

LOG NUMBERS  
 BGT. , 12/7/18 CEO 20067644 DEC 10 2018

**EXECUTIVE/COUNCIL APPROVAL FORM**

<b>MANAGEMENT ROUTING:</b>	<b>TO:</b>	<b>COUNCIL CHAIRPERSON:</b>
EXECUTIVE Dave Somers		<b>SNOHOMISH COUNTY COUNCIL</b>
EXEC. DIR. Ken Klein <i>KK</i>		
DIRECTOR/ELECTED Barbara Mock <i>M.M. For BM</i>		<b>EXECUTIVE RECOMMENDATION:</b>
DEPARTMENT Planning & Dev Services	<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> No Recommendation
DIV. MGR. Ikuno Masterson	<input type="checkbox"/> Further Processing	
DIVISION Planning	<input type="checkbox"/> Requested By	
ORIGINATOR Stephen Fesler <i>SF</i>		
DATE 12/6/2018 EXT. 2053		
	<i>KK</i> Executive Office Signature	<b>KEN KLEIN</b> Executive Director <i>12/10/18</i>
	CEO Staff Review	<i>Cap</i> <b>DEC 10 2018</b>
	Received at Council Office	<i>CA 9115</i> <b>12/11/18</b>

**DOCUMENT TYPE:**

<input type="checkbox"/> BUDGET ACTION:	<input type="checkbox"/> GRANT APPLICATION
<input type="checkbox"/> Emergency Appropriation	<input checked="" type="checkbox"/> ORDINANCE
<input type="checkbox"/> Supplemental Appropriation	<input checked="" type="checkbox"/> Code Amendment <u>SCC</u>
<input type="checkbox"/> Budget Transfer	<input type="checkbox"/> PLAN
<input type="checkbox"/> CONTRACT:	<input type="checkbox"/> OTHER
<input type="checkbox"/> New	
<input type="checkbox"/> Amendment	

**DOCUMENT / AGENDA TITLE:**

RELATING TO GROWTH MANAGEMENT; CONCERNING LAND DISTURBING ACTIVITIES; AMENDING CHAPTER 30.63B OF THE SNOHOMISH COUNTY CODE

**APPROVAL AUTHORITY:**

EXECUTIVE  COUNCIL   
 CITE BASIS Chapters 1.02, 2.48, and 30.73 SCC

**HANDLING:** NORMAL  EXPEDITE  URGENT  DEADLINE DATE

**PURPOSE:** To adopt amendments to Title 30 of the Snohomish County Code relating to streamline the methodology for allowing grading activities within two feet of a property line.

**BACKGROUND:**

The recommended code amendments streamline the methodology for allowing grading activities within two feet of a property line. Several of the code amendments would also make housekeeping changes.

PDS briefed the Planning Commission on the proposed code amendments on September 25, 2018. The Planning Commission held a public hearing on October 23, 2018 and recommended approval of the proposed code amendments contained in the ordinance transmitted with this ECAF package.

Additionally, an Executive-recommended amendment is proposed to allow for time-limited retroactive applicability of the grading activity code amendments through an opt-in provision.

**FISCAL IMPLICATIONS:**

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL	N/A	N/A	N/A

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
TOTAL	N/A	N/A	N/A

**DEPARTMENT FISCAL IMPACT NOTES:**

No fiscal impacts anticipated.

BUDGET REVIEW: Analyst DM Administrator MR Recommend Approval ✓

**CONTRACT INFORMATION:**

ORIGINAL \_\_\_\_\_ CONTRACT # \_\_\_\_\_ AMOUNT \_\_\_\_\_  
 AMENDMENT \_\_\_\_\_ CONTRACT # \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_

**CONTRACT PERIOD:**

ORIGINAL Start \_\_\_\_\_ End \_\_\_\_\_  
 AMENDMENT Start \_\_\_\_\_ End \_\_\_\_\_

**CONTRACT / PROJECT TITLE:**

**CONTRACTOR NAME & ADDRESS (City/State only):**

**APPROVED:**

RISK MANAGEMENT Yes n/a No \_\_\_\_\_

COMMENTS \_\_\_\_\_

PROSECUTING ATTORNEY - AS TO FORM: Yes ✓ No \_\_\_\_\_

**OTHER DEPARTMENTAL REVIEW / COMMENTS:**

**ELECTRONIC ATTACHMENTS:**

- Council 120067641 -*
- G:\ECAF\Dept\05\_PDS\ECAF\_Ground Disturbance Provisions\ECAF.doc
  - G:\ECAF\Dept\05\_PDS\ECAF\_Ground Disturbance Provisions\Ordinance.docx
  - G:\ECAF\Dept\05\_PDS\ECAF\_Ground Disturbance Provisions\Planning Commission Recommendation Letter.pdf
  - G:\ECAF\Dept\05\_PDS\ECAF\_Ground Disturbance Provisions\Amendment 1.docx
  - G:\ECAF\Dept\05\_PDS\ECAF\_Ground Disturbance Provisions\Summary Notice.docx
  - G:\ECAF\Dept\05\_PDS\ECAF\_Ground Disturbance Provisions\Capital Facility Development Cost Analysis Summary.docx
  - G:\ECAF\Dept\05\_PDS\ECAF\_Ground Disturbance Provisions\Housing Job Matrix.docx
  - G:\ECAF\Dept\05\_PDS\ECAF\_Ground Disturbance Provisions\Index of Records

**NON-ELECTRONIC ATTACHMENTS:**

- Ordinance
- Planning Commission Letter
- Amendment 1
- Summary Notice
- Capital Facility Development Cost Analysis Summary
- Housing Job Matrix
- Index of Records (A CD will be delivered to Council staff separately)

1 Adopted:  
2 Effective:

3  
4 SNOHOMISH COUNTY COUNCIL  
5 Snohomish County, Washington

6  
7 ORDINANCE NO. 18-106

8  
9 RELATING TO GROWTH MANAGEMENT; CONCERNING LAND DISTURBING ACTIVITIES;  
10 AMENDING CHAPTER 30.63B OF THE SNOHOMISH COUNTY CODE

11  
12 WHEREAS, counties and cities that are required to plan under the Growth Management  
13 Act (GMA), chapter 36.70A of the Revised Code of Washington (RCW), must ensure that their  
14 comprehensive plans and development regulations encourage economic development,  
15 encourage availability of affordable housing, and reduce sprawl; and

16  
17 WHEREAS, the Snohomish County GMA Comprehensive Plan (GMACP) – General  
18 Policy Plan (GPP) directs Snohomish County to provide for expeditious and efficient  
19 development, land use practices that reduce housing costs, and a regulatory environment that  
20 facilitates growth of the local economy; and

21  
22 WHEREAS, chapter 30.63B of the Snohomish County Code (SCC) establishes land  
23 disturbing activity regulations for development, including standard setbacks, cutting and filling of  
24 materials and maximum slopes; and

25  
26 WHEREAS, chapter 30.63B SCC currently restricts the cutting and filling of materials  
27 within two feet of a property line on a development site unless authorization is granted by  
28 adjoining properties that may be affected by the activity and certain requirements are met by the  
29 project proponent; and

30  
31 WHEREAS, Snohomish County (the “County”) seeks to promote the delivery of more  
32 affordable housing throughout Snohomish County by allowing more efficient use of land; and

33  
34 WHEREAS, the County seeks to maintain flexible development regulations; and

35  
36 WHEREAS, the County seeks to safeguard the health, safety, and general welfare of all  
37 communities in the County through appropriate land use and development controls; and

38  
39 WHEREAS, the proposed code amendments will provide a streamlined allowance for  
40 cuts and fills within two feet of a property line on a development site when an applicant  
41 demonstrates that the integrity and soil stability of adjoining properties is maintained and  
42 complies with other applicable construction regulations; and

43  
44 WHEREAS, Snohomish County Planning and Development Services (PDS) has  
45 conducted early and continuous public participation in developing the proposed amendments to  
46 title 30 SCC that are contained in this ordinance; and

1 WHEREAS, on September 25, 2018, the Snohomish County Planning Commission (the  
2 "Planning Commission") was briefed by PDS staff about the proposed code amendments  
3 contained in this ordinance; and  
4

5 WHEREAS, the Planning Commission held a public hearing on October 23, 2018, to  
6 receive public testimony concerning the code amendments contained in this ordinance; and  
7

8 WHEREAS, at the conclusion of the Planning Commission's public hearing, the Planning  
9 Commission deliberated on the proposed code amendments contained in this ordinance and  
10 voted to recommend amendments to the County code relating to standard setbacks for land  
11 disturbing activities as shown in its recommendation letter dated November 5, 2018; and  
12

