

1 Draft Code Language: Streamlining the Final Plat Process
2 6/6/2017
3

4 **Section 1.** Snohomish County Code Section 30.41A.300, last amended by Amended
5 Ordinance No. 16-004 on March 16, 2016, is amended to read:
6

7 **30.41A.300 Preliminary subdivision approval – term.**

8 (1) The standard term of approval for a preliminary subdivision is pursuant to SCC 30.70.140,
9 except that preliminary subdivision approval may be extended for a period not to exceed four
10 months by the department (~~county council~~) if the applicant demonstrates that a continued good
11 faith effort has been exerted to complete the final subdivision and provides justification of the
12 extenuating circumstances as to why the additional four months is required. A request for
13 consideration of the four-month extension shall be filed with the department (~~clerk of the~~
14 ~~council~~) at least 30 days prior to the date the approval is set to expire.
15

16 (2) The applicant may request final subdivision approval in phases, subject to the time
17 restrictions in SCC 30.70.140 and the terms of the preliminary subdivision approval. Open
18 space, amenities, and other requirements of the preliminary approval shall be completed
19 coincident with each phase of the final subdivision on a pro rata basis unless otherwise required
20 in the preliminary approval. A revision to the preliminary approval, pursuant to SCC 30.41A.330,
21 must be applied for with the request to complete the final subdivision improvements in phases.
22

23 **Section 2.** Snohomish County Code Section 30.41A.620, added by Amended Ordinance
24 No. 02-064 on December 9, 2002, is repealed.
25

26 **Section 3.** Snohomish County Code Section 30.41A.640, last amended by Ordinance
27 No. 06-093 on November 8, 2006, is amended to read:
28

29 **30.41A.640 Public notice of final subdivision submittal and ~~((departmental review))~~**
30 **approval procedure for final subdivision.**

31 (1) The department shall examine the final subdivision application (~~(to ensure compliance with~~
32 ~~applicable law))~~ for adequacy of any required road improvements and right-of-way dedications,
33 the mathematical closure of all lots and boundaries, and any other conditions required for
34 compliance with the provisions of county code and conditions of preliminary approval. The
35 applicant shall provide computation records for the lots and boundaries. The department may
36 require additional information from an applicant where necessary to review the final subdivision
37 application. ~~((Computation records for the lots and boundaries shall be furnished.))~~

38 ~~((2) When the final plat is found to be in correct form, and the matters shown thereon are~~
39 ~~sufficient, the department shall obtain the necessary signatures on the final plat. Each final plat~~
40 ~~shall be accompanied by an updated certificate of title showing the names of all persons, firms,~~
41 ~~or corporations whose consent is necessary to dedicate land for public usage, as well as any~~
42 ~~easements or other encumbrances to the land proposed for subdivision. For the purposes of~~
43 ~~this section, an updated title report is a title report or supplemental title report which has been~~
44 ~~prepared no more than 30 days prior to submittal of the final subdivision.))~~

45 ~~((3))~~ (2) Public notice of final subdivision submittal shall be provided by the department
46 within 21 days of determination that the application is complete by:

1 (a) Mailing to all taxpayers of record and known site addresses within 300 feet of any portion
2 of the boundary of the final subdivision, and to those official parties of record listed in the
3 hearing examiner decision on the preliminary subdivision application;

4 (b) Posting in accordance with SCC 30.70.050 and 30.70.045;

5 (c) Mailing to all parties that have provided written comment on the preliminary subdivision in
6 accordance with SCC 30.70.045; and

7 (d) Notices required ~~((in the))~~ pursuant to SCC ~~((30.41A.640(3)(a)))~~ 30.41A.640(2)(a),
8 30.41A.640(2)(b), and ((through)) 30.41A.640(2)(c) shall solicit comments on the final
9 subdivision recommendation. All comments shall be submitted to the department within 15 days
10 of the mailing of the public notice.

