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SNOHOMISH COUNTY COUNCIL

ORDINANCE NO. 85-078

AMENDED



CO00027671

AMENDING SNOHOMISH COUNTY CODE,
TITLE 21, CHAPTER 21.16,
RELATING TO NOTIFICATION

BE IT ORDAINED:

Section 1. That SCC, Title 21, section 21.16.040, enacted by Ordinance adopted December 29, 1980, is amended to read:

21.16.040 Notice of Requirement.

1) Upon receipt of a complete and proper application for a substantial development, conditional use, or variance permit, the [~~Office of Community Planning~~] planning division shall instruct the applicant to:

a) publish notices thereof at least once a week on the same day of the week for two consecutive weeks in a newspaper of general circulation within Snohomish County at least 30 days prior to action; and

b) mail notice at least 30 days prior to action to the latest [~~recorded real property owners~~] taxpayers of record, as shown by the records of the County Assessor, within [~~three~~] five hundred feet of the boundary of the property upon which the substantial development, conditional use, or variance is proposed. At the discretion of the [~~Office of Community Planning~~] planning division, posting of the notice in at least three conspicuous places in the area under consideration may be substituted for mailed notice.

Provided, that if the [~~Office of Community Planning~~] planning division can determine, immediately upon receipt of a complete and proper application for a substantial development, conditional use, or variance permit, that a public hearing is required pursuant to Section 21.16.050, then the notice requirement of this section shall be waived, and notice shall be provided in accordance with the provisions of Section 21.16.070(3).

2) An affidavit that the notice has been properly published, and deposited in the U.S. mail or posted as applicable, shall be

submitted by the applicant to the [~~Office of Community Planning~~] planning division, prior to county action on the permit application.

3) All notices of application for substantial development, conditional use, or variance permits shall be in the form described in WAC 173-14-070. Notice forms shall be supplied by the [~~Office of Community Planning~~] planning division.

Section 2. That SCC, Title 21, section 21.16.070, enacted by ordinance adopted December 29, 1980, is amended to read:

21.16.070 County Action on Permit Applications Requiring Public Hearing.

1) The [~~Office of Community Planning~~] planning division shall notify the applicant, in writing, of the requirement for a hearing as soon as possible following the receipt of a complete and proper application for a substantial development, conditional use, or variance permit and, in no case, later than thirty days following the publication of the second notice described in Section 21.16.040, unless a longer period is agreed to, in writing, by the applicant.

2) Within a reasonable time following the determination of the [~~Office of Community Planning~~] planning division that a public hearing should precede the issuance or denial of a substantial development, conditional use, or variance permit, the [~~Office of Community Planning~~] planning division shall schedule the application for public hearing before the Hearing Examiner. Said hearing shall not be scheduled until the requirements of the State Environmental Policy Act and Snohomish County Environmental Policy Ordinance have been fulfilled, and fees according to Section 21.16.030(2) have been paid.

3) The [~~Office of Community Planning~~] planning division shall publish notice of the date, time, place, and purpose of the hearing in a newspaper of general circulation in the County, at least fifteen (15) calendar days prior to the hearing. Provided, that if notice of the proposed substantial development, conditional use, or variance permit was not published pursuant to Section 21.16.040, the [~~Office of Community Planning~~] planning division shall publish notice once a week, on the same day of the week for two consecutive weeks, in a newspaper of general circulation in Snohomish County. The second publication of said notice shall occur at least fifteen calendar days prior to the hearing. In addition, at least fifteen (15) days prior to the hearing the [~~Office of Community Planning~~] planning division shall [~~either~~] mail notice of the hearing to [~~property owners of~~] taxpayers of record within [~~three~~] five hundred (500) feet of the property considered[~~(7-07)~~]. In addition the applicant shall post the

notice in at least three conspicuous places on the subject property at least fifteen (15) days prior to the hearing. Said notice shall be in the following form:

NOTICE OF APPLICATION FOR SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT, CONDITIONAL USE, OR VARIANCE PERMIT (Use appropriate permit)

NOTICE IS HEREBY GIVEN that _____, who is (state full name)

_____ (describe relationship to property, such as owner, lessee, etc.)

of the below described property, has filed an application for a _____ permit for the (Substantial development, conditional use, or variance) development of _____

at _____ (street address, if known, or distance and direction to nearest town),

within the _____ quarter section of Section _____, Township _____ N, Range _____ E, W.M., in the County of Snohomish, Washington. Said development is proposed to be within _____

(name of water area) and/or its associated wetlands. There will be a public hearing on the above described permit, conducted by the Snohomish County Land Use Hearing Examiner on _____ at _____, (date) (time)

in the _____, Administration (place)

Building, Snohomish County Courthouse, Everett, Washington. Any person desiring to express his views or to be notified of the action taken on this application should submit oral or written comments at the public hearing, or notify the Snohomish County Planning Department, in writing, within 30 days of _____ (last date of publication)

Publication dates of this notice are _____ and _____.

4) The Hearing Examiner shall consider the proposed substantial development, conditional use, or variance permit based on information from the application; observations from a site inspection; written

comments from interested persons; the advice of the various County departments; and views expressed during a public hearing. The Hearing Examiner may request that an applicant furnish information concerning a proposed substantial development, conditional use, or variance permit, in addition to information required in an application. The decision of the Hearing Examiner shall be the final county decision, unless appealed to the Council pursuant to Chapter 2.02 SCC.

Section 3. The effective date of this ordinance shall be October 1, 1985.

Dated this 14th day of August, 1985.

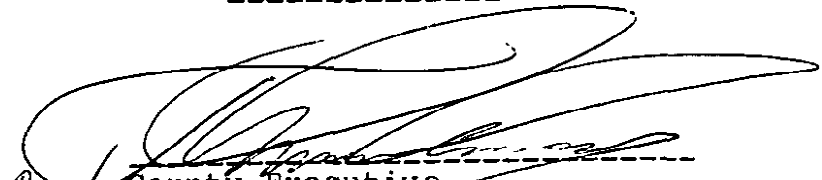
SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairman


Clerk of the Council

- () APPROVED
- () EMERGENCY
- () VETOED

DATE 8-21-85


Deputy County Executive

PUBLISHED _____

_____, DPA

Approved as to form