

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



AMENDED ORDINANCE NO. 98-099

AMENDING SNOHOMISH COUNTY CODE
CHAPTER 32.50
RELATING TO PUBLIC NOTICE REQUIREMENTS

WHEREAS, the county executive and county council have identified regulatory reform of land use regulations as a high priority for county government; and

WHEREAS, with the assistance of the county council, the county executive and prosecuting attorney have established a regulatory reform process to make land use regulations more understandable to the public and more easily implemented by the county; and

WHEREAS, this ordinance is a result of that process;

THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 32.50.060, adopted by Ordinance No. 96-003 on February 21, 1996, is amended to read:

32.50.060 Notice of application and comment period.

(1) Notice of application shall be provided to the public, and to other departments and agencies with jurisdiction for all project permit applications, unless exempted in SCC 32.50.140. The notice provisions of this section may be used to satisfy other notice requirements of county code when so specified. All notices for public hearings shall be given at least fifteen days prior to the public hearing.

(2) Notice of application shall be given in the manner prescribed in subsection (4) of this section within seven days after a determination of completeness. Said notice shall start a twenty-one day public and agency comment period; EXCEPT, That for a shoreline substantial development, shoreline conditional use, and shoreline variance permit, the public and agency comment period shall be thirty days.

(3) Each notice shall be prepared in the department and include the following information in the format and sequence the department deems appropriate:

(a) Date of application, the date of the notice of completeness for the application, and the date of the notice of application;

(b) Project description and list of permits requested, assigned county file number, and contact person;

(c) A list of the following:

(i) Any studies requested of the applicant in the determination of completeness,

(ii) Any other required permits not included in the application to the extent known by the department, and

(iii) Any existing environmental documents that evaluate the proposed project, including the location where the documents can be reviewed;

(d) Date, time, place and type of public hearing, if applicable and if scheduled at the time notice is given, and how an interested party may become a "party of record";

(e) A statement indicating where the full text and/or map may be obtained when notice is for rezone actions and amendments to Title 18 SCC;

(f) Statement that a twenty-one day public and agency comment period starts following the date of the notice (except for a shoreline substantial development, shoreline conditional use, and shoreline variance where the notice shall state that a 30-day comment period starts following the date of the notice), and how an interested party may comment on the application, receive additional notice, participate in any hearings, and receive copies of decisions on the project, and procedures for appeals;

(g) Statement of the preliminary determination, if one has been made at the time of notice, of the development regulations that will be used for project mitigation and of consistency pursuant to SCC 32.50.100; and

(h) Any other information determined appropriate by the department.

(4) Notice shall be given by each of the following methods:

(a) Posting: The applicant shall post two or more signs which meet county standards in a conspicuous location on the property's frontage abutting public rights-of-way. If no public right-of-way exists, the signs shall be placed at the point of access to the property. Posting shall be evidenced by submittal of a verified statement regarding the date and location of posting. If verification of posting is not returned to the department within fifteen days of application, the department shall discontinue processing of the application until such verification is received. The signs shall remain posted throughout the permit review process until all appeal periods have expired, and may be updated and used for other posted notices required by county code for the proposed project. Signs and instructions for posting shall be provided to the applicant by the county;

* (b) Publication: The department shall publish one notice in the official county newspaper; and

(c) Mailing: The department shall mail notice to:

(i) Each taxpayer of record and known site address within 500 feet of any portion of the boundary of the subject property and contiguous property owned by the applicant; PROVIDED, That notice shall be mailed to each taxpayer of record and known site address with 1,000 feet of said boundaries when the existing zoning of the subject property is categorized as a resource, rural, R-20,000 or rural use zone according to SCC 18.12.030; PROVIDED, FURTHER, That mailed notice required by this subsection shall be increased to 1,500 feet for subdivision applications where each lot is 20 acres or larger, or one-thirty-second of a section or larger if described as a fraction of a section; and

(ii) Any city or town whose municipal boundaries are within one mile of a proposed subdivision; the Washington State Department of Transportation for every proposed subdivision located adjacent to the right-of-way of a state highway or within two miles of the boundary of a state or municipal airport; and any other federal, state, or local agency as deemed appropriate by the department.

(5) The mailed 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 a notice to each taxpayer of record and known site address.

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

(7) The county may ~~((provide))~~ require additional public notice by one or more of the following methods:

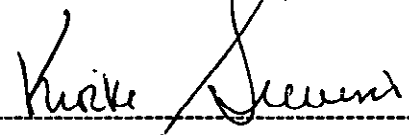
- (a) Notifying the news media and community organizations;
- (b) Placing notices in neighborhood/community newspapers or appropriate regional, neighborhood, ethnic or trade journals; and
- (c) Publishing notice in agency newsletters.

(8) ~~((The county may collect a reasonable fee from an applicant to cover the cost of meeting))~~ The cost of ((the)) public notice ((requirements of)) required by this chapter relating to ((the applicant's proposal)) a project permit application shall be the applicant's responsibility.

(9) If an agency with jurisdiction does not respond within the comment time specified in subsection (2) of this section, a letter from the director will be sent to the agency urging them to respond immediately.

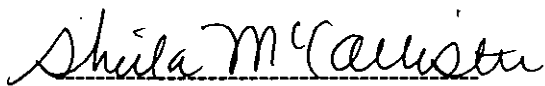
PASSED this 14th day of October, 1998.

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON



Chairperson

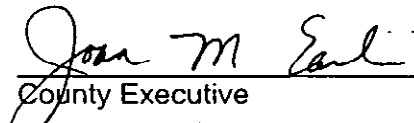
ATTEST:



Clerk of the Council, *asst.*

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

Date: 10-15-98



County Executive
JOAN M. EARL
Deputy Executive

ATTEST:
