

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



CO00019741

ORDINANCE NO. 98-057

RELATING TO LAND USE REGULATIONS AND ADMINISTRATION;
AMENDING SNOHOMISH COUNTY CODE CHAPTERS
4.28, 4.84, 13.60, 17.02, 17.50, 18.72, 18.73, 19.22, 20.24, AND 32.10

BE IT ORDAINED:

Section 1. Snohomish County Code Section 4.28.090, added by Ordinance No. 92-080 on July 23, 1992, is amended to read:

4.28.090 Definitions. As used in this chapter, the following terms shall have the meanings set forth in this section unless the context clearly indicates otherwise.

(1) "Buffer" means an area, typically in association with an environmentally sensitive feature, which is retained in its natural state. No clearing, grading or filling is permitted within a buffer. Trees which are diseased or pose a hazard to life or property may be removed with county approval. Buffers must be preserved from intrusion by livestock.

(2) "Geologically hazardous area" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, may not be suitable for development consistent with public health or safety concerns. Such areas are characterized by geologic, hydrologic and topographic conditions that render them susceptible to potentially significant or severe risk of landslides, erosion, seismic subsidence or similar activity. Geologically hazardous areas include erosion hazard areas, landslide hazard areas, mine hazard areas and seismic hazard areas.

(3) "Open space checklist" means a form prepared by the planning department and submitted by the applicant on which the applicant checks off which of the designation criteria are met on the subject property.

(4) (~~"Stream" means all lands and waters contained within a channel when such lands periodically support predominantly undrained hydric soil, or the substrate is non-soil and is saturated with water or covered by water at some time during the growing season of each year.~~) "Stream" shall have the meaning as defined in SCC 32.10.110(39).

(5) "Urban area" means an area, designated on an adopted comprehensive plan with a density of two or more dwelling units per acre; and/or zoned residential 20,000 (R-20,000), or at a higher density than R-20,000; and/or within an incorporated area. Upon the adoption of urban growth boundaries, pursuant to RCW 36.70A.110, urban area shall be defined as the areas within the adopted boundaries.

~~(6) ("Wetland" means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands do not include artificial wetlands intentionally created from nonwetland sites including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands shall include artificial wetlands intentionally created from nonwetland areas to mitigate conversion of wetlands if permitted by the county))~~ "Wetlands" shall have the meaning as defined in SCC 32.10.110(50).

Section 2. Snohomish County Code Section 4.84.030, last amended by Ordinance No. 95-004 on February 15, 1995, is amended to read:

4.84.030 Source of resources. Resources of the community development fund shall consist of revenues generated from activities of the department of planning and development services including but not limited to fees and charges paid in accordance with chapter 13.110 SCC, fees paid in accordance with chapter ~~((24.42))~~ 24.20 SCC, construction related fees paid in accordance with chapter 17.02 SCC, grading permit related fees paid in accordance with chapter 17.05 SCC, and revenues from distribution of ordinances and code information, contracts, penalties or judgments, and investment interest.

Section 3. Snohomish County Code Section 13.60.050, last amended by Ordinance No. 96-028 on June 12, 1996, is amended to read:

13.60.050 Terms — Temporary trail access and trail access. All Type D3 (temporary trail access) and Type D4 (trail access) permits are subject to the following additional terms:

(1) Construction of trail access improvements shall be in accordance with the EDDS.

(2) Prior to issuance of any building permit or temporary use requiring access via an unopened right-of-way, a trail permit must first be issued.

(3) When the subject county right-of-way has been classified and designated by the county council as a primitive road, construction and use shall not exceed the limits for primitive roads contained in RCW 36.75.300, and amendments thereto.

(4) Permittee's use shall be confined to direct or indirect access to properties to which it has a right of possession. Access shall be for uses that are consistent with applicable land use controls.

(5) The permit shall not diminish public ownership or grant any exclusive privileges to the permittee. The permittee will not prevent use of the road by the general public except where the permittee's use creates a hazard to the public.

(6) If primitive road signs are required at the connection with any public road, the department of public works will provide such signs conforming to the EDDS. Initial installation of such signs shall be by the department of public works at the permittee's expense. Subsequent maintenance of such signs will be performed by the department of public works.

