



Attachment L – Procedures Ordinance for consistency with state law and planning department interpretations

BACKGROUND & OVERVIEW

Comments submitted into land use records sometimes include a mailing address, others only include an email address. County code currently specifies:

22.28.020, Notice Of Decision

Notice of a Hearings Body's decision shall be in writing and mailed to all parties; however, one person may be designated by the Hearings Body to be the recipient of the notice of decision for a group, organization, group of petitioners or similar collection of individual participants.

The language in the Code is broad enough that it could include email. Most times, if regular mail is directed/required, it would say: by United States First Class mail, postage pre-paid. That said, 22.28.020 was originally adopted in 1982, repealed and reenacted in 1990 and then amended in 2016. One can presume that in the 1980s and 1990s, the Board would not have considered “mailed” to include anything other than regular U.S. mail. Therefore, the question of legislative intent cannot be discerned. This is a matter that should be officially clarified in Code.

CURRENT PROCESS & CHANGES

Under Board direction and with public outreach and input, Staff would explore updating the Procedures Ordinance for consistency with state law and planning department interpretations.

Key Amendment Concerns	
Staff Effort/Resources	Low
Legal Complexity	Low
Implementation Urgency	Medium