

## Chapter 14.08

### LEGISLATIVE ACTIONS

#### Sections:

<b>14.08.010</b>	<b>Intent.</b>
<b>14.08.020</b>	<b>Petition for amendments to the Comprehensive Plan/rezones.</b>
<b>14.08.030</b>	<b>Initiation of review of amendments to the Comprehensive Plan.</b>
<b>14.08.040</b>	<b>Environmental review.</b>
<b>14.08.050</b>	<b>Adoption of community (subarea) plans, functional plans, and Shoreline Master Program amendments and review of open space current use applications.</b>
<b>14.08.060</b>	<b>Initiation of review of development regulations/amendments to SCC Title 14.</b>
<b>14.08.070</b>	<b>Public participation requirements.</b>
<b>14.08.080</b>	<b>Review by Planning Commission.</b>
<b>14.08.090</b>	<b>Review and decisions by Board.</b>
<b>14.08.100</b>	<b>Emergency or interim regulations.</b>
<b>14.08.110</b>	<b>Appeal.</b>

#### **14.08.010 Intent.**

The intent of this Chapter is to establish roles and responsibilities of Planning and Development Services staff (“Department”), the Planning Commission (“Commission”) and the Board of County Commissioners (“Board”) relating to adoption of the Comprehensive Plan, subarea plans, functional plans, development regulations found in SCC Title 14 and amendments thereto pursuant to the requirements of Chapters 36.70 and 36.70A RCW. This Chapter shall not apply to review of development permits, or the amendment of County-wide Planning Policies. The responsibilities and procedures for review of development permits are governed by the provisions of Chapter 14.06 SCC. (Ord. O20070009 (part); Ord. 17938 Atch. F (part), 2000)

#### **14.08.020 Petition for amendments to the Comprehensive Plan/rezones.**

- (1) Comprehensive Plan amendments consist of 2 types: policy amendments and map amendments. Rezones shall be processed in conjunction with map amendments with the exception of rezones of those lands located within an urban growth area.
- (2) Comprehensive Plan policy amendments or map amendments may be initiated by the County or by other entities, organizations, or individuals through petitions filed with the Department by the following dates:
  - (a) On or before the last business day of July of each year, except when the proposal is to modify a municipal urban growth area boundary; or
  - (b) When a Comprehensive Plan/Zoning Map amendment is proposed to modify a municipal urban growth area boundary, then the amendment petitions must be submitted to the Department by the last business day of March. The Department shall forward a copy of the amendment petition to the relevant municipality for their review. The municipality must respond in writing to the Department, by the last business day of July, with a recommendation for modification, approval, or denial. Such a recommendation must include appropriate findings of fact and conclusions in support of the recommendation, and in particular, how the recommendation conforms to the criteria set forth in Subsection (5)(b) of this Section.
- (3) All proposed amendments to the Comprehensive Plan shall be considered on an annual basis (no more frequently than once per year), according to the schedule provided in this Chapter so that the cumulative effect of all proposed amendments may be considered; provided, however, the County may adopt amendments more frequently than once per year if the proposal is the initial adoption of subarea plan or functional plan, if the amendment is to the County’s Shoreline Master Program under the procedures set forth in Chapter 90.58 RCW, if the amendment is to the capital facilities element that occurs concurrently with the adoption or amendment of the County budget, if a declared emergency exists, or in response to a court order or an order of the Growth Management Hearings Board. An emergency amendment may only be adopted if the Board finds that the amendment is necessary to address an immediate situation of Federal, State, subarea, or County-wide concern as opposed to a personal emergency on the

part of the applicant or property owner and the situation cannot adequately be addressed by waiting until the annual Comprehensive Plan amendment process.