(7) The engineer may require the permittee to provide additional surfacing material or other construction measures to safeguard the integrity of the existing road to which the permittee desires access.

(8) The permit shall contain the tax parcel number of each lot or parcel to be served by the permitted access.

(9) The responsibility for construction and maintenance of the permitted road rests jointly and equally upon the permittees. Maintenance of the permitted road shall be to the mutual satisfaction of all permittees.

(10) A covenant shall be attached to each applicable parcel of land prohibiting the subdivision of any parcel served without first obtaining a new trail access permit for any lots or parcels created by such action.

(11) Construction of trail permit road improvements shall be completed within one year unless approved otherwise by the engineer.

(12) The permittees shall obtain all other required permits and approvals including environmental review as specified in Title 23 SCC.

(13) If not used in the construction of roadway improvements, any timber, soil, rock, vegetation, or other materials found within the right-of-way shall be disposed of to the satisfaction of the engineer. Any affected fences located within the right-of-way shall be disposed of or relocated to the satisfaction of the engineer.

(14) Where specified by the engineer, the permittees, at their own expense, shall have the right-of-way surveyed by a licensed land surveyor and will record the

survey. The recorded survey shall meet the requirements of the Survey Recording Act, Chapter 58.09 RCW.

(15) Where specified by the engineer, the permittees, at their own expense, will have prepared road construction plans, and a ~~((detailed))~~ full drainage plan in accordance with the EDDS ~~((an))~~ and Title 24 SCC.

(16) At the permittees expense, appropriate signs shall be posted as required by the engineer.

(17) The engineer may require a legal description and supporting title report for any additional right-of-way dedicated to the county to provide the necessary right-of-way for construction of a trail permit access road.

Section 4. Snohomish County Code Section 17.02.019, added by Ordinance No. 96-003 on February 21, 1996, is amended to read:

17.02.019 Commercial building permit submittal/completeness requirements.

(1) The department of planning and development services shall establish, and may revise, submittal requirements in the form of a "commercial building permit application checklist." The checklist shall delineate specific submittal requirements (such as plans, forms and supporting documents) and completeness criteria for commercial building permit applications. The checklist shall be available to the public at the front counter of the department of planning and development services. For commercial building permits that are subject to ~~((Chapter))~~ chapter 32.50 SCC, the submittal requirements of this chapter, and other applicable code sections (e.g., SCC 32.10.230) shall be used to determine whether an application is complete pursuant to SCC 32.50.040.

(2) Submittal requirements established by the department must include at least the following:

- (a) Format details and number of site plan copies;
- (b) Applicant's name and address;
- (c) Legal description;
- (d) Site characteristics;
- (e) Existing and proposed structures;
- (f) Utility information including fire hydrant locations;
- (g) Vicinity map;
- (h) ~~((Site drainage information))~~ Targeted or full drainage plan pursuant to Title 24 SCC;
- (i) Location of existing and proposed parking and landscaping areas;
- (j) Building elevations and floor plans;
- (k) An environmental checklist;

- (l) Completeness requirements of any other applicable SCC sections;
and
- (m) Applicable filing fees.

Section 5. Snohomish County Code Section 17.50.010, last amended by Ordinance No. 95-111 on January 10, 1996, is amended to read:

17.50.010 Purpose. The purpose of this chapter is to create a board of appeals for the efficient administration of Snohomish County codes in determining the suitability of alternate materials and methods of construction and hearing and deciding appeals of orders, decisions, or determinations by the building official relative to the application and interpretation of the Uniform Building Code as adopted and amended in chapter 17.04 SCC, grading requirements as adopted and amended in chapter 17.05 SCC, the Uniform Code for the Abatement of Dangerous Buildings as adopted and amended in chapter 17.06 SCC, the Indoor Ventilation and Indoor Air Quality Code as adopted and amended in chapter 17.12 SCC, the Uniform Plumbing Code as adopted and amended in chapter 17.16 SCC, the Uniform Mechanical Code as adopted and amended in chapter 17.18 SCC, the Uniform Sign Code as adopted and amended in chapter 17.20 SCC, the Energy Code as adopted and amended in chapter 17.22 SCC, the Standards for Mobile Homes and Commercial Coaches as adopted and amended in chapter 17.28 SCC, and the Uniform Housing Code as adopted and amended in chapter 17.44 SCC, and by the fire marshal relative to the application and interpretation of the Uniform Fire Code as adopted and amended in chapters 16.04 SCC - Uniform fire code and 16.36 SCC - Hydrants and Fire Flows - Minimum standards for water mains and fire hydrants SCC.