11 ~~(((4)))~~ (3) The department shall coordinate the final subdivision review process among the
12 appropriate county departments and other agencies ~~((and,))~~ after compliance with the public
13 notice provisions of SCC 30.41A.640(2). ~~((30.41A.640(3), and upon confirmation of compliance~~
14 ~~with the conditions of preliminary approval shall transmit a recommendation for final subdivision~~
15 ~~approval to the council. The final subdivision application shall be scheduled for consideration at~~
16 ~~a regular or special meeting of the council.))~~

17 (4) The final subdivision shall be approved or disapproved by the department. The
18 department shall base its decision on the following:

19 (a) The recommendations of the Snohomish Health District and any purveyors with
20 jurisdiction as to the adequacy of the sewage disposal and potable water supply;

21 (b) The recommendation of the provider with jurisdiction as to the adequacy of electrical
22 availability;

23 (c) The recommendation of the department of public works;

24 (d) The recommendation of the fire marshal;

25 (e) The recommendations of other relevant federal, state, and local agencies;

26 (f) The requirements of state law, the county code, and all other applicable codes;

27 (g) The submittal of a certificate of title prepared by a title insurance company no more than
28 30 days prior to submittal of the final subdivision which must show the names of all persons,
29 firms, or corporations whose consent is necessary to dedicate land for public usage, as well as
30 any easements or other encumbrances to the land proposed for subdivision;

31 (h) Any evidence of ownership interests not shown on title; and

32 (i) Compliance with all conditions imposed in the granting of the preliminary subdivision.

33 (5) Upon finding that the final subdivision has been completed in accordance with the county
34 code, that the plat is in proper form for recording as established by the submittal requirements,
35 that all required improvements have been completed or the arrangements or contracts have
36 been entered into to guarantee that such required improvements will be completed, that all
37 conditions of the preliminary subdivision approval and requirements of state law and county
38 code have been met, and that the interests of the county are fully protected, the department
39 shall obtain the necessary signatures on the final plat and the director shall sign the final plat,
40 accepting such dedications and easements as may be included thereon, for final approval.

41
42 **Section 4.** Snohomish County Code Section 30.41A.645, last amended by Amended
43 Ordinance No. 03-047 on June 4, 2003, is repealed.

44
45 **Section 5.** Snohomish County Code Section 30.41A.650, last amended by Amended
46 Ordinance No. 03-047 on June 4, 2003, is repealed.

47
48 **Section 6.** Applicability. The code amendments contained in **Sections W, X, Y, and Z** of
49 this ordinance shall apply prospectively to final plat applications submitted on or after the

1 effective date of this ordinance. Final plats submitted prior to the effective date of this ordinance
2 shall be processed according to the procedures in effect at the time of submittal.
3

4 **Section 7. Severability and savings.** If any section, sentence, clause, or phrase of this
5 ordinance shall be held to be invalid or unconstitutional by the Growth Management Hearings
6 Board, or a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect
7 the validity or constitutionality of any other section, sentence, clause, or phrase of this
8 ordinance. Provided, however, that if any section, sentence, clause, or phrase of this ordinance
9 is held to be invalid by the Board or court of competent jurisdiction, then the section, sentence,
10 clause, or phrase in effect prior to the effective date of this ordinance shall be in full force and
11 effect for that individual section, sentence, clause, or phrase as if this ordinance had never been
12 adopted.
13

14
15 PASSED this ___ day of _____, 2017.
16

17
18 SNOHOMISH COUNTY COUNCIL
19 Snohomish County, Washington
20

21
22 _____
23 Council Chair
24

25 ATTEST:
26

27
28 _____
29 Asst. Clerk of the Council
30

31 () APPROVED
32 () EMERGENCY
33 () VETOED
34

35 DATE: _____
36

37
38 _____
39 County Executive
40

41 ATTEST:
42

43 _____
44

45
46 Approved as to form only:
47
48
49

1
2 Deputy Prosecuting Attorney

3
4 The following is for reference only:
5

6 **30.41A.620 Miscellaneous approvals.**

7 The following approvals must be submitted in writing to the department prior to certification of
8 the final subdivision:

9 (1) Health approval. The Snohomish Health District shall indicate compliance with the health
10 requirements of the preliminary subdivision and shall indicate the adequacy of the method of
11 sewage disposal. The health district may require that those lots which do not meet health district
12 standards be so noted on the face of the final subdivision. Approval by the health district of the
13 final subdivision shall not vary or negate any requirements for obtaining septic tank and
14 drainfield permits for any lots therein;

15 (2) Fire marshal's approval;

16 (3) Water purveyor's approval;

17 (4) Sewer purveyor's approval (when applicable);

18 (5) Proof of electrical availability; and

19 (6) Other approvals as may be required in the conditions of preliminary subdivision approval.
20

21 **30.41A.645 Council procedure and public notice.**

22 (1) Each application for final subdivision approval scheduled for council consideration shall be
23 accompanied by the following agencies' recommendations for approval or disapproval:

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

26 (b) The department, as to compliance with all terms of the preliminary approval of the
27 proposed plat, subdivision or dedication;

28 (c) The department of public works; and

29 (d) Other relevant federal, state, or local agencies. None of the agencies listed in SCC
30 30.41A.645(1)(a) and (c) shall modify the terms of its recommendation without the consent of
31 the applicant.

32 (2) Public notice of the time, date, and location of the council meeting on the final subdivision
33 application shall be given at least five days prior to the meeting by:

34 (a) Mailing to the applicant;

35 (b) Mailing to all parties who provided comment on the notice of recommendation for final
36 subdivision action; and

37 (c) Posting notice of time, date, and location of the public meeting on the signs required
38 pursuant to SCC 30.70.060.

39 (d) Public notices provided under this section shall state that public testimony may be
40 presented but will be limited to the issue of whether the final subdivision conforms to all
41 conditions of preliminary subdivision approval and otherwise meets the requirements of state
42 law and county code.

43 (3) The county council shall act on a final subdivision application by motion at a regular or
44 special meeting as provided in SCC 30.41A.650. Any person may present relevant testimony or
45 other evidence as described in SCC 30.41A.645(2)(d).

46 (4) The notices provided for in this section shall be deemed adequate where a good-faith
47 effort has been made by the county to identify and mail notice to each taxpayer of record and
48 known site address.

1 (5) Notices mailed to taxpayers of record and known site addresses shall be deemed received
2 by those persons named in an affidavit of mailing executed by the person designated by the
3 division to mail the notices. The failure of any person to actually receive the notice shall not
4 invalidate any proposed action.

5
6 **30.41A.650 Council action.**

7 (1) Upon a finding that the final subdivision has been completed in accordance with the
8 provisions of this code, that the plat is in proper form for recording as established by the
9 submittal requirements, that all required improvements have been completed or the
10 arrangements or contracts have been entered into to guarantee that such required
11 improvements will be completed, that all conditions of the preliminary subdivision approval and
12 requirements of state law and county code have been met, and that the interests of the county
13 are fully protected, the council, upon consideration of the final subdivision at a regular or special
14 council meeting, shall approve the final subdivision and the chairperson shall sign the final plat
15 accepting such dedications and easements as may be included thereon. Written notice of the
16 council decision to approve shall be given by:

17 (a) Mailing to the applicant;

18 (b) Mailing to all parties of record listed in the hearing examiner and county council decisions;

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

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

22 (e) Mailing to all parties that were mailed public notice pursuant to SCC 30.41A.645(2), and to
23 the department of ecology; and

24 (f) Publication in the county official newspaper.

25 (2) The final subdivision may be denied upon findings and conclusions that the requirements
26 for final subdivision approval have not been met. If the council does not approve the final
27 subdivision, it may grant the project proponent a period of time, not to exceed four months, to
28 bring the final subdivision into compliance with the conditions of preliminary subdivision
29 approval and set a specific time and date for the council to reconsider the final subdivision.
30 Notice of a council decision extending the time period for compliance with the conditions of
31 preliminary subdivision approval shall be given as prescribed in SCC 30.41A.650(1) and to all
32 parties who have requested notification of the council's decision.