- (4) A petition for a policy amendment shall include, at a minimum, the following information:
  - (a) A detailed statement of what is proposed to be changed and why.
  - (b) A statement of anticipated impacts to be caused by the change, including geographic area affected and issues presented.
  - (c) A demonstration of why existing Comprehensive Plan policies should not continue to be in effect or why existing policies no longer apply.
  - (d) A statement of how the amendment complies with the Comprehensive Plan's community vision statements, goals, objectives, and policy directives.
  - (e) A statement of how adopted functional plans and Capital Facilities Plans support the change.
  - (f) A statement of how the change affects implementing development regulations SCC Title 14 and the necessary changes to bring the implementing development regulations into compliance with the plan.
  - (g) A summary of any public review of the recommended change.
- (5) A petition for a map amendment shall include, at a minimum, all of the requirements for a policy amendment, plus the following additions:
  - (a) A detailed statement describing how the map amendment complies with Comprehensive Plan land use designation criteria.
  - (b) Any proposed urban growth area boundary changes shall be supported by and dependent on population forecasts and allocated urban population distributions, existing urban densities and infill opportunities, phasing and availability of adequate services, proximity to designated natural resource lands and the presence of critical areas.
  - (c) Any proposed rural areas and natural resource land map designation changes shall be supported by and dependent on population forecasts and allocated non-urban population distributions, existing rural area and natural resource land densities and infill opportunities.
  - (d) Any proposed natural resource land map designation changes shall recognize that natural resource land designations were intended to be long-term designations and shall further be dependent on 1 or more of the following:
    - (i) A change in circumstances pertaining to the Comprehensive Plan or public policy.
    - (ii) A change in circumstances beyond the control of the landowner pertaining to the subject property.
    - (iii) An error in initial designation.
    - (iv) New information on natural resource land or critical area status.
- (6) Rezones.
  - (a) All rezones shall be processed in conjunction with Comprehensive Plan amendments with the exception of rezones of those lands located within an urban growth area. The procedures for application, notice, etc., shall follow those for the Comprehensive Plan amendments in Subsection (2) of this Section.
  - (b) Petitions for rezones shall include at a minimum, all of the requirements for policy and map amendments, plus the following additions:
    - (i) A detailed development proposal that is consistent with the applicable designation criteria; and
    - (ii) A 1-inch equals 100 feet map showing the subject property and property lines and land use designations for all properties within 500 feet of the site.
  - (c) Approval Criteria for Rezones.
    - (i) The property can meet the detailed standards in Chapter 14.16 SCC applicable to the proposed zone.
    - (ii) The lot(s) shall be reviewed for compliance with SCC 14.16.850(4) for the purposes of determining development potential.
    - (iii) All Comprehensive Plan amendments/rezones to a commercial or industrial zone shall require a development project be commenced for the entire redesignated/rezoned area within 2 years of the redesignation/rezone, unless development is phased. For the purposes of this Section, "commenced" shall mean either (A) a commercial or industrial operation permitted by the redesignation/rezone has been established or (B) a complete building permit has been filed with Planning and Development Services for the principal building which will allow the commercial or industrial operation. Upon building permit approval, the principal building shall be completed (i.e., final inspections completed) within 3 years. Those portions of the redesignated/rezoned property which are not included within the development area

and where the above time frames are not met shall automatically revert to the original designation and zoning, unless a phasing plan is approved pursuant to Subsections (6)(c)(iii)(A) and (B) of this Section. For purposes of this Subsection, “development area” shall mean all portions of the site needed to meet UDC requirements, such as lot coverage and setbacks.

- (A) If an applicant desires to phase development of a commercial or industrial rezoned property, a phasing plan shall be submitted and reviewed as part of the Comprehensive Plan amendment/rezone application. When an amendment/rezone includes a phasing plan, the initial phase shall be commenced and completed within the time frames articulated above. Subsequent phases shall be commenced and/or constructed within the time frames established in the phasing plan, or within a 6-year period. Otherwise, the commercial designation/zoning shall expire and the redesignation/rezoning shall revert to its previous designation for those portions of the property where these requirements are not met.
  - (B) Where a redesignation/rezone did not initially include a phasing plan, but prior to the automatic designation/zone reversion an applicant desires the phasing of the operation, a phasing plan may be submitted to the County for consideration. This plan shall be reviewed through a Level II review process and be reviewed for compliance with the rezone criteria.
  - (C) The time limits established above shall be tolled pending resolution of any appeals, and may be extended by the Board of County Commissioners upon a showing that the applicant is diligently taking actions to obtain necessary permits and approvals to establish the use.
  - (d) Approved rezones shall be shown on the official zoning map.
- (7) The petition for a Comprehensive Plan policy or map amendment and/or rezone shall be on forms provided by the Department and shall contain suggested amendatory language, where appropriate. If the proposed amendment is a site-specific amendment that applies to a specific number of parcels which are in readily identifiable ownership and is in conjunction with an identifiable development proposal, then the petitioner shall pay a fee with the petition as prescribed by the approved fee schedule as now or hereafter amended. (Ord. O20070009 (part); Ord. O20030023: Ord. 17938 Attch. F (part), 2000)

