 squares	\$37
More than 25 squares	\$55
SITE REVIEW FOR NEW BUILDINGS OR ADDITIONS (3)	\$100
SUCCESSIVE CONSTRUCTION SET-UP FEE	\$200
<b>Reference notes:</b> (1) These fees are charged in addition to building/structural plan and permit fees. (2) No permit is required for use of 10 squares or less of roofing material. (3) If permits are sought for more than one lot within the same subdivision and the subdivision has been recorded within the previous year, and all the permit applications are submitted at the same time, the first lot's site review fee shall be for the full amount and the site review fee for each of the other lots shall be one-half the full fee amount.	

Section 7. A new section is added to Chapter 30.86 of the Snohomish County Code to read:

**30.86.505 Forest practice fees.**

**TABLE 30.86.505 – FOREST PRACTICES APPLICATION FEES**

Forest practice permits and approvals may require other permits or approvals and associated fees not listed in this section.

Application for Class IV-General forest practices permit	\$ 760
Application for conversion option harvest plan (COHP) approval	\$ 900
Application to lift a six-year development moratorium	\$ 1,600
Application for single-family dwelling moratorium waiver	\$ 760

Section 8. Severability and Savings. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid by the Growth Management Hearings Board (Board), or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by the Board or unconstitutional by a court of competent jurisdiction, then the section, sentence, clause or phrase in effect prior to the effective date of this ordinance shall


1 be in full force and effect for that individual section, sentence, clause or phrase as if this  
2 ordinance had never been adopted.

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5 PASSED this 3<sup>rd</sup> day of June, 2015.  
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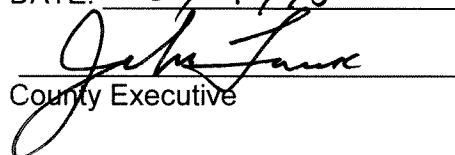
8 SNOHOMISH COUNTY COUNCIL  
9 Snohomish County, Washington

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12  
13 Dave Somers, Council Chair  
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15 ATTEST:

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18  
19 Debbie Eco  
20 Clerk of the Council  
21

22  
23  APPROVED  
24  EMERGENCY  
25  VETOED  
26

27  
28 DATE: 6/9/15  
29   
30 County Executive  
31

32  
33 ATTEST:

34   
35  
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37  
38 Approved as to form only:  
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41 \_\_\_\_\_  
42 Deputy Prosecuting Attorney  
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