CHAPTER 17.05
CONSOLIDATED APPLICATION PROCESS

Sections:

17.05.010 APPLICATION
17.05.020 PRE-APPLICATION MEETINGS
17.05.030 CONTENTS OF APPLICATIONS
17.05.040 LETTER OF COMPLETENESS
17.05.050 TECHNICAL REVIEW
17.05.060 ENVIRONMENTAL REVIEW
17.05.070 JOINT PUBLIC HEARINGS
17.05.080 CATEGORICALLY EXEMPT AND PLANNED ACTIONS

17.05.010 APPLICATION

A. The City shall consolidate development application and review in order to integrate the development permit and environmental review process, while avoiding duplication of the review processes.

B. All applications for development permits, design review approvals, variances and other City approvals under the Development Code shall be submitted on forms provided by the Planning Department. All applications shall be acknowledged by the property owner.

17.05.020 PRE-APPLICATION MEETINGS

A. Informal Applicants for development are encouraged to participate in an informal meeting prior to the formal pre-application meeting. The purpose of the meeting is to discuss, in general terms, the proposed development, City design standards, design alternatives, and required permits and approval process.

B. Formal Every person proposing a development in the City, with exception of building permits, shall attend a pre-application meeting. The purpose of the meeting is to discuss the nature of the proposed development, application and permit requirements, fees, review process and schedule, applicable plans, policies and regulations. In order to expedite development review, the City shall invite all affected jurisdictions, agencies and/or special districts to the pre-application meeting.
17.05.030   CONTENT OF APPLICATIONS

A. All applications for approval under Titles 16 through 19 shall include the information specified in the applicable title. The Director may require such additional information as reasonably necessary to fully and properly evaluate the proposal.

B. The applicant shall apply for all permits identified in the pre-application meeting.

17.05.040   LETTER OF COMPLETENESS

A. Within twenty-eight (28) days of receiving a date stamped application, the City shall review the application and as set forth below, shall mail or provide to the applicant in person a written determination that the application is complete or incomplete.

B. A project application shall be declared complete only when it contains all of the following materials:
   1. A fully completed, signed, and acknowledged development application and all applicable review fees.
   2. A fully completed, signed, and acknowledged environmental checklist for projects subject to review under the State Environmental Policy Act.
   3. The information specified for the desired project in the appropriate chapters of the LMC and as identified in Section 17.05.030.
   4. Any supplemental information or special studies identified by the Director.

C. For applications determined to be incomplete, the City shall identify, in writing, the specific requirements or information necessary to constitute a complete application. No vested rights shall accrue to until a complete application is received. Upon submittal of the additional information, the City shall, within fourteen (14) days, issue a letter of completeness or identify what additional information is required.

D. The City's determination of completeness shall not preclude the City from requesting additional information or studies either at the time of the notice of completeness or at some later time, if new information is required or where there are substantial changes in the proposed action. [RCW 36.70B. 070(2).]

E. If the applicant receives a determination from the City that an application is not complete, the applicant shall have 90 days to submit the necessary information to the City. Within fourteen (14) days after an applicant has submitted the requested additional information, the City shall make the determination as described in 17.05.040A above, and notify the applicant in the same manner. If the applicant either refuses in writing to submit additional information or does not submit the required information within the 90 day period, the application shall lapse.
17.05.050 TECHNICAL REVIEW COMMITTEE

A. Immediately following the issuance of a letter of completeness, the City shall schedule a meeting of the Technical Review Committee (TRC). The TRC may be composed of representatives of all affected City departments, the fire department, and any other entities or agencies with jurisdiction.

B. The TRC shall review the development application for compliance with City plans and regulations, coordinate necessary permit reviews, and identify the development's environmental impacts.

C. The report of the TRC shall be provided to the proponent and all affected agencies for comment prior to the public hearing, and shall be submitted to the Planning Commission and City Council as part of the record for the hearing.

17.05.060 ENVIRONMENTAL REVIEW

A. Developments and planned actions subject to the provisions of the State Environmental Policy Act (SEPA) shall be reviewed in accordance with the policies and procedures contained in Chapter 16.05 LMC.

B. SEPA review shall be conducted concurrently with development project review. The following are exempt from concurrent review:

1. Projects categorically exempt from SEPA.
2. Components of previously completed planned actions, to the extent permitted by law and consistent with the EIS for the planned action.

17.05.070 JOINT PUBLIC HEARINGS

A. Planning Director’s Decision to Hold a Joint Hearing. The Director may combine any public hearing on a project permit application with any hearing that may be held by another local, state, federal, or other agency, on the proposed action, as long as:
(1) the hearing is held within the city limits; and (2) the requirements of subsection C below are met.

B. Applicant’s Request for a Joint Hearing. The applicant may request that the public hearing on a permit application be combined as long as the joint hearing can be held within the time periods set forth in this Title. In the alternative, the applicant may agree to a particular schedule if that additional time is needed in order to complete the hearings.

C. Prerequisites to a Joint Public Hearing. A joint public hearing may be held with another local, state, regional, federal or other agency and the City, as long as:

1. the other agency is not expressly prohibited by statute from doing so and/or the agency has standing in the matter;
2. sufficient notice of the hearing is given to meet each of the agencies' adopted notice requirements as set forth in statute, ordinance, or rule;

3. the agency has received the necessary information about the proposed project from the applicant in enough time to hold its hearing at the same time as the local government hearing; and

4. the hearing is held within the geographic boundary of the local government.

