

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON



CO00023074

AMENDED EMERGENCY ORDINANCE NO. 95-052

AMENDING ORDINANCE 93-083 AND SNOHOMISH COUNTY CODE TITLE 32,
RIGHT TO PRACTICE FORESTRY

WHEREAS, the Washington State Growth Management Act (hereinafter GMA) (36.70A.060 RCW) requires cities and counties to adopt development regulations which assure the use of lands adjacent to agriculture, forest, or mineral resource lands shall not interfere with the continued use, in the accustomed manner, of these designated lands for the production of food, agricultural products, timber, or for the extraction of minerals; and

WHEREAS, the GMA (36.70A.060 RCW) states that counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within 300 feet of, lands designated as agricultural lands, forest lands or mineral resource lands, shall contain a notice that the subject property is within or near designated agricultural lands, forest lands or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration; and

WHEREAS, on October 11, 1993, the County adopted the Right to Practice Forestry Ordinance (Chapter 32.20 SCC), which requires notification of landowners of designated interim forest lands and landowners within 300 feet of designated interim forest lands of commercial forest activities, thus meeting the requirements of the GMA (36.70A.060 RCW); and

WHEREAS, the Snohomish County Comprehensive Plan General Policy Plan (hereinafter referred to as the GPP), adopted by Ordinance 94-125, establishes resource land designations and policies to conserve resource lands, replacing the Interim Forest Land Conservation Plan policies and interim forest land designations; and

WHEREAS, Chapter 32.20, Right to Practice Forestry, should be revised to maintain the notification requirements on forest lands designated in the GPP, including the GMA requirements for notification of landowners of designated forest lands and landowners within 300 feet of designated forest lands (36.70A.060 RCW);

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Staff-recommended version - as amended and introduced

NOW, THEREFORE, BE IT ORDAINED:

SECTION 1:

Snohomish County Code Section 32.20.020, adopted on October 11, 1993 by Ordinance 93-083, is amended to read as follows:

32.20.020 Definitions.

(1) "Designated Forest Land" means any land designated as ~~((interim))~~ commercial forest land or local forest land pursuant to RCW 36.70A.070 (1) by the ~~((Interim Forest Land Conservation))~~ Snohomish County Comprehensive Plan General Policy Plan adopted by Snohomish County Council ~~((Motion 92-283))~~ Ordinance No. 94-125.

(2) "Forest Management Activities" means the growing and harvesting of trees, including all forest practices, as defined and regulated under the authority provided by Chapter 76.09 RCW, associated with continued management of forest lands for forest products and excluding those forest practices associated with the conversion of forest land to a non-forest use except for those areas that are reforested to acceptable stocking levels as defined by WAC 222-34. Municipal sewage sludge application to forest lands shall not be considered a forest management activity under this chapter.

(3) "Building Permit" means a permit issued under Title 17 SCC, except permits for Group M Occupancies, plumbing and mechanical.

(4) "Development Permit" means a permit requiring discretionary review, including but not limited to subdivision approval, short plat approval, planned residential development approval, special use permit, shoreline substantial development permit, and a conditional use permit.

(5) "Person" means an individual, corporation, partnership, association, or other legal entity.

SECTION 2. Effective date. This ordinance shall be effective on the date Ordinance No. 94-125 becomes effective.

SECTION 3. Emergency Declared. The Council finds that it is necessary for this ordinance to be effective on the same date as the ordinance approving the GMA required Comprehensive Plan, Ordinance 94-125. Insufficient time exists for this ordinance to take effect on or before that date under the normal non-emergency ordinance adoption 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 county council declares that an emergency exists and this ordinance shall take effect as provided for in Section 2.

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