



CO00021034

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 97-082

AMENDING SCC TITLE 32, RELATING TO
PROCEDURES FOR PROPOSING AMENDMENTS OR REVISIONS TO THE GMA
COMPREHENSIVE PLAN AND DEVELOPMENT REGULATIONS

WHEREAS, Snohomish County adopted a comprehensive plan to meet the requirements of the Growth Management Act (GMA) on June 28, 1995 and has adopted various development regulations to implement the GMA comprehensive plan; and

WHEREAS, RCW 36.70A.130 and 36.70A.470 direct counties planning under the GMA to adopt procedures for interested persons to propose amendments and revisions to the comprehensive plan or development regulations implementing the comprehensive plan, subject to certain restrictions; and

WHEREAS, the Snohomish County Council, through the enactment of Amended Ordinance 96-032, adopted a procedure for interested persons to propose amendments or revisions to the GMA comprehensive plan or development regulations implementing the comprehensive plan subject to certain restrictions; and

WHEREAS, the Snohomish County Council, after public hearings, considered the recommendations from staff and approved certain proposals for inclusion in the 1996 and 1997 final docket; and

WHEREAS, the state legislature passed amendments to RCW 36.70A.130 exempting amendments to capital facilities elements of comprehensive plans from the annual amendment limitation; and

WHEREAS, the Snohomish County Planning Commission held a hearing on June 24, 1997, on amendments to Amended Ordinance 96-032 that would incorporate recent GMA amendments into county code and consolidate, simplify, and improve the annual application process for amendments to the GMA comprehensive plan and/or development regulations; and

WHEREAS, adoption of this ordinance is an exempt action under the State Environmental Policy Act pursuant to WAC 197-11-800(20); and

WHEREAS, the Snohomish County Council held a hearing on September 17, 1997, to consider the Planning Commission's recommendation; and

WHEREAS, the Snohomish County Council considered the hearing record including the Planning Commission's recommendation, and written and oral testimony submitted during the council hearings.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The Snohomish County Council makes the following findings of fact and conclusions:

- A. The code amendments are necessary to maintain consistency between recently amended state law and the county code.
- B. The county's present docketing ordinance, as adopted, provides for a single, annual application deadline of July 31st for GMA comprehensive plan amendments and semi-annual application deadlines of July 31st and December 15th for regulatory proposals which implement the plan.
- C. While devised originally to expedite the annual review of both plan and regulatory proposals, the twice yearly deadline has, instead, proved both cumbersome to the process and confusing to the public.
- D. The intent of the ordinance as well as the public interest would be better served by a single, consolidated process requiring one annual application deadline of July 31 for both GMA plan and regulatory amendment proposals.
- E. Administrative review of all docketing proposals would be streamlined, simplified and improved with the elimination of the December 15 deadline for regulatory proposals.

Section 2. Snohomish County Code Section 32.07.090 adopted by Amended Ordinance 96-032 on June 10, 1996, is **AMENDED** to read:

32.07.090 Timing of submittal of proposals and for consideration of GMA comprehensive plan amendments.

(1) The department will accept proposals for GMA comprehensive plan amendments and revisions as any time; however, proposals received after July 31 of each year will be processed in the next annual amendment review cycle.

(2) The department will forward the final docket of proposed GMA comprehensive plan amendments and revisions to the planning commission. The department may establish timelines and procedures as it deems necessary to administer this chapter.

(3) Except as provided in subsection (4), the county council will consider concurrently any amendments and revisions to the GMA comprehensive plan forwarded to the council for consideration, in order to ascertain the cumulative effect of the various proposals.

(4) The county council will consider proposed amendments and revisions to the GMA comprehensive plan forwarded to the council for consideration once per year, except when amendments are adopted as part of:

- (a) the adoption of a subarea plan;
- (b) the adoption or amendment of a shoreline master program under the procedures set forth in Chapter 90.58 RCW, unless consistency with docketed amendment requests needs to be maintained;
- (c) an emergency amendment necessary for the immediate preservation of the public peace, health, or safety or support of the county government and its existing institutions, or for the correction of inconsistencies between plan elements or between plan elements and development regulations, or technical or mapping errors;
- (d) amendments necessitated by changes in state or federal laws; ~~((or))~~
- (e) the resolution of an appeal filed with the Central Puget Sound Growth Management Hearings Board or with a court; or
- (f) amendments to the capital facilities element of the General Policy Plan or the Capital Plan of the county's GMA comprehensive plan that occur concurrently with the adoption or amendment of the county budget.

Section 3. Snohomish County Code Section 32.07.100 adopted by Amended Ordinance 96-032 on June 10, 1996, is **AMENDED** to read:

32.07.100 Timing for submittal of proposals and for consideration of final docket of amendments and revisions to GMA development regulations.

(1) The department will accept proposals for amendments and revisions to GMA development regulations at any time; however, proposals received after ~~((December 15))~~ July 31 of each year will be processed in the next amendment review cycle.

(2) The department will forward the final docket of proposed amendments and revisions to GMA development regulations to the planning commission. The department may establish timelines and procedures as it deems necessary to administer this chapter.

(3) The county council will consider the final docket of proposed amendments and revisions to GMA development regulations at least once every year.

Passed this 17th day of September, 1997.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

[Signature]
Chair

ATTEST:

Sheila McCallister
Clerk of the Council, *asst.*
 APPROVED
 VETOED
 EMERGENCY

Date: 9/18/97
[Signature]
County Executive
ROBERT J. DREWEL
County Executive

ATTEST:

Marilyn B. Allen

Approved as to form only:

Patricia A. Brown
Deputy Prosecuting Attorney

Date: 6/12/97

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