City Code Revision and Review Project

- Process and Timeline –

Ellensburg City Council Retreat – February 3, 2010

CITY CODE REVISION AND REVIEW PROJECT PROCESS and TIMELINE

City Council has prioritized the review and re-write of the City's land development codes during 2010.

WHY?

The current land development codes are:

- OUTDATED
  - many were written in the early 1970's and there are more modern "Best Practices" available

- INCONSISTENT
  - overtime the codes have been piece-meal amended to address individual things that arose and there is inconsistency between various sections of the code
  - the City adopted a new Comp Plan in 2007 and the codes are inconsistent with or unsupportive of some of the policy direction in that new Plan

- CONFUSING
  - the various land development codes are spread out over several different Code Chapters with little cross-referencing
  - the codes do not address the current regulatory environment
  - the codes do not contain sufficient explanation of terms or graphic representations

CITY CODE REVISION AND REVIEW PROJECT
PROCESS and TIMELINE

FUNDING SOURCES

- City Council has budgeted $100,000 for a land development code review/re-write project in 2010.

- Staff has also successfully obtained a $135,000 Energy Efficiency and Conservation Block Grant (EECBG) that will in part address the land development and building codes in relation to energy efficiency and conservation. The primary task, however, is to develop an Energy Efficiency and Conservation Strategy for the City.

- NOTE: this grant is still in the development phase, with a draft Scope of Work and budget having been sent to the WA Dept. of Commerce which is subcontracting with the Federal Energy Department. A contract is being developed by Commerce for City approval/acceptance and then the project can officially get underway with funding available.

- A Request for Consultant Qualifications has been issued and six consulting firms have responded. Staff is reviewing those qualifications to narrow them down to one or two consulting firms for further discussion.

CITY CODE REVISION AND REVIEW PROJECT
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PROJECT DESCRIPTION

- The project will be composed of two major activities that will be contracted separately and funded from separate funding sources, but which will be performed simultaneously by a single service provider. In general terms, the project can be described as follows:

CITY CODE REVISION AND REVIEW PROJECT
PROCESS and TIMELINE

Activities

1. Development of an *Energy Efficiency and Conservation Strategy* (**Strategy**) for the City of Ellensburg including, but not limited to:

    - a review of the City's Comprehensive Plan and current land development/building codes to identify obstacles to energy efficiency and conservation

    - development of recommended land development/building code updates to support and facilitate implementation of the Strategy

CITY CODE REVISION AND REVIEW PROJECT PROCESS and TIMELINE

- identification of alternative implementation activities for the Strategy
  - the grant application identified several potential implementation activities however, until the Strategy has been developed and implementation activities identified, it is difficult to specifically identify those activities and the EECBG contract will likely need to be amended at that time if any funding remains for those implementation activities.
    i. Develop and distribute educational materials for the public and for builders re: reasons for, and methods of energy efficiency and conservation including Green Building techniques
    ii. Review Building Codes to address obstacles to and opportunities for local energy efficiency and conservation measures in addition to the WSEC; draft amendments to Building Codes; train inspectors for WSEC Code Review

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i. Develop and enact code language to allow small wind energy systems on public and private property, subject to certain siting conditions. Work with City Energy Services Department to develop signage and educational materials for pilot small wind energy system facility to be developed in conjunction with solar panel project on City property.

iv. Provide assistance, as needed, to City Energy Services Dept. energy audit program

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Items Yet To Be Determined

1. Public Participation Process
    - this will be discussed with the consulting firm(s) prior to final selection since each one suggests a slightly different approach

    - a Technical review team will need to be established
        - various staff members
        - the Utility Advisory Committee as needed for the Energy Strategy activity
        - the Planning Commission as needed for the land development code activity.

    - A variety of public participation tools (dedicated web-page link, early and continuous distribution of materials, issue and discussion papers, notice, public meetings/hearings, etc.) will be utilized similar to the City's award-winning Comp Plan public participation process

CITY CODE REVISION AND REVIEW PROJECT PROCESS and TIMELINE

- Two options have been identified for providing larger public input in the development of the product for each activity
  - i. a series of public open houses (at start, at draft stage and at final stage) to allow the community to understand the project and to provide input to the products as they are developed

    OR

  - ii utilization of an "Advisory Committee" or "Steering Committee" composed of various stakeholder representatives to provide that input as the product is developed

STAFF COMMENT: The project is under some funding timelines, so a focused process is required. Historically, utilization of "advisory committees" or "steering committees" composed of various stakeholder representatives in similar projects has resulted in:

- very lengthy processes
- high staff time consumption
- limited and/or inconsistent attendance by the participants
- inability to reach "consensus" by participants

UNIFIED DEVELOPMENT CODE

The consolidation of existing regulations governing zoning, planning, streets and sidewalks, signs, telecommunications, historic preservation, design review and general development into one unified code. The UDC may also include building and fire codes. The UDC also coordinates definitions between chapters and sections, avoiding confusion. This streamlines the permitting process and avoids regulatory conflicts.

CITY CODE REVISION AND REVIEW PROJECT

EXAMPLES OF POTENTIAL CODE DESIGNS

TYPICALLY INCLUDE:

1. *Land Use and Zoning.* This topic area includes lot status, zoning, and uses (allowable, prohibited and conditional). It answers the question, "What can I do on my land?"

2. *Development Standards*. This topic area addresses development standards including those that impact density and architectural and site design. It deals with land division, roads and traffic considerations, and drainage. It also includes many environmental requirements (excluding life, health and safety related environmental regulations) such as critical area buffers and shoreline protection requirements. It answers the questions, "Given the status of my land, what rules tell me **how** it can be developed? Where do I have flexibility, tradeoffs, and options that may offer incentives?"

3. *Life, Health & Safety Requirements*. This topic area includes the Construction Codes that govern building construction, the Fire Code, and environmental regulations enacted to protect life, health and safety such as flood hazard protection, geological hazards safeguards, and protection of critical aquifer recharge areas. It answers the question, "In developing my land, what are the requirements that I must meet to ensure my land and structure are safe for me, future owners, and the community?"

4. *Processes and Procedures*. This topic area deals with the administrative procedures, permitting processes and appeals options. It also addresses SEPA compliance procedures and code enforcement. It answers questions such as, "What are the procedures I must follow?" and "How can I appeal an unfavorable decision?"

CITY CODE REVISION AND REVIEW PROJECT

TYPICAL UNIFIED DEVELOPMENT CODE LAYOUT

- **Title 20**
  UNIFIED DEVELOPMENT CODE*
- Chapter 20.10 General Provisions
- Chapter 20.20 Definitions
- Chapter 20.30 Procedures and Administration
- Chapter 20.40 Zoning and Use Provisions
- Chapter 20.50 General Development Standards
- Chapter 20.60 Adequacy of Public Facilities
- Chapter 20.70 Engineering and Utilities Development Standards
- Chapter 20.80 Critical Areas
- Chapter 20.90 North City Business District
- Chapter 20.91 Ridgecrest Commercial Planned Area 2
- Chapter 20.100 Special Districts

CITY CODE REVISION AND REVIEW PROJECT

TYPICAL UNIFIED DEVELOPMENT CODE LAYOUT

Chapter 20.40

Zoning and Use Provisions

Sections:

Subchapter 1. Zones and Zoning Maps

Purpose.

Zones and map designations.

Residential zones.

Nonresidential zones.

Campus zones.

Special districts.

Zoning map and zone boundaries.

Subchapter 2. Permitted Uses

Purpose.

Use tables.

Residential type uses.

Nonresidential uses.

Other uses.

Campus uses.

CITY CODE REVISION AND REVIEW PROJECT

TYPICAL USE OF GRAPHICS AND CHARTS

19.2.8. RS-5: LOW-DENSITY SINGLE-FAMILY RESIDENTIAL 5

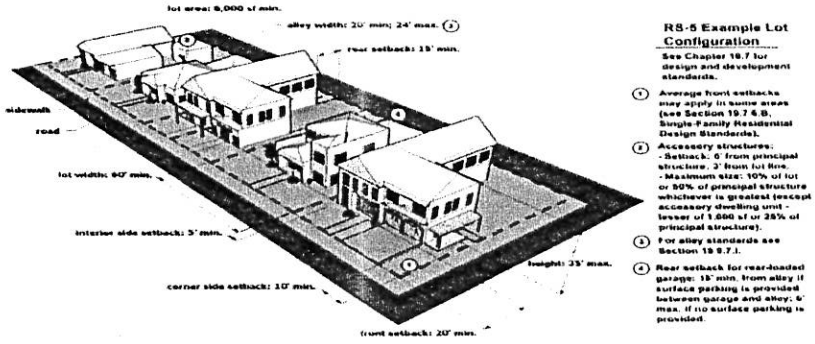
The RS-5 district is established to accommodate a variety of residential use types at low densities on moderately-sized lots. The district allows single-family detached homes as well as typical accessory development. Complementary uses such as parks, open space, minor utilities, accessory dwellings, and certain temporary uses are permitted uses. General and large day care uses, some forms of institutional housing, religious assemblies, and major utilities are allowed with a conditional use permit.

Figure 19.2.8-A: RS-5 Example Building Form

TABLE 19.2.8-1 DIMENSIONAL STANDARDS RS-5 DISTRICT

DISTRICT STANDARDS	
Density, max (units/gross acre)	5
LOT STANDARDS	
Lot area, min (sq ft)	6,000
Lot width, min (ft)	60
Lot coverage, max (%)	N/A
SETBACKS: MINIMUM	
Front, measured from back of the sidewalk or lot line, whichever is greater (ft)	14 to house 20 to a street-facing garage 10 to a side-entry garage
Side, interior (ft)	5
Side, corner (ft)	10
Rear (ft)	15 (except for alleys; see note below)
Accessory structure (ft)	6 from principal structure; 3 from lot line
BUILDING STANDARDS	
Principal bldg height, max (ft)	35
Accessory bldg height, max (ft)	24; 20 flat roof
Building spacing, min (ft)	10
Floor area ratio (FAR)	N/A
Accessory structure size, max: 10% of lot or 50% of dwelling unit size, whichever is greatest (except accessory dwelling unit: lesser of 1,000 sf or 25% of principal structure)	

Figure 19.2.8-B: RS-5 Example Lot Configuration



R8-5 Example Lot Configuration

See Chapter 19.7 for design and development standards.

① Average front setbacks may apply in some areas (see Section 19.7.6.B, Single-Family Residential Design Standards).

② Accessory structures:
- Setback: 6' from principal structure, 3' from lot line.
- Maximum size: 10% of lot or 50% of principal structure whichever is greatest (except accessory dwelling unit - lesser of 1,000 sf or 25% of principal structure).

③ For alley standards see Section 19.9.7.I.

④ Rear setback for rear-loaded garage: 15' min. from alley if surface parking is provided between garage and alley; 6' max. if no surface parking is provided.

CITY CODE REVISION AND REVIEW PROJECT

TYPICAL USE OF GRAPHICS AND CHARTS

Section 19.15.010—MULTI-FAMILY RESIDENTIAL ZONES

PURPOSE AND INTENT: These zones implement the Low and High Density Multifamily Neighborhood Comprehensive Plan designations. The purpose of these zones is to establish areas in which a wide range of single-family and multi-family housing opportunities can be provided, which are compatible with adjacent lower density single-family housing and which protect environmentally sensitive areas. The intent is to provide a variety of stable and attractive, well-designed housing choices that are located near transit, employment, shopping and recreational facilities, and meet the needs of existing and future City residents. Redevelopment of existing housing complexes is encouraged.

ONLY THOSE USES LISTED ON THE FOLLOWING USE ZONE CHARTS MAY BE ALLOWED IN THE RM ZONES, SUBJECT TO MEETING ALL APPLICABLE REQUIREMENTS OF THE ZONING CODE. THE FOLLOWING SPECIAL REGULATIONS APPLY TO ALL USES IN THE MULTI-FAMILY RESIDENTIAL ZONES. BE SURE TO CHECK THE APPLICABLE USE ZONE CHART FOR ADDITIONAL REQUIREMENTS THAT PERTAIN TO SPECIFIC USES. WHERE A SPECIAL REGULATION BELOW CONFLICTS WITH A SPECIAL REGULATION IN A USE ZONE CHART FOR A SPECIFIC USE, THE USE ZONE CHART SHALL APPLY.

19.15.010.1: SPECIAL REGULATIONS:

A. Rezone to SPA-4 (see BMC 19.65.090) is required for any new *use* or development on land that is within the SPA-4 comprehensive plan designation. This process does not apply to:

i. The remodel or addition to existing *dwelling units* for residential purposes, or

ii. The remodel or addition to existing non-residential *uses* for the same *use* or another non-residential *use* allowed by the RM zone.
[Ord. 479 §1, 2007, Ord. 396 §1, 2003]

CITY CODE REVISION AND REVIEW PROJECT

TYPICAL USE OF GRAPHICS AND CHARTS

RM Zones USE ⇩ ⇩REGULATIONS	DIRECTIONS: FIRST, read down to find use...THEN, across for REGULATIONS									
	Special Review Process (See Ch. 19.65)	MINIMUMS			MAXIMUMS			Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.010.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
		Lot Area	SETBACKS		Lot Coverage		Height			
			Front Setback	Interior Setback	Building Coverage	Impervious Surface Coverage				
19.15.010.2 *Townhouse Dwelling Unit*	Type 1	See Spec. Reg. 1	10'	See Spec Reg. 3	RM-12 & RM-18 zones: 60% RM-24 zone: 70%	85%	35'	B	2.0 spaces per unit	1. Minimum *lot area* per *dwelling unit* is: a. 3,600 square feet in the RM-12 zone. b. 2,400 square feet in the RM-18 zone. c. 1,800 square feet in the RM-24 zone. 2. Each *dwelling unit* must be located on its own *lot*. 3. Minimum interior *setback* is 5 feet, except interior *setback* between townhouses may be reduced to zero feet. 4. Chapter 19.17 contains regulations regarding home occupations, and other *accessory uses*, facilities and activities associated with this use.
19.15.010.3 *Apartment Dwelling Unit*	Type 2	5,000 s.f. See Spec. Reg. 1	10'	5'	RM-12 & RM-18 zones: 60% RM-24 zone: 70%	85%	35'	B	1.8 spaces per unit	1. Maximum density per *dwelling unit* is: a. 12 units per acre in the RM-12 zone. b. 18 units per acre in the RM-18 zone. c. 24 units per acre in the RM-24 zone. 2. Chapter 19.17 contains regulations regarding home occupations, and other *accessory uses*, facilities and activities associated with this use.

CITY CODE REVISION AND REVIEW PROJECT

TYPICAL USE OF GRAPHICS AND CHARTS

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

RM Zones: USE ⇩ / ⇩REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS: Lot Area	MINIMUMS: SETBACKS: Front Setback	MINIMUMS: SETBACKS: Interior Setback	MAXIMUMS: Lot Coverage: Building Coverage	MAXIMUMS: Lot Coverage: Impervious Surface Coverage	MAXIMUMS: Height	Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.010.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
19.15.010.4 *Single Detached Dwelling Unit*	None	See Spec. Reg. 1	10'	5'	55%	75%	35'	A	2 spaces per unit	1. Minimum *lot area* per *dwelling unit* is: a. 3,600 square feet in the RM-12 zone. b. 2,400 square feet in the RM-18 zone. c. 1,800 square feet in the RM-24 zone. 2. One *single detached dwelling unit* may be built on a *lot* that has less than the stated minimum *lot area*. 3. No *lot* shall be created less than the minimum *lot area* except through the application of lot averaging. *Lot* averaging is permitted through a short plat, subdivision or *lot* line adjustment. However, no *lot* shall be created with an area less than 90 percent of the stated minimum *lot area*. See BMC Title 17 for more information about *lot* averaging. 4. Chapter 19.17 contains regulations regarding home occupations, and other *accessory uses*, facilities and activities associated with this use.
19.15.005.5 *Family Day Care Home I and II*	None	See Special Regulation 1								1. Must comply with requirements of the *primary use*. 2. *Family Day Care Home II:* Must provide State certification of safe passenger loading area.
19.15.005.6 *Day Care Center*	None	5,000 s.f.	10'	5'	RM-12 & RM-18 zones: 60% RM-24 zone: 70%	85%	35'	B	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Must provide State certification of safe passenger loading area.