#### **14.08.030 Initiation of review of amendments to the Comprehensive Plan.**

- (1) All amendment petitions, unless exempted by this Chapter, are to be considered in a single annual docket so that the cumulative impacts of the proposed amendments can be reviewed.
- (2) Within 45 days from the last business day of July of each year, the Department shall review all new petitions for Comprehensive Plan amendments, any petitions deferred from the docket of amendments for the previous year, together with any new amendments suggested by the Department, and shall forward a recommendation to the Board as to which of the petitions the Department recommends for inclusion in the current year’s docket of amendments, requiring further consideration by the County.
- (3) In making its docket recommendation the Department shall consider whether:
  - (a) The proposed amendment, in light of all proposed amendments being considered for inclusion in the year’s docket, can be reasonably reviewed within the staffing and operational budget allocated to the Department by the Board;
  - (b) A proposed amendment, to be adopted, would not require additional amendments to the Comprehensive Plan or development regulations not addressed in the petitioner’s application, and is consistent with other goals, objectives and policies adopted by the Board;
  - (c) A proposed amendment raises policy, land use, or scheduling issues that would more appropriately be addressed as part of an ongoing or planned work program, or as part of a regular review cycle; or
  - (d) Some legal or procedural flaw of the proposal would prevent its legal implementation.
- (4) Within 30 days of receipt of the Department’s docket recommendation, the Board shall hold a public hearing to allow applicants and the general public to comment on the Department’s recommendation. During its next available public meeting, the Board shall consider the Department’s recommendation and public testimony and decide which petitions will be reviewed further as part of the annual docket.
  - (a) A decision by the Board to include a particular proposed amendment as part of the current year’s docket of amendments is procedural only and does not constitute a decision by the Board as to whether the amendment will ultimately be approved.

- (b) A decision by the Board to deny further review of a particular petition terminates that petition without prejudice to the applicant or the proposal. The applicant may request a refund of the unused portion of any application fees, and may request the same, or similar amendment as part of a future amendment or review cycle.
- (5) Those petitions forwarded for further review shall be processed according to the remaining sections of this Chapter, including public review and comment and Planning Commission recommendation. Final action by the Board shall be taken to approve, approve with conditions or deny each petition. (Ord. O20070009 (part); Ord. 17938 Attch. F (part), 2000)

**14.08.040 Environmental review.**

- (1) After the Board establishes the current year's docket of Comprehensive Plan amendments, the County shall complete environmental review of all of the proposed amendments, consistent with the requirements of Chapter 43.21C RCW and Chapter 14.12 SCC, SEPA. For any site-specific Comprehensive Plan amendments, the proponent of those amendments shall submit a complete environmental checklist to the County within 20 days of the Board's decision to consider the proposed site-specific amendment.
- (2) Within 15 days from receipt of the environmental checklist(s) for the proposed Comprehensive Plan amendments, the Department shall issue a threshold determination on the docket of amendments. If necessary, a Draft Environmental Impact Statement (DEIS) should be published no later than the first business day of April of the year following the submitted petition.
- (3) Any environmental review shall consolidate, as much as practical, site-specific SEPA review with review of the entire docket of proposed Comprehensive Plan amendments to ensure adequate consideration of cumulative effects of the proposed amendments. SEPA fees shall be in accordance with SCC 14.12.270.
- (4) Amendment petitions that are carried over from a previous year's docket to the current docket do not require a new SEPA checklist and fee, and are not required to be considered in the same environmental document as other proposals in the same docket. However, the Department may require additional SEPA analysis to assess the cumulative impacts of the various proposals constituting a docket. (Ord. O20070009 (part); Ord. 17938 Attch. F (part), 2000)

**14.08.050 Adoption of community (subarea) plans, functional plans, and Shoreline Master Program amendments and review of open space current use applications.**

- (1) Initial adoption of a subarea plan or a functional plan shall not be subject to the once-per-year batching requirements or decision of the Board to initiate review requirements described in SCC 14.08.020 and 14.08.030, but shall be subject to the review procedures and requirements contained in the balance of this Chapter.
  - (a) Once each year, Planning and Development Services shall request that the Board review and prioritize the list of remaining community plans.
  - (b) The development of a community plan can either be initiated by the Board or by individual citizens or groups or a collaboration of the two.
  - (c) A citizen advisory committee shall be formed and public outreach procedures designed, consistent with the County's public participation program, for each plan.
  - (d) Community plans shall be consistent with the Comprehensive Plan.
  - (e) The Board shall have final review and approval authority for all community plans and any changes to the County Comprehensive Plan or development regulations shall be processed as a legislative action according to Chapter 14.08 SCC.
- (2) A proposed amendment to the Skagit County Shoreline Master Program shall not be subject to the once-per-year batching requirements or decision of the Board to initiate review requirements described in SCC 14.08.020 and 14.08.030. Shoreline Master Program amendments shall instead follow the process required in Chapter 173-19 WAC and Chapter 90.58 RCW.
- (3) Open space current use applications requiring review pursuant to a Comprehensive Plan amendment process under Chapter 14.40 SCC are not subject to the 1-year batching requirement. Open space current use applications do not result in a Comprehensive Plan change. (Ord. O20070009 (part); Ord. 17938 Attch. F (part), 2000)