17.05.080 CATEGORICALLY EXEMPT AND PLANNED ACTIONS

A. Categorically Exempt. Actions categorically exempt under chapter 43.21C.110(1)(a) RCW do not require environmental review or the preparation of an environmental impact statement. An action that is categorically exempt under the rules adopted by the Department of Ecology (Chapter 197-11 WAC) may not be conditioned or denied under SEPA. [RCW 43.21C.031.]

B. Planned Actions.

1. A Planned Action does not require a threshold determination or the preparation of an environmental impact statement under SEPA, but is subject to environmental review and mitigation under SEPA.

2. A "Planned Action" means one or more types of project action that:
   a. are designated planned actions by an ordinance or resolution adopted by the City; and
   b. have had the significant impacts adequately addressed in an environmental impact statement prepared in conjunction with:
      1) a comprehensive plan or subarea plan adopted under chapter 36.70A RCW, or
      2) a fully contained community, a master planned resort, a master planned development or a phased project; and
   c. are subsequent or implementing projects for the proposals listed in 2(b) of this subsection; and
   d. are located within an urban growth area, as defined in RCW 36.70A.030; and
   e. are not essential public facilities, as defined in RCW 36.70A.200; and
   f. are consistent with the City's comprehensive plan adopted under chapter 36.70A RCW. [RCW 43.21C.031.]

C. Limitations on Planned Actions. The City shall limit planned actions to certain types of development or to specific geographical areas that are less extensive than the jurisdictional boundaries of the City, and may limit a planned action to a time period identified in the environmental impact statement or in the ordinance or resolution designating the planned action under RCW 36.70A.040. [RCW 43.21C.031.]
D. Limitations on SEPA Review. Project review for a Planned Action shall be used to identify specific project design and conditions relating to the character of development, such as the details of site plans, curb cuts, drainage swales, the payment of impact fees, or other measures to mitigate a proposal's probable adverse environmental impacts. [RCW 36.70B.030(3).]

17.05.090 CONSOLIDATED PROCESSING OF DEVELOPMENT APPLICATIONS AND APPEALS.

A. Consolidated Processing Required. Except as otherwise authorized or required by provisions in city code, the City shall provide for consolidated processing of development permit applications and appeals so that there is not more than one open record hearing and one closed record hearing for the same development proposal or project, as required by Chapter 36.70B RCW.

B. Exclusions From Consolidation Requirements.

1. Determinations by Board of Adjustment. Zoning variances and amortization periods for nonconforming signs shall be excluded from consolidated processing requirements for development permit applications and shall be heard and decided upon by the Board of Adjustment in conformance with Chapter 19.47 LMC. Aside from zoning variance requests and determining amortization periods for nonconforming signs, the Board of Adjustment shall not have any other development permit applications or appeals to review or decide upon, even where this will result in a development proposal being subject to more than one open record hearing and one closed record appeal.

2. Grounds for Excluding Zoning Variance Requests by Board of Adjustment from Consolidation Requirements. The sole function and purpose of the Board of Adjustment is to review and make decisions on requests for zoning variances. Said decisions are not subject to additional administrative appeals. The Board of Adjustment has longstanding exclusive special expertise in the City in reviewing and deciding upon zoning variance requests. Such expertise is not possessed by or readily transferred to any other hearing body in the City. Special circumstances under RCW 36.70B.140 (1) are therefore presented warranting exclusion of zoning variance requests from consolidated processing requirements. In addition, zoning variances are administrative approvals which are exempt from Chapter 43.21C RCW and may therefore be excluded from consolidated processing requirements pursuant to RCW 36.70B.140 (2).

3. Determinations by Design Review Board. Design review, landscape plan, and signage issues shall be excluded from consolidated processing requirements for development permit applications and shall be heard and decided upon by the Design Review Board in conformance with Chapter 19.45 LMC. Aside from design review, landscape plan, and sign issues, the Design Review Board shall not have any other development permit applications or appeals to review or decide upon, even where this
will result in a development proposal being subject to more than one open record hearing and one closed record appeal.

4. Grounds for Excluding Design Review by Design Review Board from Consolidation Requirements. The sole function and purpose of the Design Review Board is to review and make decisions on design, landscape plan, and signage aspects of development proposals for multi-family dwellings and commercial buildings. The Design Review Board has longstanding exclusive special expertise in the City in reviewing and deciding upon design review, landscape plan, and signage issues. Such expertise is not possessed by or readily transferred to any other hearing body in the City. Special circumstances under RCW 36.70B.140 (1) are therefore presented warranting exclusion of design, landscape plan, and sign review as conducted by the Design Review Board from consolidated processing requirements. In addition, design review may take place for development proposals involving only the issuance of building permits exempt from Chapter 43.21C RCW and may therefore be excluded from consolidated processing requirements pursuant to RCW 36.70B.140 (2).

5. Administrative Approvals. Administrative approvals identified in Sections 17.09.010 and 17.09.020 which are categorically exempt from environmental review under chapter 43.21C RCW shall be exempt from the consolidation requirements in this chapter and chapter 36.70B RCW. Nothing in this section shall prevent consolidation of such administrative approvals with related development proposals, in the discretion of the Director.

6. Grounds for Excluding Administrative Approvals from Consolidation Requirements. The City has authority to exclude the administrative approvals which are categorically exempt from environmental review from consolidation requirements pursuant to RCW 36.70B.140 (2).