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TYPICAL USE OF GRAPHICS AND CHARTS

DIRECTIONS: FIRST, read down to find use... THEN, across for REGULATIONS

RM Zones: USE ⇩ / ⇩REGULATIONS	Special Review Process (See Ch. 19.65)	MINIMUMS: Lot Area	MINIMUMS: SETBACKS: Front Setback	MINIMUMS: SETBACKS: Interior Setback	MAXIMUMS: Lot Coverage: Building Coverage	MAXIMUMS: Lot Coverage: Impervious Surface Coverage	MAXIMUMS: Height	Landscape Category (See Ch. 19.25)	Minimum Required Parking Spaces (See Ch. 19.20)	Special Regulations (See also Section 19.15.010.1 and Chapter 19.17, Miscellaneous Use, Development and Performance Standards)
19.15.010.7 *Mixed Use*	Type 1	5,000 s.f.	10'	5'	RM-12 & RM-18 zones: 60% RM-24 zone: 70%	85%	35' See Spec. Reg. 5	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. *Mixed use* is allowed only in RM-24 zones. 2. The proposed development must fit in with the character of the surrounding residential neighborhood. 3. No more that 50% of the *gross floor area* of the *structure* shall be devoted to *office uses*. *Retail uses*, banks, loan companies and similar financial institutions are not permitted. 4. Maximum residential density is 24 *dwelling units* per acre. 5. *Height* may be increased to 60 feet, if: a. At least 25% of the required parking is under or within a *building* and is fully screened from public view; and b. The landscaping category is increased by one category (for example, Category 3 is increased to Category 2).
19.15.010.8 *Public Park and Recreation Facilities*	Type 1, if less than 1 acre Otherwise, Type 2	None.	30' See Spec. Reg. 2	30' See Spec Reg. 2	60%	85%	35'	C	See Sec. 19.20.030.2 [Ord. 292 § 6, 2000]	1. Lighting for *structures* and fields shall be directed away from *dwelling units*. 2. *Structures* shall maintain a 50-foot *setback* from *adjoining lots* containing *single detached dwelling units*. The *Director* may allow *structures* such as playground equipment, ball field backstops and tennis court *fences* closer than 50' if compatible with the surrounding neighborhood and traffic safety considerations.
19.15.010.9 *Community Residential Facility*	Type 3	5,000 s.f.	10'	5'	RM-12 & RM-18 zones: 60% RM-24 zone: 70%	85%	35'	B	1 space for every 2 bedrooms	

Section 19.15.010--USE ZONE CHART--Residential Multi-Family (RM) Zones
(Revised 7-02)

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TYPICAL "USE" CHART/TABLE

P = Permitted A = Accessory Use S = SUP "+" = Permitted with Conditions

Residential										Permitted Uses	Mixed Use		Commercial					Industrial		
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Residential & Lodging	DT	R-O	N-S	GR	C	CBD	HC	RT	LI	HI
	P	P	P	P	P	P	P	P	P	Accessory Building +		P	P	P	P	P	P	P	P	P
S	S					S				Bed & Breakfast Operation +	S	P	S			P				
										Caretakers Quarters/Domestic or Security Unit	P			P	P	P	P	P	P	P
P									P	Convent or Monastery		P		P	P					
								P	P	Duplex +						P				
A	A	A	A	A	A	A	A	A	A	Garage	A	A	A	A	A	A	A	A	A	A
A	A	A	A	A	S	S	S	S	P	Guest Quarters/ Secondary Living Unit +						A				
P	P	P	P	P	P	P	P	P	P	Home Occupation +	P	P				P				
										Hotel	S			S	S	S			S	
										Hotel, Full Service	S			S	S	S			S	
										Hotel, Residence	S			S	S	S			S	
										Motel	S			S	S	S			S	
									P	Multi-Family						S				
	P	P		P	P	P	P	P		Portable Building +										
									P	Residential Care Facility		S	S	S	S	S				
S										Single Family on less than the minimum size lot +						P				
							P	P	P	Single Family, Attached +						P				
P	P	P	P	P	P	P	P	P	P	Single Family, Detached +		P				P				
							P	P	P	Single Family, Zero Lot Line +		P				P				
A	A	A	A	A	A	A	A	A	A	Swimming Pool, Private	A	A				A				
A	S	S	S	S	S	S	S	S	S	Tennis Court Private		S				S				
									P	Townhouse	P	P				P				
									S	Urban Residential +	P					P				