**14.08.060 Initiation of review of development regulations/amendments to SCC Title 14.**

New development regulations or amendments to development regulations may be initiated at any time by a recommendation from the Department to the Board. Within 15 days from the Board's receipt of the Department's

recommendation on 1 or more proposed development regulations or amendments, the Board shall, in a public meeting, consider the Department recommendation on the proposed regulation(s) or amendment(s) and decide whether to initiate review of the proposed regulation(s) or amendment(s). If the Board decides to initiate review of the proposed regulation(s) or amendment(s), it shall refer the same to the Planning Commission for review, consistent with the provisions of SCC 14.08.030 through 14.08.090. A decision by the Board to initiate the regulation(s) or amendment(s) review process at this stage is procedural only and does not constitute a decision by the Board as to whether the regulation or amendment will ultimately be approved. (Ord. 17938 Attch. F (part), 2000)

**14.08.070 Public participation requirements.**

- (1) This Section addresses the creation and roles of Citizen Advisory Committees (CACs) and Technical Advisory Committees (TACs), and provides for public notification requirements in addition to any such requirements otherwise required by this Chapter.
- (2) Unless exempted by this Section, the Board shall establish 1 or more CACs or TACs, as appropriate, to participate and assist in the initial development of Comprehensive Plan elements, subarea plans and functional plans. The Board shall seek to have a variety of interests represented on such committees.
- (3) A CAC or TAC may be initiated by 1 of the following methods:
  - (a) The Board may establish one by resolution; or
  - (b) Any citizen may request the BCC to consider calling for a new CAC or TAC relating to a GMA purpose. The BCC will take public comment on the request. If the BCC is convinced that a new CAC or TAC would be useful, the BCC may authorize its formation by resolution.
- (4) The BCC may establish a procedure for taking applications and selecting membership to the CAC or TAC, including establishing a term of service and a method of reappointment (if any) or replacement of members. The BCC may also establish by resolution rules of procedure and time frames for recommendations by a CAC or TAC.
- (5) CACs and TACs shall follow the requirements of Chapter 42.30 RCW, Open Public Meetings Act. All meetings of the CAC or TAC shall be open to the public and held at a site and times when the working public can attend. The CAC and TAC shall establish and publish a schedule of meeting days, times and locations for main group and subcommittee meetings and shall keep minutes of committee and subcommittee meetings.
- (6) A Skagit County Planning and Development Services or other staff person will be assigned to each CAC and TAC, and will provide staff support and maintain a copy of the minutes of such committee or subcommittee meeting on file at Skagit County Planning and Development Services.
- (7) Notwithstanding the procedure outlined in this Section, if the Board determines that time constraints imposed by orders from the Western Washington Growth Management Hearings Board or other legal requirements likely cannot be met if a CAC or TAC is established and utilized as provided in this Section, the Board need not honor a request to form the CAC or TAC, even if it would be useful to do so.
- (8) The Board may forward a CAC or TAC recommendation to the Planning Commission, or it may make suggested changes to such recommendation and either remand it to the CAC or TAC for further consideration, or forward the CAC or TAC recommendation to the Planning Commission with the Board's suggested changes.
- (9) Public Notification—General Legislative Proposals. Where public notice is otherwise required by this Chapter, information regarding any legislative proposal shall also be broadly disseminated to the public using 1 or more of the following methods as determined to be appropriate for the specific proposal by the Administrative Official or Board:
  - (a) Publishing an additional paid public notice sufficient to inform the public of the nature of the proposal, the date and time of the public hearing, the appropriate contact name and number, and the availability of relevant draft documents;
  - (b) Distributing a press release to the newspaper of general circulation, or radio station in the County, city, or general area where the proposal is located or that will be affected by the proposal;
  - (c) Notifying individuals or groups with known interest in the type of proposal being considered, or who have requested to be notified in relation to a specific legislative proposal. The Department may charge a subscription fee for the administration of mailing lists of persons or groups requesting to be notified in writing, when such notification has also been published in the newspaper of general circulation;
  - (d) Placing notices in appropriate regional, neighborhood, ethnic, or trade journals; and
  - (e) Publishing notice in agency newsletters or sending notice to agency mailing lists, including general lists or lists for specific proposals or subject areas.