13 WHEREAS, the County Council held a public hearing on \_\_\_\_\_, 2018,  
14 and considered public comment and the entire record related to the proposed code  
15 amendments contained in this ordinance; and  
16

17 WHEREAS, following the public hearing, the County Council deliberated on the  
18 proposed code amendments contained in this ordinance;  
19

20 NOW, THEREFORE, BE IT ORDAINED:  
21

22 **Section 1.** The County Council adopts the following findings in support of this ordinance:  
23

- 24 A. The foregoing recitals are adopted as findings as if set forth in full herein.  
25  
26 B. This ordinance will amend title 30 SCC concerning standard setbacks for land disturbing  
27 activities, including cuts and fills, maximum slopes, and related citations and regulations.  
28  
29 C. The purpose of the proposed code amendments is to provide additional flexibility for grading  
30 activities within two feet of property lines, which will facilitate efficient and economical land  
31 use, particularly for housing development, while serving to safeguard public health and  
32 safety.  
33  
34 D. In developing the proposed code amendments, the County considered the goals of the  
35 GMA, specifically those goals related to reducing sprawl, encouraging affordable housing,  
36 and promoting economic development. The proposed code amendments are consistent  
37 with:  
38  
39 1. GMA Goal 2: "Reduce sprawl. Reduce the inappropriate conversion of undeveloped land  
40 into sprawling, low-density development."  
41  
42 2. GMA Goal 4: "Housing. Encourage the availability of affordable housing to all economic  
43 segments of the population of this state, promote a variety of residential densities and  
44 housing types, and encourage preservation of existing housing stock."  
45  
46 3. GMA Goal 5: "Economic development. Encourage economic development throughout  
47 the state that is consistent with adopted comprehensive plans, promote economic  
48 opportunity for all citizens of this state, especially for unemployed and for disadvantaged

1 persons, promote the retention and expansion of existing businesses and recruitment of  
2 new businesses, recognize regional differences impacting economic development  
3 opportunities, and encourage growth in areas experiencing insufficient economic growth,  
4 all within the capacities of the state's natural resources, public services, and public  
5 facilities.”  
6

7 E. The proposed code amendments will comply with and implement the following goals,  
8 objectives, and policies contained in the County’s GMACP – GPP by providing flexibility for  
9 additional infill development, facilitating more affordable housing, promoting economic  
10 development, allowing more efficient use of land, and utilizing established engineering  
11 practices to protect the health, safety, and general welfare of the public:  
12

- 13 1. Housing Goal 1: “Ensure that all county residents have the opportunity to obtain safe,  
14 healthy, and affordable housing.”  
15
- 16 2. Housing Objective 1.B: “Ensure that a broad range of housing types and affordability  
17 levels is available in urban and rural areas.”  
18
- 19 3. Housing Objective 1.C: “Make adequate provisions for the existing and projected  
20 housing needs of all economic segments of the population.”  
21
- 22 4. Housing Goal 2: “Ensure the vitality and character of existing residential neighborhoods.”  
23
- 24 5. Housing Objective 2.A: “Promote opportunities for all county residents to reside in safe  
25 and decent neighborhoods.”  
26
- 27 6. Housing Goal 3: “Land use policies and regulations should contribute as little as possible  
28 to the cost of housing.”  
29
- 30 7. Housing Objective 3.A: “Encourage land use practices, development standards, and  
31 building permit requirements that reduce housing production costs.”  
32
- 33 8. Land Use Goal 2: “Establish development patterns that use urban land more efficiently.”  
34
- 35 9. Land Use Objective 2.C: “Encourage intensification and revitalization of existing and  
36 planned commercial and industrial areas.”  
37
- 38 10. Land Use Objective 2.E: “Provide for reasonable flexibility in land use regulation and  
39 planned mixing of uses, where appropriate, while maintaining adequate protection for  
40 existing neighborhoods.”  
41
- 42 11. Economic Development Objective 2.A: “Develop and maintain a regulatory system that  
43 is fair, understandable, coordinated and timely.”  
44
- 45 12. Economic Development Policy 2.A.2: “Snohomish County should stress predictability but  
46 maintain enough flexibility in the Comprehensive Plan and development codes to allow  
47 for timely response to unanticipated and desirable developments.”  
48

