



SNOHOMISH COUNTY COUNCIL

ORDINANCE NO. 94-038
AMENDING SNOHOMISH COUNTY CODE
TITLE 19, CHAPTER 19.40, RELATING TO
NOTICE PROCEDURES FOR FINAL PLAT ACTION

BE IT ORDAINED:

Section 1. That Snohomish County Code Section 19.40.010, last amended by Ordinance 93-015, adopted March 3, 1993, is amended to read:

19.40.010 Procedure for filing.

(1) For purposes of filing a final plat, the subdivider shall submit ~~((to the planning division one))~~ two dark line ~~((print))~~ prints, ~~((thereof, and one dark line print))~~ and a stable base polyester film or other approved material (hereinafter referred to as mylar) to the ~~((community development division))~~ department. ~~((Both))~~ The ~~((agencies))~~ department shall examine the plat for compliance with the provisions of this title;

(2) Each filing of a final plat shall be accompanied by final plat filing fee in the amount of one thousand five hundred dollars which shall be paid to the ~~((community development division))~~ department;

(3) After receiving a copy of the final plat, the ~~((community development division))~~ department shall examine, or have examined, the map as to sufficiency of affidavits and acknowledgements, correctness of surveying data, mathematical data and computations, and such other matters as require checking to insure compliance with the provisions of state laws pertaining to subdivisions with this title, and with the conditions of approval. Traverse sheets (computation of coordinates), and work sheets showing the closure of the exterior boundaries and of each irregular lot and block, and the calculation of each lot size shall be furnished. If the final plat is found to be in correct form, and the matters shown thereof are sufficient, the ~~((community development division))~~ department shall obtain the signature of the department of public works on the mylar of the plat map ~~((, and submit such map to the planning division where,))~~ ((upon)) Upon confirmation of compliance with the conditions of approval, a public meeting will be ~~((schedule))~~ scheduled for final consideration of the plat map before the council. Each formal plat map shall be accompanied by an updated certificate of title showing the names of all persons, firms or corporations whose consent is necessary to dedicate land for public usage, as well as any easements or other encumbrances

to the land proposed for subdivision. For the purposes of this section, an updated title report is a title report or supplemental title report which has been prepared no more than thirty days prior to submittal of the final plat;

(4) Each preliminary plat submitted for final approval of the county council shall be accompanied by the following agencies' recommendations for approval or disapproval:

(a) Local health district or other agency furnishing sewage disposal and supplying water, as to the adequacy of the proposed access of sewage disposal and water supply;

(b) Department of planning and community development, as to compliance with all terms of the preliminary approval of the proposed plat, subdivision or dedication;

(c) Department of public works;

(d) Other relevant federal, state or local agencies.

None of the agencies listed in subsections (a) and (c) of this section shall modify the terms of its recommendation without the consent of the applicant;

(5) The ~~((planning division))~~ department shall coordinate the final plat review process among the appropriate county departments and other agencies and, after compliance with the public notice provisions of subsection (6) below, shall transmit a recommendation for final plat action to the council;

(6) Public notice of ~~((the planning division recommendation for final plat action))~~ final plat submittal shall be provided within twenty-one days of submittal by:

(a) Mailing to all taxpayers of record and known site addresses ~~((according to the requirements of SCC 19.16.040(2)(e)))~~ within three hundred feet of any portion of the boundary of the final plat, and to those official parties of record listed in the hearing examiner and county council decisions, as appropriate, on the subject preliminary plat application;

~~((b) Publication in the official county newspaper;))~~

~~((e))~~ (b) ((Conspicuous posting)) Posting by the applicant in conspicuous locations on the subject property of two or more signs as determined by the department. Signs and instructions for posting shall be provided to the applicant by the county. Posting shall be evidenced by submittal of a verified statement confirming date and ~~((location))~~ locations of posting; and

~~((d))~~ (c) Mailing to all parties that have provided written comment on the preliminary plat;

~~((e))~~ (d) Notices required in the above subsections ~~((shall contain the information required in SCC 18.73.050(4) and))~~ shall solicit comments on the final plat recommendation. All comments shall be submitted to the ~~((planning division))~~ department within fifteen days of the mailing ~~((or publication of public notice, whichever occurs later))~~ of the public notice;

(7) The county council shall consider the final plat for final action at a public meeting. Public testimony shall be allowed at the public meeting, ~~((but))~~ and shall be limited to whether the final plat is consistent with the conditions of preliminary plat approval;

(8) Public notice of the time, date and location of the

council's public meeting for final plat action shall be given five days prior to the public meeting by:

(a) Mailing to the applicant;

(b) Mailing to all parties (~~of record listed in the hearing examiner and county council decisions, as appropriate, on the subject preliminary plat application~~) who provided comment on the notice of recommendation for final plat action;

(c) (~~Publication in the official county newspaper. Said notice shall specify that the plat is scheduled for final action and shall be given at least seven days prior to the date of the public meeting~~) Posting notice of time, date and location of the public meeting on the signs required pursuant to SCC 19.40.010(6)(b);

(9) After finding that the final plat has been completed in accordance with the provisions of this title, that all required improvements have been completed or the arrangements or contracts have been entered into to guarantee that such required improvements will be completed, that all conditions of preliminary plat approval have been met, and that the interests of the county are fully protected, the council, upon consideration of the final plat at a public meeting, will sign the final plat accepting such dedications as may be included thereon. Written notice of the council decision to approve shall be given by:

(a) Mailing to the applicant; (b) Mailing to all parties of record listed in the hearing examiner and county council decisions, as appropriate, on the subject preliminary plat application;

(c) Mailing to all parties who individually wrote and submitted letters concerning the subject plat application;

(d) Mailing to all parties who testified at the public meeting on final action;

(e) Mailing to all parties that were mailed public notice pursuant to SCC 19.40.010(6)(a), and to the department of ecology; and

(f) Publication in the county official newspaper.

The final plat may be denied upon findings and conclusions that the conditions of preliminary plat approval have not been met. If approved, the final plat shall then be returned to the subdivider for filing for record with the county auditor and must be filed within thirty days from the date of approval by the council. If the council does not approve the final plat, it may grant the project proponent a period of time, not to exceed four months, to bring the final plat into compliance with the conditions of preliminary plat approval and set a specific time and date for the council to reconsider the final plat. Notice of a council decision extending the time period for compliance with the conditions of preliminary plat approval shall be given as prescribed in SCC 19.40.010(8), and to all parties who have requested notification of the council's decision;

(10) The notices provided for in the above subsections shall be deemed adequate where a good-faith effort has been made by the county to identify and mail notice to each taxpayer of record and known site address;

(11) Notices mailed to taxpayers of record and known site addresses pursuant to the above subsections shall be deemed received by those persons names in an affidavit of mailing executed by the person designated by the division to mail the notices. The failure of any person to actually receive the notice shall not invalidate any proposed action.

DATED this 4th day of May, 1994

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

Li-McLaughlin
Chairperson

ATTEST:

Barbara Sikovati
Clerk of the Council, Asst.

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

DATE 5/16/94
[Signature]
County Executive

ATTEST:

Marilyn B. Abel

_____, DPA
Approved as to form only on

(Date)

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