

RECEIVED
SNOHOMISH COUNTY
EXECUTIVE OFFICE

NOV 27 1991

DT
JM
GW

KLBI
WBD
BBH

PCK
HC
LM

SNOHOMISH COUNTY COUNCIL

ORDINANCE NO. 91- 171



AMENDING SNOHOMISH COUNTY CODE
TITLE 18, CHAPTER 18.72
RELATING TO REVISING CONDITIONAL USE PERMITS

BE IT ORDAINED:

Section 1. That SCC, Title 18, section 18.72.180, added by Ord. No. 86-037, adopted May 7, 1986, is amended to read:

18.72.180 Reapplication. Upon final action as set forth in this chapter ((in)) denying an application for a variance, conditional use or special use permit ((or administrative appeal)), the planning division shall not accept ((further)) filing of an application for substantially the same matter within one year from the date of ((any)) the final denial of ((an)) the application.

Section 2. That SCC, Title 18, section 18.72.190, last amended by Ord. No. 88-108, adopted December 5, 1988, is amended to read:

18.72.190, ((Continuing jurisdiction)) Permit/Variance Review. The office of the examiner shall retain ((continuing)) jurisdiction over all variances and conditional use and special use permits. Upon a petition for review being filed by any person with a substantial interest in a variance, conditional use or special use permit, or by any public official, the examiner may, in his discretion, call a public hearing for the purpose of reviewing that variance, conditional use or special use permit. The review process provided for in this section is separate and distinct from the revision process set forth in SCC 18.72.192. ((Notice of the public hearing shall be as provided in SEE 18-72-160-)) Any such hearing shall be processed in accordance with the provisions of Chapter 2.02 SCC ((+)). ((PROVIDED That, immediately u)) Upon accepting a petition for review ((being accepted by the examiner)), the examiner may, for good cause shown, direct that the department of planning and community development issue a stop work order to temporarily stay the

force and effect of all or any part of the variance, conditional use or special use permit in question until the ((such time as such)) review is finally adjudicated. Notice of the public hearing shall be as provided in SCC 18.72.160. The examiner may reaffirm, modify or rescind all or any part of the variance, conditional use or special use permit being reviewed. The examiner's decision, after hearing, shall be final ((subject to)) and may be appealed ((as)) in the manner provided ((for)) in SCC 18.72.030 ((and)) or SCC 18.72.070 ((of this chapter)) for appeal of the type of approval under review. ((and it may reaffirm, modify or rescind all or any part of the variance, conditional use or special use permit being reviewed. Alternatively, t)) The provisions of Title 28((7)) SCC ((shall)) may also be ((apply)) applied to ((the)) enforce(ment of)) any variance, conditional use or special use permit.

NEW SECTION. Section 3. A new section 18.72.192 is added to SCC Chapter 18.72, as follows:

18.72.192 Revision of Variances, Conditional Use and Special Use Permits.

(1) Revision of an official site development plan and conditions of permit approval is permitted as follows:

(a) Minor Revisions. Minor revisions to the official site development plan may be permitted by the director of the planning division or his designee and shall be properly recorded in the official case file. No revision in points of vehicular access to the property shall be approved without prior written concurrence of the director of public works or his designee.

(b) Major Revisions and Permit Condition Changes. Major revisions in an official site development plan and any requested change in permit conditions shall be processed in the same manner as a new application.

(2) Determining Minor/Major Revisions. A "minor" revision means any proposed change in the official site development plan which does not involve substantial alteration of the character of the plan. A "major" revision means any expansion of the area covered by the permit or approval, or any proposed change in the official site development plan whereby the character of the approved development will be

substantially altered. A major revision of the official site development plan exists whenever intensity of use is increased, performance standards are reduced below those set forth in the original permit, detrimental impacts on adjacent properties or public rights-of-way are created or increased, or the site development plan design is substantially altered.

Dated this 26th day of November, 1991.

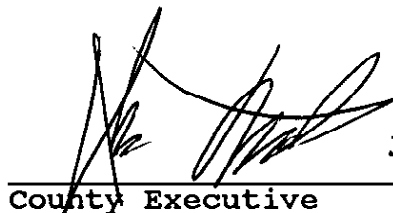
SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairman

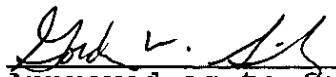

Clerk of the Council, *asst*

- APPROVED
- EMERGENCY
- VETOED

DATE DEC 2 1991


JOHN MARTINIS
Deputy Executive
County Executive

PUBLISHED _____


Approved as to form only on _____, DPA
11/5/91
(Date)