- (10) Public Notification—Site-Specific Comprehensive Plan/Zoning Map Amendments. Where public notice is otherwise required by this Chapter, for site-specific legislative proposals, such notice shall be mailed directly to the owners of the affected properties, and to all property owners within 300 feet of the subject property. (Ord. O20070009 (part): Ord. 17938 Attch. F (part), 2000)

**14.08.080 Review by Planning Commission.**

- (1) After completion of any review by a Citizen's Advisory Committee or Technical Advisory Committee as provided in the Skagit County Growth Management Act Public Participation Program, as amended, the Department shall prepare a staff report on the proposed plans, amendments or development regulation summarizing the comments and recommendations of any Citizen Advisory Committee or Technical Advisory Committee, County departments, affected agencies and special districts, and evaluating the proposed plan, plan amendment, or development regulations' consistency with adopted County plans and regulations. The staff report shall include findings, conclusions and proposed recommendations for disposition of the proposed plan, plan amendments or development regulations. The staff report, together with proposed drafts of the plan, plan amendment or development regulation, shall be available to the public a minimum of 15 calendar days before a public hearing on the proposed plan, plan amendment, or development regulation.
- (2) Unless adopted as an interim ordinance under the provisions of RCW 36.70A.390, the Commission shall hold at least 1 public hearing on a proposed plan, plan amendment or development regulation at the beginning of its deliberations prior to forwarding a recommendation to the Board for action, and may hold more than 1 hearing, if deemed necessary.
- (3) Notice of the public hearing shall indicate the time, place and purpose of the public hearing, and shall be published in the official newspaper of the County at least 15 days prior to the hearing.
- (4) If, after the Commission's consideration of the public comments and deliberation on the proposed plan, plan amendment or development regulation, the Commission is considering a recommendation that is substantially different from that for which public comment was last received, the Commission shall provide an opportunity for additional public comment (orally, or in writing, or both), and shall consider such comment before making its recommendation to the Board, unless deadlines imposed by orders of the Growth Management Hearings Board or by the Board when sending the proposed plan, plan amendment or development regulation to the Commission for review prevent such additional comment period. In that case, the Commission shall forward its recommendation to the Board without additional public comment, provided the findings of the Commission clearly state that the recommendation has changed from that for which public comment was taken and the recommendation includes a suggestion that the Board take additional public comment before making its decision. For purposes of this Section, an additional opportunity for public comment is not required if:
  - (a) An environmental impact statement (EIS) has been prepared under Chapter 43.21C RCW for the pending resolution or ordinance and the proposed change is within the range of alternatives considered in the environmental impact statement;
  - (b) The proposed change is within the scope of the alternatives available for public comment;
  - (c) The proposed change only corrects typographical errors, corrects cross-references, makes address or name changes, or clarifies language of a proposed ordinance or resolution without changing its effect;
  - (d) The proposed change is to a resolution or ordinance making a capital budget decision as provided in RCW 36.70A.120; or
  - (e) The proposed change is to a resolution or ordinance enacting a moratorium or interim control adopted under RCW 36.70A.390.
- (5) Commission recommendation to the Board on any plan, plan amendment or development regulation shall be by affirmative vote of not less than a majority of the total members of the Commission. Recommendations shall be by a recorded motion which shall incorporate the findings of fact of the Commission and the reasons for its recommendation, and the motion shall refer expressly to any maps, descriptive material and other matters intended by the Commission to constitute the recommendation. The indication of approval by the Commission shall be recorded on any map and descriptive material, as applicable, by the signatures of the chairperson and the secretary of the Commission.
- (6) All or any part of a plan, development regulation or amendment thereto shall be granted only if it is consistent with the community vision statements, goals, objectives, and the policy directives of the Comprehensive Plan and the proposal preserves the integrity of the Comprehensive Plan and assures its systematic execution.