1 13. Natural Environment Goal 1: "Continue existing and develop new county plans and  
2 programs which establish priorities to protect and enhance the natural environment  
3 through a coordinated policy framework to maintain and improve the quality of life for  
4 Snohomish County. The policy framework below provides a non-exclusive list of the core  
5 priorities and strategies that must be addressed in all plans and programs that affect the  
6 natural environment."  
7

8 14. Natural Environment Goal 8: "Protect public health and safety by minimizing the potential  
9 for physical injury and property damage."  
10

11 F. The proposed code amendments are consistent with the record:  
12

13 1. This ordinance will amend SCC 30.63B.130 to eliminate the standard setbacks for cuts  
14 and fills within two feet of a site boundary line. This will resolve issues that have been  
15 encountered with existing regulations that inadvertently discourage or prevent property  
16 owners from maximizing development potential. The amendments to this section of code  
17 will provide flexibility for additional infill development, facilitate more affordable housing,  
18 promote economic development, allow more efficient use of land, and protect the health,  
19 safety, and general welfare of the public. Additionally, amendments to this section of  
20 code will include technical corrections and housekeeping changes to improve readability  
21 and regulatory implementation.  
22

23 2. This ordinance will amend SCC 30.63B.200 to specify that any grading within two feet of  
24 a site boundary line require engineered construction plans and may require a  
25 geotechnical report that demonstrate protection of adjoining properties. The amendment  
26 will provide a simplified review process for such grading. Additionally, amendments to  
27 this section of code will include corrections to land disturbance citations to the  
28 International Building Code (IBC) that have changed since the 2006 IBC and were  
29 inadvertently not amended in the last major revision of chapter 30.63B SCC.  
30

31 3. This ordinance will amend SCC 30.63B.220, 30.63B.230, 30.63B.240, and 30.63B.250  
32 to correct land disturbance citations to the IBC that have changed since the 2006 IBC  
33 and were inadvertently not amended in the last major revision of chapter 30.63B SCC.  
34

35 G. The proposed code amendments are consistent with the record as set forth in the PDS  
36 Supplemental Staff Report dated October 5, 2018.  
37

38 H. Procedural requirements:  
39

- 40 1. The proposal is a Type 3 legislative action under SCC 30.73.010 and 30.73.020.  
41  
42 2. The public participation process used in the adoption of the proposed code amendments  
43 has complied with all applicable requirements of the GMA and SCC.  
44  
45 3. In accordance with RCW 30.70A.106(1), a notice of intent to adopt the proposed code  
46 amendments was transmitted to the Washington State Department of Commerce for  
47 distribution to state agencies on August 17, 2018.  
48

- 1 4. State Environmental Policy Act (SEPA), chapter 43.21C RCW, requirements with  
2 respect to this non-project action have been satisfied through the completion of an  
3 environmental checklist and the issuance of a determination of non-significance on  
4 September 12, 2018.  
5  
6 5. As required by RCW 30.70A.370, the Washington State Attorney General last issued an  
7 advisory memorandum in December 2015 entitled "Advisory Memorandum: Avoiding  
8 Unconstitutional Takings of Private Property" to help local governments avoid  
9 unconstitutional takings of private property. The process outlined in the State Attorney  
10 General's 2015 advisory memorandum was used by the County in objectively evaluating  
11 the regulatory changes in this ordinance.  
12

13 **Section 2.** The County Council makes the following conclusions:

- 14  
15 A. The proposal is consistent with Washington State law and Snohomish County Code.  
16  
17 B. The proposal is consistent with the GMACP and with the goals, objectives, and policies of  
18 the GPP.  
19  
20 C. The regulations proposed by this ordinance do not result in an unconstitutional taking of  
21 private property for a public purpose.  
22  
23 D. The County complied with the state and local public participation requirements under the  
24 GMA and chapter 30.73 SCC.  
25

26 **Section 3.** The County Council bases its findings and conclusions on the entire record of  
27 the County Council, including all testimony and exhibits. Any finding, which should be deemed a  
28 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.  
29

30 **Section 4.** Snohomish County Code Section 30.63B.130, last amended by Ordinance  
31 15-103 on January 11, 2016, is amended to read:  
32

33 **30.63B.130 Standard setbacks and maximum slopes for cuts and fills.**

34 (1) Before performing any land disturbing activity subject to a land disturbing activity permit,  
35 the applicant shall mark on the site and show on the land disturbing activity site plan the limits of  
36 all proposed land disturbing activities, trees and native vegetation to be retained, and drainage  
37 courses, so that setbacks can be determined. Cut and fill slopes shall be set back from site  
38 boundaries in accordance with this section. Setback dimensions shall be horizontal distances  
39 measured perpendicular to the site boundary.