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Residential										Permitted Uses	Mixed Use		Commercial					Industrial		
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Retail & Personal Services	DT	R-O	N-S	GR	C	CBD	HC	RT	LI	HI
										Antique/Collectible Store	S		S	P	P	P	P			
										Astrologer, Hypnotist, or Psychic Art and Science	S	P	P	P	P	P	P			
										Banquet Facility	S			P	P	P	P			
										Beverage Service Facility, Portable +	S				S	S	S		S	P
										Business School	P			P	P	P	P	P	P	
										Catering Service	A		S	P	P	P	P	S	P	
										Christmas Tree Sales Lot & Similar Uses, Temporary +	S		S	P	P	P	P	S	P	P
										Copy Center	P		P	P	P	P	P	P	P	P
										Display, Incidental +	P		P	P	P	P	P			
										Garden Supply/Plant Nursery			S	P	P	S	P		P	
										General Personal Service	P		P	P	P	P	P		S	
										General Retail Store	P	S	P	P	P	P	P		S	S
										Hair Salon, Manicurist	P	S	P	P	P	P	P		S	
										Laundry, Drop-off/Pickup	P		P	P	P	P	P		P	P
										Laundry, Self Service	P		P	P	P	P	P		P	P
										Massage Therapist	P	P	P	P	P	P	P			
										Museum or Art Gallery (Private)	P	P	S	P	P	P		P	P	
										Night Club, Discoteque, or Dance Hall	S			S	P	P	P		S	S
										Pawn Shop					S		S		P	P
										Pet Shop			P	P	P	P	P			
										Private Club +	P		S	P	P	P	P	S	P	P
P	P	P	P	P	P	P	P	P	P	Real Estate Sales Office, On-site, Temporary +	P		P	P	P	P	P	P	P	P
										Rental Store, w/o Outside Storage and Display				S	P		P		P	P

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Residential										Permitted Uses	Mixed Use		Commercial					Industrial		
AG	SF-E	SF-1	SF-16	SF-10	SF-8.4	SF-7	ZL-5	2-F	MF-14	Industrial & Manufacturing	DT	R-O	N-S	GR	C	CBD	HC	RT	LI	HI
S										Asphalt or Concrete Batch Plant +									S	S
P	P	P	P	P	P	P	P	P	P	Asphalt or Concrete Batch Plant, Temporary +			P	P	P	P	P	P	P	P
										Bottle Works, Milk or Soft Drinks									P	P
										Brewery, Distillery or Winery (Excluding Brew Pub)									P	P
										Carpet and Rug Cleaning							S		P	P
										Environmentally Hazardous Materials +							S		S	P
										Food Processing (No Slaughtering)							S		P	P
										Light Assembly & Fabrication							P	S	P	P
										Manufacturing, Heavy							S		S	P
										Manufacturing, Light							P	S	P	P
										Metal Plating, Electro Plating									S	P
S	S	S	S	S	S	S	S	S	S	Mining and Extraction (Sand, Gravel Oil & other) +			S	S	S	S	S	S	S	S
										Monument Works, Stone and Metal							S			P
										Printing & Publishing							P		P	P
										Salvage or Reclamation of Products (Indoors)							S		P	P
										Salvage or Reclamation of Products (Outdoors)									S	P
										Sheet Metal Shop							P		P	P
										Tool, Dye, Guage and Machine Shop									P	
										Welding Repair							P		P	P

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TYPICAL PERMIT "TYPE" CHART/TABLE

PERMIT TYPE - PROCESS/TIMELINE

Ministerial decisions – Type I.
These decisions are based on compliance with specific, nondiscretionary and/or technical standards that are clearly enumerated. These decisions are made by the Director and are exempt from notice requirements.
The decisions made by the Director under Type I actions shall be final. The Director's decision shall be based upon findings that the application conforms (or does not conform) to all applicable regulations and standards.

Summary of Type I Actions and Target Time Limits for Decision, and Appeal Authority

Action Type	Target Time Limits for Decision	Code Section
Type I:		
1. Accessory Dwelling Unit	30 days	
2. Lot Line Adjustment including Lot Merger	30 days	
3. Building Permit	120 days	
4. Final Short Plat	30 days	
5. Home Occupation, Bed and Breakfast, Boarding House	120 days	
6. Interpretation of Development Code	15 days	
7. Right-of-Way Use	30 days	
8. Shoreline Exemption Permit	15 days	
9. Sign Permit	30 days	
10. Site Development Permit	60 days	
11. Deviation from Engineering Standards	30 days	
12. Temporary Use Permit	15 days	
13. Clearing and Grading Permit	60 days	
14. Planned Action Determination	28 days	

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TYPICAL PERMIT "TYPE" CHART/TABLE

Administrative decisions – Type II.
The Director makes these decisions based on standards and clearly identified criteria. A neighborhood meeting, conducted by the applicant, shall be required, prior to formal submittal of an application. The purpose of such meeting is to receive neighborhood input and suggestions prior to application submittal.