- (7) Any Commission recommendation on a proposed plan, regulation or amendment thereto shall include a discussion of whether the proposal is supported by capital facility and functional plans; whether the proposal is consistent with the requirements of the Growth Management Act, (Chapter 36.70A RCW), the County-wide Planning Policies and other applicable provisions of the Comprehensive Plan; and whether the proposal bears a substantial relationship to the public general health, safety, morals or welfare. For proposed Comprehensive Plan map changes, the Commission recommendation shall also include findings of fact and conclusions on whether the proposal is justified by changed or changing conditions; whether the proposal would create an isolated land use designation (spot zone) unrelated to adjacent designations; and whether the proposal will be compatible with neighboring properties and not adversely affect the value of those properties.
- (8) A copy of any plan, plan amendment or development regulation recommendation, together with the recorded motion shall be submitted to the Board not later than 14 days following the date the recorded motion is signed by the chairperson of the Commission, together with the statement of findings and conclusions.
- (9) Any report or recommendation from the Commission, whether on a proposal initiated by it, whether on a matter referred back to it by the Board for further report, or whether on a matter initiated by the Board, shall be advisory only and the final determination shall rest with the Board. (Ord. 17938 Attch. F (part), 2000)

**14.08.090 Review and decisions by Board.**

- (1) Upon receipt of a recommendation on all or any part of a plan, plan amendment or development regulation from the Planning Commission, the Board shall, at its next regular public meeting, set the date for a public meeting where it will consider and take action on the recommendation.
- (2) If the Board agrees with the recommendation of the Planning Commission on a proposed plan, plan amendment or development regulation, it shall take action consistent with the Commission's recommendation.
- (3) If the Board considers a change in the recommendation of the Planning Commission on a proposed plan, plan amendment or development regulation to be necessary, the Board shall proceed as follows:
  - (a) Changes to Plans or Plan Amendments. Before acting on a proposed change to a plan or plan amendment, the Board must first refer the proposed change back to the Planning Commission for a report and recommendation. The Commission shall follow the public notice and hearing requirements for consideration of such change as required for the initial Commission review of the proposal. The Board may set a deadline for receipt of the Commission recommendation. After receipt of the report and recommendation of the Commission, or after lapse of the time frame specified by the Board, the Board may approve the plan, without further reference to the Commission, provided:
    - (i) That the plan or plan amendment conforms either to the proposal as initiated by the Board or the recommendation by the Planning Commission; and/or
    - (ii) If the Planning Commission has failed to report within a 90-day period, the Board shall hold at least 1 public hearing on the proposed plan or plan amendment. Public notice for such hearing shall be the same as that required for public hearings before the Commission, described in SCC 14.08.080(3). Thereafter, the Board may proceed to approve the proposed plan or plan amendment.
  - (b) Changes to Development Regulations. Before acting on a proposed change to a development regulation recommended by the Planning Commission, the Board shall either refer the proposed change back to the Commission for further public comment and consideration consistent with the procedures for changes to plans or plan amendments described in Subsection (3)(a) of this Section, or the Board shall conduct its own public hearing, giving notice as required in SCC 14.08.080(3), and adopt its own findings of fact and a statement setting forth the factors considered at the hearing and its own analysis of findings considered by it to be controlling.
- (4) Final Disposition of Annual Docket. The Board must take action on the current year's docket on or before the last business day of July. The Board's decision, or failure to make a decision by the above date, to either approve, deny, or defer action on, plans or plan amendments terminates that year's docket. Upon termination of the current docket, a new docket must be established as required in SCC 14.08.030.
- (5) The Board may defer action on any specific plan or plan amendment to a future docket if:
  - (a) Additional time is needed to analyze the impacts of the proposal;
  - (b) Delaying action on the proposal would unfairly delay action on other proposals that are otherwise ready for a decision; or

- (c) Approval of the proposal depends on the implementation of other rules, standards or policies that either do not exist, or are not official by the time the Board is ready to make its decision on the annual docket. (Ord. O20070009 (part); Ord. 17938 Attch. F (part), 2000)

**14.08.100 Emergency or interim regulations.**

The provisions of RCW 36.70A.390 for emergency or interim maps or regulations or moratoria, if applicable, shall supersede the requirements of this Chapter. (Ord. 17938 Attch. F (part), 2000)

**14.08.110 Appeal.**

- (1) Any action to review the final decision of the Board on a plan, plan amendment or development regulation that is subject to the jurisdiction of the Growth Management Hearings Boards shall be processed according to the law governing such challenges.
- (2) If the decision of the Board is not subject to the jurisdiction of the Growth Management hearings Board, appeals shall proceed according to the applicable RCW. (Ord. 17938 Attch. F (part), 2000)