40 (2) The top of cut slopes shall not be nearer to a site boundary line than 20 percent of the  
41 vertical height of the cut slope~~((, and in no event nearer than two feet from the boundary line))~~.  
42 The setback shall be increased when necessary to stabilize any required subsurface drainage  
43 or surcharge, as determined by the geotechnical engineering report, soils engineering report, or  
44 engineering geology report pursuant to SCC 30.63B.220 through 30.63B.240.

45 (3) The toe of fill slopes shall not be made nearer to the site boundary line than 50 percent of  
46 the vertical height of the fill slope~~((, but in no event nearer than two feet from the boundary  
47 line))~~.

1     ~~((4) Cuts and fills shall be set back a minimum of two feet from the property line unless the~~  
2     ~~both of the following are provided:~~

3     ~~(a) A construction easement, written agreement or letter of authorization from all the affected~~  
4     ~~property owners allowing a setback of less than two feet; and~~

5     ~~(b)) (4) For any proposed cut, fill, rockery, or retaining wall within six inches of a site~~  
6     ~~boundary line, ((A)) a survey by a land surveyor licensed in Washington State shall be~~  
7     ~~completed that ensures compliance with construction and land disturbing activity site plans prior~~  
8     ~~to construction in the affected area. ((of cut, fill, rockery, or a retaining wall proposed within six~~  
9     ~~inches of a property line.))~~

10    (5) The grades and cuts and fills established on the land disturbing activity plan shall be  
11    prepared based on topographic data obtained to comply with SCC 30.63A.400 and volume I of  
12    the Drainage Manual.

13  
14           **Section 5.** Snohomish County Code Section 30.63B.200, last amended by Amended  
15    Ordinance 17-070 on November 1, 2017, is amended to read:

16  
17    **30.63B.200 Land disturbing activities and projects requiring engineered construction**  
18    **plans.**

19    (1) The following land disturbing activities require the submittal of construction plans prepared  
20    by and stamped by an engineer licensed in the State of Washington:

21    ~~(a) All grading activity within two feet of a site boundary line;~~

22    ~~((a)) (b) All land disturbing activity in excess of 5,000 cubic yards;~~

23    ~~((b)) (c) All land disturbing activity located within public or private roads and their rights-of-~~  
24    ~~way, tracts, or easements;~~

25    ~~((e)) (d) All land disturbing activity that is subject to environmental review under chapter~~  
26    ~~30.61 SCC or is related to development activity that is subject to environmental review under~~  
27    ~~chapter 30.61 SCC;~~

28    ~~((d)) (e) All land disturbing activity projects that require civil engineering, as determined by~~  
29    ~~the department pursuant to subtitle 30.5 SCC and IBC sections ((1802-4,)) 1803.3, ((1802-6))~~  
30    ~~1803.6, and ((1803-4(2);)) 1804.5(2);~~

31    ~~((e)) (f) All land disturbing activity that has drainage impacts that are required to be mitigated~~  
32    ~~by construction of detention, water quality treatment (including low impact development best~~  
33    ~~management practices used to meet requirements of Minimum Requirement 6 per the Drainage~~  
34    ~~Manual), and/or bioretention systems; and~~

35    ~~((f)) (g) All land disturbing activity that may cause impacts to wetlands or streams as~~  
36    ~~described in chapter 30.63A SCC or volume I of the Drainage Manual.~~

37    (2) Engineered construction plans for the land disturbing activities identified in subsection (1)  
38    of this section shall also comply with chapter 30.52A SCC and the EDDS.