Section 6. Snohomish County Code Section 17.50.060, last amended by Ordinance No. 95-111 on January 10, 1996, is amended to read:

17.50.060 Building official. The building official is that person designated by the director of planning and development services and is charged with the application and interpretation of the Uniform Building Code as adopted and amended in chapter 17.04 SCC, grading requirements as adopted and amended in chapter 17.05 SCC, the Uniform Code for the Abatement of Dangerous Buildings as adopted and amended in chapter 17.06 SCC, the Indoor Ventilation and Indoor Air Quality Code as adopted and amended in chapter 17.12 SCC, the Uniform Plumbing Code as adopted and amended in chapter 17.16 SCC, the Uniform Mechanical Code as adopted and amended in chapter 17.18 SCC, the Uniform Sign Code as adopted and amended in chapter 17.20 SCC, the Energy Code as adopted and amended in chapter 17.22 SCC, the Standards for Mobile Homes and Commercial Coaches as adopted and amended in chapter 17.28 SCC, and the Uniform Housing Code as adopted and amended in chapter 17.44 SCC.

Section 7. Snohomish County Code Section 18.72.135, added by Ordinance No. 96-003 on February 21, 1996, is amended to read:

18.72.135 Submittal/completeness requirements.

(1) The department of planning and development services shall establish, and may revise, submittal requirements in the form of a "miscellaneous land use permit application checklist." The checklist shall delineate specific submittal requirements (such as plans, forms and supporting documents) and completeness criteria for variance, conditional use, special use, and temporary dwelling or temporary emergency use applications. The checklist shall be available to the public at the front counter of the department of planning and development services. For variance, conditional use, special use and temporary dwelling or temporary emergency use applications that are subject to 32.50 SCC, the submittal requirements of this chapter, and other applicable code sections (e.g., SCC 18.32.040(B)(22), (61), (62) and (63), 18.53.030, 18.54.020, 18.55.010 and 32.10.230) shall be used to determine whether an application is complete pursuant to SCC 32.50.040.

(2) Submittal requirements established by the department must include at least the following:

- (a) Format details and number of site plan copies;
- (b) Applicant's name and address;
- (c) Legal description;
- (d) Site characteristics;
- (e) Existing and proposed structures;
- (f) Utility information;
- (g) Vicinity map;
- (h) ~~((Conceptual))~~ Targeted drainage plan pursuant to Title 24 SCC, if applicable;
- (i) An environmental checklist, if applicable;
- (j) Traffic study in conformance with Title 26B, if applicable;
- (k) Completeness requirements of any other applicable SCC sections;
and
- (l) Applicable filing fees.

Section 8. Snohomish County Code Section 18.73.027, added by Ordinance No. 96-003 on February 21, 1996, is amended to read:

18.73.027 Submittal/completeness requirements.

(1) The department of planning and development services shall establish, and may revise, submittal requirements in the form of a "miscellaneous land use permit application checklist." The checklist shall delineate specific submittal requirements (such as plans, forms and supporting documents) and completeness criteria for rezone applications. The checklist shall be available to the public at the front counter of the department of planning and development services. The submittal requirements of this

chapter, and other applicable code sections (e.g., SCC 18.51.040, 18.53.030, 18.60.040 and 32.10.230) shall be used to determine whether an application for rezone is complete pursuant to SCC 32.50.040.

(2) Submittal requirements established by the department must include at least the following:

- (a) Format details and number of site plan copies;
- (b) Applicant's name and address;
- (c) Legal description;
- (d) Site characteristics;
- (e) Existing and proposed structures;
- (f) Utility information;
- (g) Vicinity map;
- (h) ~~((Conceptual))~~ Targeted drainage plan pursuant to Title 24 SCC, if applicable;
- (i) An environmental checklist, if applicable;
- (j) Traffic study in conformance with Title 26B, if applicable;
- (k) Completeness requirements of any other applicable SCC sections; and
- (l) Applicable filing fees.