Type II decisions require that the Director issues a written report that sets forth a decision to approve, approve with modifications, or deny the application. The Director's report will also include the City's decision under any required SEPA review.

All Director's decisions made under Type II actions are appealable in an open record appeal hearing.

Summary of Type II Actions, Notice Requirements, Target Time Limits for Decision, and Appeal Authority

Action	Notice Requirements: Application and Decision	Target Time Limits for Decision	Appeal Authority	Code Section
Type II:				
1. Binding Site Plan	Mail	90 days	HE	
2. Conditional Use Permit (CUP)	Mail, Post Site, Newspaper	90 days	HE	
3. Preliminary Short Subdivision	Mail, Post Site, Newspaper	90 days	HE	
4. SEPA Threshold Determination	Mail, Post Site, Newspaper	60 days	HE	
5. Shoreline Substantial Development Permit, Shoreline Variance and Shoreline CUP	Mail, Post Site, Newspaper	120 days	State Shorelines Hearings Board	
6. Zoning Variances	Mail, Post Site, Newspaper	90 days	HE	

Key: HE = Hearing Examiner

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TYPICAL PERMIT "TYPE" CHART/TABLE

Quasi-judicial decisions – Type III.*
These decisions are made by the City Council or the Hearing Examiner and involve the use of discretionary judgment in the review of each specific application.
Prior to submittal of an application for any Type III permit, the applicant shall conduct a neighborhood meeting to discuss the proposal and to receive neighborhood input .

Type III decisions require findings, conclusions, an open record public hearing and recommendations prepared by the review authority for the final decision made by the City Council or Hearing Examiner.

There is no administrative appeal of Type III actions.

Summary of Type III Actions, Notice Requirements, Review Authority, Decision Making Authority, and Target Time Limits for Decisions

Action	Notice Requirements for Application and Decision	Review Authority, Open Record Public Hearing	Decision Making Authority (Public Meeting)	Target Time Limits for Decisions	Code Section
Type III:					
1. Preliminary Formal Subdivision	Mail, Post Site, Newspaper	PC	City Council	120 days	
2. Rezone of Property and Zoning Map Change	Mail, Post Site, Newspaper	PC	City Council	120 days	
3. Special Use Permit (SUP)	Mail, Post Site, Newspaper	PC	City Council	120 days	
4. Critical Areas Special Use Permit	Mail, Post Site, Newspaper	HE		120 days	
5. Critical Areas Reasonable Use Permit	Mail, Post Site, Newspaper	HE		120 days	
6. Final Formal Plat	None	Review by the Director – no hearing	City Council	30 days	
7. Street Vacation	PC	PC	City Council	120 days	
8. Master Development Plan	Mail, Post Site, Newspaper	PC	City Council	120 days	

PC = Planning Commission

CITY CODE REVISION AND REVIEW PROJECT

TYPICAL PERMIT "TYPE" CHART/TABLE

Legislative decisions – Type IV
These decisions are legislative, nonproject decisions made by the City Council under its authority to establish policies and regulations regarding future private and public developments, and management of public lands.

Summary of Type IV Legislative Decisions

Decision	Review Authority, Open Record Public Hearing	Decision Making Authority (in accordance with State law)	Section
1. Amendments and Review of the Comprehensive Plan	PC	City Council	20.30.340
2. Amendments to the Development Code	PC	City Council	20.30.350

(1) PC = Planning Commission

Type IV Legislative decisions usually include a hearing and recommendation by the Planning Commission and the action by the City Council.
The City Council shall take Type IV legislative action on the proposal in accordance with State law.
There is no administrative appeal of Type IV legislative actions of the City Council but they may be appealed together with any SEPA threshold determination according to State law.

ENOUGH FOR NOW.

THE END.