39  
40           **Section 6.** Snohomish County Code Section 30.63B.220, last amended by Ordinance  
41    15-103 on January 11, 2016, is amended to read:

42  
43    **30.63B.220 Geotechnical engineering report.**

44    If a geotechnical engineering report is required by SCC 30.63B.210 or chapter 18 of the IBC,  
45    the applicant's geotechnical engineer, civil engineer, or engineering geologist shall inspect and  
46    determine the suitability of the prepared ground to receive fills and the stability of cut slopes with  
47    respect to soil, hydrologic, and geologic conditions. This information shall be incorporated in the  
48    engineering report. The geotechnical engineering report shall also evaluate the need for



1 subdrains or other groundwater drainage devices. To verify safety, the department may require  
2 testing for required compaction, soil bearing capacity, stability of all finished slopes, and the  
3 adequacy of structural fills as a condition of permit approval. The required content of the  
4 geotechnical engineering report is contained in section ((1802.6)) 1803.6 of the IBC and volume  
5 I, chapter 3 of the Drainage Manual.

6  
7 **Section 7.** Snohomish County Code Section 30.63B.230, last amended by Ordinance  
8 15-103 on January 11, 2016, is amended to read:

9  
10 **30.63B.230 Soils engineering report.**

11 When required by chapters 16, 18, and 33 of the IBC for expansive soils, questionable soils  
12 and the potential for soils near high groundwater, a soils engineering report shall be required.  
13 The required content of the soils engineering report is contained in sections 1613, ((1802.6))  
14 1803.6, and 3304 of the IBC and volume I, chapter 3 of the Drainage Manual. The report also  
15 shall include the following:

- 16 (1) Data regarding the nature, distribution, site classification, and strength of existing soils;
- 17 (2) Conclusions and recommendations for land disturbing activity procedures identified in the  
18 reports required by SCC 30.63B.210 or chapters 16, 18, and 33 of the IBC;
- 19 (3) Design criteria for corrective measures, including structural fills, when necessary due to  
20 subsurface soils or groundwater conditions;
- 21 (4) An analysis of the adequacy of affected soils for the intended use of the site as affected by  
22 soils engineering factors;
- 23 (5) An analysis that describes the hydraulic conductivity, cation exchange capacity, depth to  
24 seasonal high water table, and groundwater flow direction and gradient within the soils; and
- 25 (6) A determination if it is feasible to infiltrate stormwater into the underlying site soils as part  
26 of the LID BMP selection or design for the site, without adversely affecting adjoining or off-site  
27 properties.

28  
29 **Section 8.** Snohomish County Code Section 30.63B.240, added by Amended Ordinance  
30 10-023 on June 9, 2010, is amended to read:

31  
32 **30.63B.240 Engineering geology report.**

33 When required by chapters 16 and 18 of the IBC to analyze soil characteristics due to the  
34 location of on-site faults, an engineering geology report shall be required. The report shall  
35 include an adequate description of the geology of the site, conclusions, and recommendations  
36 regarding the effect of geologic conditions on the proposed development, and an analysis of the  
37 adequacy for the intended use of sites to be developed by the proposed land disturbing activity,  
38 as affected by geologic factors. The required content of the engineering geology report is  
39 contained in sections 1613 or ((1802)) 1803 of the IBC as applicable.

40  
41 **Section 9.** Snohomish County Code Section 30.63B.250, added by Amended Ordinance  
42 10-023 on June 9, 2010, is amended to read:

43  
44 **30.63B.250 Liquefaction report.**

45 Based on the soil strength identified in the soils engineering report, the department may  
46 require a geotechnical or geologic investigation and report in accordance with section ((1802.4))  
47 1803 of the IBC, which shall address the potential for liquefaction.





## Snohomish County

### SNOHOMISH COUNTY PLANNING COMMISSION

November 5, 2018

Snohomish County Council  
County Administration Building  
M/S 609, 3000 Rockefeller Avenue  
Everett, WA 98201-4046

**SUBJECT:** Planning Commission recommendations on proposed amendments related to reforming ground disturbance provisions

Dear Snohomish County Council,

On behalf of the Snohomish County Planning Commission, I am forwarding our recommendations which would amend the Snohomish County Code (SCC) regarding ground disturbance regulations. The Planning Commission had a briefing on September 25, 2018 and conducted a public hearing on October 23, 2018 to consider a proposal that would reform and update ground disturbance provisions in Title 30 SCC.

The primary purpose of the code amendments is to streamline the methodology for allowing grading activities within two feet of a property line. Several of the code amendments would also make housekeeping changes.

Three individuals provided public testimony on the proposed code amendments, two of whom opposed the proposal and one of whom favored the proposal. The Planning Commission closed public testimony and concluded deliberations on October 23, 2018.

#### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission recommends approval of the proposed code amendments after considering information presented during the public hearing process:

**Main Motion** was made by Commissioner Temple and seconded by Commissioner Hannam recommending approval of the proposed code amendments contained in the staff report with supported findings and conclusions as written.

**Vote:**

6 in favor (*Ash, Everett, Hannam, Langston, Temple, and Wold*)

2 opposed (*Simmonds and Norcott*)

0 abstentions

**Motion passed**

Respectfully submitted,

SNOHOMISH COUNTY PLANNING COMMISSION  
Jim Langston, Chair

cc: Dave Somers, Snohomish County Executive  
Barbara Mock, Director, Planning and Development Services

**Snohomish County: Analysis of Building and Land Use Regulation Effects on Housing and Jobs**

Proposed Ordinance No. 18-\_\_\_\_, RELATING TO GROWTH MANAGEMENT; CONCERNING  
 Regulation: LAND DISTURBING ACTIVITIES; AMENDING CHAPTER 30.63B OF THE  
 SNOHOMISH COUNTY CODE

Date: **December 6, 2018**

Staff Contact: **Stephen Fesler, PDS, Ext. 2053**

	Increase	Decrease	Neutral	Uncertain	Comments
<b>Housing</b>					
Capacity/Targets			X		Not impacted by proposal
Cost of housing dvpt:			X		On balance, housing costs are likely to remain neutral
• Infrastructure			X		Not impacted by proposal
• Site		X			Potential for slight decrease in per unit costs related to design
• Building const.		X			Potential for slight decrease in per unit costs related to design
• Fees			X		Not impacted by proposal
• Yield	X				Increase potential residential development capacity
Timing			X		Not impacted by proposal
<b>Jobs</b>					
Capacity/Targets			X		Not impacted by proposal
Cost of com'l/ind dvpt:			X		Not impacted by proposal
• Infrastructure			X		Not impacted by proposal
• Site		X			Potential for slight decrease in costs related to design
• Building const.		X			Potential for slight decrease in costs related to design
• Fees			X		Not impacted by proposal
• Yield	X				Increase potential development capacity
Time to Create Jobs			X		Not impacted by proposal
# Family Wage Jobs			X		Not impacted by proposal

**Discussion:**

This is a non-project proposal to amend Title 30 of the Snohomish County Code (SCC) to streamline the methodology for allowing grading activities within two feet of a property line. Several of the proposed code amendments would also make housekeeping changes.

## Snohomish County Capital Facility Development Cost Analysis Summary

Project/Document Title: Ordinance No. 18-\_\_\_\_, RELATING TO GROWTH MANAGEMENT; CONCERNING LAND DISTURBING ACTIVITIES; AMENDING CHAPTER 30.63B OF THE SNOHOMISH COUNTY CODE

Date: **December 6, 2018**

Primary Staff Contact: **Stephen Fesler, Ext. 2053**

### General Cost Analysis Summary:

This is a non-project proposal to amend Title 30 of the Snohomish County Code (SCC) to streamline the methodology for allowing grading activities within two feet of a property line. Several of the code amendments would also make housekeeping changes. The proposal is not anticipated to increase the demand for county capital facilities.

<b>Necessary Facility</b>	<b>Quantification/Qualification of Anticipated Cost:</b>
Parks	County Funded Impacts – <b>None anticipated.</b> Other Fund Sources Impacts – <b>None.</b>
Roads & Transit	County Funded Impacts – <b>None anticipated.</b> Other Fund Sources Impacts – <b>None.</b>
Surface Water	County Funded Impacts – <b>None anticipated.</b> Other Fund Sources Impacts – <b>None.</b>
Public Schools	County Funded Impacts – <b>None. Funding of schools is the responsibility of the local district.</b> Other Fund Sources Impacts – <b>None.</b>
Electric Power	County Funded Impacts – <b>None. Funding of electric power is the responsibility of the local district or city.</b> Other Fund Sources Impacts – <b>None.</b>
Public Water	County Funded Impacts – <b>None. Funding of public water is the responsibility of the local district or city.</b> Other Fund Sources Impacts – <b>None.</b>
Wastewater	County Funded Impacts – <b>None. Funding of wastewater treatment is the responsibility of the local district or city.</b> Other Fund Sources Impacts – <b>None.</b>