Section 9. Snohomish County Code Section 19.22.040, last amended by Ordinance No. 96-003 on February 21, 1996, is amended to read:

19.22.040 Requirements for a complete application.

(1) The department of planning and development services shall establish, and may revise, submittal requirements in the form of a "preliminary plat submittal checklist." The checklist shall delineate specific submittal requirements (such as the plans, forms and supporting documents required by SCC 19.22.030) and completeness criteria for preliminary plat applications. The checklist shall be available to the public at the front counter of the department of planning and development services. The submittal requirements of this chapter, and other applicable code sections (e.g., SCC 18.51.040, 19.22.030, 32.10.230 and 32.30.030) shall be used to determine whether an application for preliminary plat is complete pursuant to SCC 32.50.040.

(2) Submittal requirements established by the director must include at least the following:

- (a) Format details and number of preliminary plat map copies;
- (b) Title documentation;
- (c) Applicant's name and address;
- (d) Legal description;
- (e) Zoning information;
- (f) Site characteristics;
- (g) Number of lots;
- (h) Existing and proposed structures;
- (i) Utility information;

- (j) Vicinity map;
- (k) ~~((Preliminary))~~ Targeted drainage plan pursuant to Title 24 SCC and grading plan pursuant to chapter 17.05 SCC;
- (l) Location of existing and proposed open space;
- (m) An environmental checklist;
- (n) Traffic study in conformance with Title 26B, if applicable, and
- (o) Completeness requirements of any other applicable SCC sections;
and
- (p) Applicable filing fees.

Section 10. Snohomish County Code Section 20.24.010, last amended by Ordinance No. 96-003 on February 21, 1996, is amended to read:

20.24.010 Application requirements.

(1) The department of planning and development services shall establish, and may revise, submittal requirements in the form of a "short plat submittal checklist." The checklist shall delineate specific submittal requirements (such as plans, forms and supporting documents) and completeness criteria for preliminary short subdivision applications. The checklist shall be available to the public at the front counter of the department of planning and development services. The submittal requirements of this chapter, and other applicable code sections (e.g., SCC 18.51.040, 32.10.230 and 32.30.030) shall be used to determine whether an application is complete.

(2) Submittal requirements established by the department must include at least the following:

- (a) Format details and number of short plat map copies;
- (b) Title documentation;
- (c) Applicant's name and address;
- (d) Legal description;
- (e) Zoning information;
- (f) Site characteristics;
- (g) Number of lots;
- (h) Existing and proposed structures;
- (i) Utility information;
- (j) Vicinity map;
- (k) ~~((Preliminary))~~ Targeted drainage plan pursuant to Title 24 SCC and grading plan pursuant to chapter 17.05 SCC;
- (l) Location of existing and proposed open space;
- (m) An environmental checklist, if applicable;
- (n) Traffic study in conformance with Title 26B, if applicable;
- (o) Completeness requirements of any other applicable SCC sections;
and
- (p) Applicable filing fees.

Section 11. Snohomish County Code Section 32.10.410, added by Ordinance No. 94-108 on March 7, 1995, is amended to read:

32.10.410 Erosion hazard areas.

(1) Development activity proposed in erosion hazard areas as defined in this chapter shall be protected by use of best management practices found in the Snohomish County Drainage Manual adopted pursuant to Title 24 SCC.

(2) The director may approve erosion control measures which differ from those required by subsection (1) above if the applicant submits a geotechnical report which technically demonstrates and visually illustrates that the alternative measures provide protection which is greater than or equal to that provided by the measures required in subsection (1).

(3) All portions of erosion hazard areas on the site which are undisturbed by development activities shall be designated as native growth protection areas in accordance with SCC 32.10.240.

Section 12. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or its application to other persons or circumstances is not affected.

Section 13 This ordinance shall take effect on September 19, 1998.

DATED this 3rd day of August, 1998.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Kristie Stevens
Chairperson

ATTEST:

Sheila McAllister
Asst. Clerk of Council

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

DATE 8-5-98

ATTEST:

[Signature]

Joan M. Earl
County Executive
JOAN M. EARL
Deputy Executive

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