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SNOHOMISH COUNTY COUNCIL



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AMENDED

EMERGENCY ORDINANCE NO. 90-200

AMENDING SNOHOMISH COUNTY CODE  
TITLE 20, CHAPTER 20.20  
RELATING TO PUBLIC NOTICE AND APPEALS OF  
SHORT SUBDIVISION APPROVALS/DENIALS

BE IT ORDAINED:

Section 1. That SCC, Title 20, section 20.20.040, last amended by Ord. No. 85-076, adopted August 14, 1985, is amended to read:

20.20.040 Identification marker posting ((and notification)). The subdivider shall, for identification purposes only, cause markers of a type approved by the county to be placed upon each of the road frontage corners of the subject land and maintain them thereon during the period extending from the time of short subdivision application to the time of final county action for the purpose of permitting field checks of the proposed short subdivision.

~~((The county shall mail notification to adjoining taxpayers of record at least fifteen days prior to conditional approval or at least fifteen days prior to final approval when no conditional approval is warranted. In addition, the county shall mail notice to the department of transportation on every application located adjacent to the right-of-way of a state highway at least fifteen days prior to conditional approval or at least fifteen days prior to final approval when no conditional approval is warranted.))~~

NEW SECTION: Section 2. That a new section is added to SCC, Title 20, Chapter 20.20, to read as follows:

20.20.045 Public notice and commenting.

(1) Public notice shall be given for preliminary short plat applications. Such notice shall solicit comments on the preliminary short subdivision and shall be given within fifteen (15) days after application submittal as follows:

(a) Mailing to all taxpayers of record and known site addresses within five hundred feet of the subject property and contiguous property owned by applicant and, where the application

is located adjacent to a right-of-way of a state highway, to the state department of transportation.

(b) Publication in a newspaper of general circulation in the county, or general area where the proposal is located; and

(c) Posting on the subject property by the applicant at his/her own expense, of at least two signs, one on each frontage abutting a public right-of-way or, where no public right-of-way exists, at the point of access to the property. Posting shall be evidenced by submittal of a verified statement confirming the date and location of posting. The signs shall remain posted on the property through the comment period provided for in subsection (3) of this section.

(2) Public notice may be given at the discretion of the department to community organizations of record. Such notice shall solicit comments on the preliminary short subdivision and shall be given within fifteen (15) days after application submittal.

(3) Comments on the preliminary short subdivision shall be returned to the Planning Department within 15 days of the notice given pursuant to subsection (1)(b) above.

(4) Public notice of preliminary short subdivision approval, and final short subdivision approval where no preliminary approval is given, shall be as follows:

(a) Mailing to all parties that have provided written comments on the preliminary short plat or requested such notification; and

(b) Posting on the subject property by the applicant, at his/her own expense, in a manner consistent with subsection (1)(c) above.

(5) Public notice of short subdivision denial shall be given pursuant to subsection (4)(a) above, and shall also be mailed to the applicant.

The notice shall specify the appeal process available and deadline for filing appeals pursuant to section 20.20.090 SCC.

Section 3. That SCC, Title 20, section 20.20.090, last amended by Ord. No. 85-076, adopted August 14, 1985, is amended to read:

20.20.090 Review of decision on short subdivisions.

(1) Decision by department. Any person aggrieved by ((the)) a decision ((of)) by the department ((on a short-subdivision application,)) to deny or issue preliminary approval of a short subdivision, or final approval where no preliminary approval was given may appeal such decision ((may request a review of that

determination or decision by the hearing examiner. Such request must be made in within fifteen calendar days from the date of the written decision)) within fifteen (15) days of notice given pursuant to section 20.20.045(3) SCC. Appeals shall be filed with ((be)) the department in writing, ((and)) shall contain a brief description of why error is assigned to the department's decision and shall be accompanied by a fee of fifty dollars. Such appeal fee shall not be charged to an agency of the county or a second appellant. The appeal shall be heard pursuant to chapter 2.02 SCC, and notice of the appeal hearing shall be ((required)) given as ((is provided)) required in Title 19 SCC for hearings on preliminary plat applications. The decision of the hearing examiner shall be final and conclusive with right of appeal to the county council pursuant to chapter 2.02 SCC.

(2) Decision by hearing examiner. When the hearing examiner hears a short subdivision application pursuant to Section 20.20.080, the examiner's decision thereon shall be final and conclusive with right of appeal to the county council pursuant to Chapter 2.02 SCC.

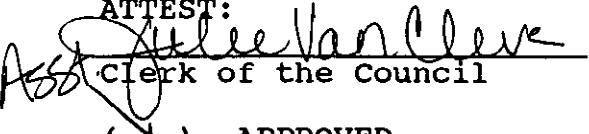
Section 4. The Council finds as a fact, and states that this ordinance is necessary to expand the notice requirements of the short subdivision code in order to allow for greater public involvement in the short subdivision process. The Council further finds that this ordinance is necessary for the support of county government and its existing public institutions. Based on the foregoing, the Council finds that an emergency exists and that this ordinance shall become effective immediately.

DATED this 21st day of November, 1990.

SNOHOMISH COUNTY COUNCIL

  
Chairman

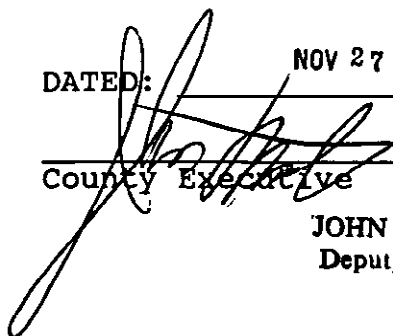
ATTEST:

  
Clerk of the Council

( ) APPROVED  
( ) VETOED  
( ) EMERGENCY


DATED: \_\_\_\_\_

NOV 27 1990

  
County Executive

JOHN MARTINIS  
Deputy Executive

ATTEST:



D-16