

1 ADOPTED: 04/04/18
2 EFFECTIVE: 04/20/18

3 SNOHOMISH COUNTY COUNCIL
4 Snohomish County, Washington

5
6 AMENDED ORDINANCE NO. 18-021

7
8 RELATING TO FEES REQUIRED FOR COUNTY REVIEW
9 OF APPLICATIONS FOR AMENDMENTS TO THE COMPREHENSIVE
10 PLAN MAP PROPOSED UNDER CHAPTER 30.74 SCC;
11 AMENDING CHAPTER 30.86 SCC
12

13 WHEREAS, under RCW 82.02.020, the county may collect reasonable fees from an
14 applicant to cover the cost to the county for processing applications, inspecting and reviewing
15 plans, or preparing detailed statements required by chapter 43.21C RCW; and
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17 WHEREAS, chapter 30.86 SCC establishes fees required to be paid by applicants to
18 cover the cost to the county for processing applications, inspecting and reviewing plans, or
19 preparing detailed statements required by chapter 43.21C RCW, related to the administration of
20 the Unified Development Code (title 30 SCC); and
21

22 WHEREAS, the county's fee schedule was amended in 2007 in Amended Ordinance
23 No. 07-108 to include fees for an initial review of comprehensive plan map amendment docket
24 applications; and
25

26 WHEREAS, the County Council amended the county's Growth Management Act Public
27 Participation Program Docketing procedures on November 29, 2018, via Ordinance No. 17-100,
28 to provide flexibility for the County Council to modify or supplement docket applications in
29 certain circumstances; and
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31 WHEREAS, during council consideration of Ordinance No. 17-100, the department of
32 Planning and Development Services (PDS) raised the issue of county recovery of costs
33 associated with reviewing modified or alternative docket proposals; and
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35 WHEREAS, the County Council wishes to address county recovery of costs associated
36 with reviewing modified or alternative docket proposals by implementing a fee, with a rate that is
37 consistent with the existing rate for an initial review of a comprehensive plan map amendment
38 docket application;
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40 NOW, THEREFORE, BE IT ORDAINED:
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42 Section 1. The County Council adopts the foregoing recitals as findings of fact as if set
43 forth in full herein.
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2 Section 2. The County Council makes the following additional findings of fact:
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- 4 A. In 2007, PDS used timekeeping data to determine an average of 32.82 employee hours was
5 spent per application on the preliminary processing of comprehensive plan docket
6 applications, not including county-initiated amendments. Based on that analysis and
7 employee hourly rates in 2007, which do not include overhead costs, the labor cost in 2007
8 of this service for an initial review of a comprehensive plan map amendment docket
9 application was \$1,555.
10
11 B. The County Council finds that the department's analysis of processing time for an initial
12 review of a comprehensive plan map amendment docket application remains valid.
13
14 C. The County Council takes note of an approximately 32% increase in employee hourly rates
15 between 2007 and 2017 but, nevertheless, finds that a conservative application of fees for
16 docket applications is appropriate and a \$1,555 fee rate for this initial review service on new,
17 modified, or alternative docket proposals is fair and appropriate.
18
19 D. Procedural Requirements.
20
21 1. This ordinance is consistent with state law and chapter 30.73 SCC.
22
23 2. The code amendments contained in this ordinance do not constitute development
24 regulations. The amendments are considered procedural legislation and are exempt
25 from Planning Commission review under SCC 30.73.040(2)(b).
26
27 3. This action is considered procedural and is exempt from the State Environmental
28 Policy Act (SEPA), chapter 43.21C RCW, review pursuant to WAC 197-11-
29 800(19)(b) and SCC 30.61.030.
30
31 4. The public participation process used in the adoption of this ordinance has complied
32 with all applicable requirements of the GMA and the SCC.
33
34 E. These amendments are consistent with the record.
35
36 F. The code amendments are consistent with the requirements of the GMA and are guided by
37 and supportive of the GMA planning goals found in RCW 36.70A.020 including: "(11) Citizen
38 participation and coordination. Encourage the involvement of citizens in the planning
39 process and ensure coordination between communities and jurisdictions to reconcile
40 conflicts."
41

42 Section 3. Based on the foregoing findings of fact, the County Council makes the
43 following conclusions:
44

- 45 A. The code amendments are consistent with the goals, objectives and policies of the county's
46 comprehensive plan.
47
48 B. The code amendments are consistent with and comply with the procedural and substantive
49 requirements of the GMA.
50

1 C. The code amendments are consistent with Washington State law and the Snohomish
2 County Code.

3
4 D. The county has complied with all SEPA requirements in respect to this non-project action.

5
6 Section 4. The County Council bases its findings and conclusions on the entire record of
7 the County Council, including all testimony and exhibits. Any finding, which should be deemed
8 a conclusion, and any conclusion which should be deemed a finding, is hereby adopted as
9 such.

10
11 Section 5. Snohomish County Code Section 30.86.700, added by Amended Ordinance
12 No. 07-108 on November 19, 2007, is amended to read:

13
14 **30.86.700 DOCKETED COMPREHENSIVE PLAN MAP AMENDMENT FEES.**

15

Pre-Application	\$0
Initial Review	\$1,555
<u>Review of Modified or Alternative Docket Application under SCC 30.74.050(3)(c) or SCC 30.74.050(3)(d) ¹</u>	<u>\$1,555</u>
Final Review	\$2,275
SEPA Review	See SCC 30.74.070

(1) A person who has submitted an application for a comprehensive plan map amendment will be notified by certified mail when the county council puts forth for consideration a modified or alternative proposal under SCC 30.74.050(3)(c) or SCC 30.74.050(3)(d) and that a fee is due. If the required fees remain unpaid after 30 days from the date an applicant receives a notice by certified mail that payment is due, the department shall discontinue action on the amendment, and the county council shall determine whether to provide additional time for the applicant to pay the fee or not further process the modified or alternative docket application.

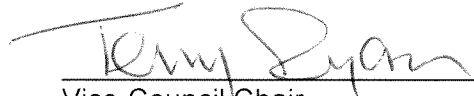
16
17 Section 6. It is the intent of the County Council that this ordinance apply to any modified
18 or alternative docket proposal under SCC 30.74.050(3)(c) or SCC 30.74.050(3)(d), including
19 those that result from applications submitted under chapter 30.74 SCC for amendments to
20 Snohomish County's comprehensive plan or development regulations that were pending as of
21 the effective date of this ordinance.

22
23 Section 7. Severability. If any section, sentence, clause or phrase of this ordinance is
24 held to be invalid by the Growth Management Hearings Board ("Board"), or unconstitutional by a
25 court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
26 constitutionality of any other section, sentence, clause or phrase of this ordinance. Provided,
27 however, that if any section, sentence, clause or phrase of this ordinance is held to be invalid by
28 the Board or a court of competent jurisdiction, then the section, sentence, clause or phrase in
29 effect prior to the effective date of this ordinance shall be in full force and effect for that
30 individual section, sentence, clause or phrase as if this ordinance had never been adopted.

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PASSED this 4th day of April, 2018.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Vice-Council Chair

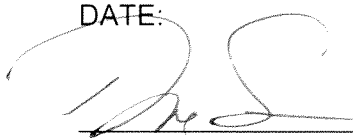
ATTEST:



Clerk of the Council

- APPROVED
- EMERGENCY
- VETOED

DATE:

 4/19/18

County Executive

ATTEST:



Approved as to form only:

Deputy Prosecuting Attorney