CHAPTER 17.07
PUBLIC NOTICE REQUIREMENTS

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17.07.010 NOTICE OF DEVELOPMENT APPLICATION

A. Within fourteen (14) days of issuing a letter of completeness under Chapter 17.05, the City shall issue Notice of Development Application. The notice shall include but not be limited to the following:

1. The name of the applicant.
2. Date of application.
3. The date of the letter of completeness.
4. The location of the project.
5. A project description.
6. The requested development permits, approvals, actions, and/or required studies.
7. Identification of other permits not included in the application to the extent known by the City.
8. Statement of the location where the application and any studies can be reviewed.
9. A statement of the dates of the public comment period, which shall not be less than fourteen (14) nor more than thirty (30) days.
10. Identification of existing environmental documents.
11. A City staff contact and phone number.
12. The date, time, and place of a public hearing if one has been scheduled.
13. Statements of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights.
14. A statement of the City’s preliminary determination, if one has been made at the time of the notice, of those development regulations that will be used for project mitigation and of consistency as provided in RCW 36.70B.040.
15. A statement that the decision on the application will be made within 120 days of the date of the letter of completeness.

B. The Notice of Development Application shall be posted on the subject property and published once in a newspaper of general circulation.
C. The Notice of Development Application shall be issued prior to or concurrently with the required notice of a public hearing. The required notice of a public hearing may be combined in the same document with a Notice of Development Application; provided that, all requirements governing a Notice of Development Application and notice of a public hearing must still be met.

D. Except for a threshold determination of significance under SEPA and except as otherwise expressly allowed under RCW 36.70B.110, and as hereafter amended, a decision or a recommendation may not be issued on a development proposal until the expiration of the public comment period on the Notice of Application.

E. If the City has made a threshold determination of significance under chapter 43.21C RCW concurrently with the Notice of Development Application, the Notice of Development Application shall be combined with the determination of significance and scoping notice. Nothing in this section or chapter prevents a determination of significance and scoping notice from being issued prior to the Notice of Development Application. Nothing in this section of chapter prevents the City as lead agency, when it is a development proponent or is funding a development, from conducting its review under chapter 43.21C RCW or from allowing appeals of procedural determinations prior to submitting a development permit application.

F. A Notice of Application is not required for the following applications, when they are categorically exempt from SEPA or environmental review has been completed, and when no timely appeal therefrom has been filed:

1. Application for building or fire code permits.
2. Application for lot line adjustments.
3. Application for administrative approvals.

G. Notice of application for shoreline projects must be published twice, thirty days prior to the public hearing date.

17.07.020 NOTICE OF ADMINISTRATIVE APPROVALS

Notice of administrative approvals subject to notice under Section 17.09.020 shall be made as follows:

A. Notification of Preliminary Approval: The applicant shall notify property owners within 300 feet of the subject property of the City's intent to grant approval and provide the Planning Director with a signed and notarized affidavit of notification. Notification shall be made by certified mail only. The notice shall include:

1. A description of the preliminary approval granted, including any conditions of approval.
2. A place where further information may be obtained.
3. A statement that final approval will be granted unless an appeal requesting a public hearing is filed with the Director within fourteen (14) days of the date of the notice.

17.07.030 NOTICE OF PUBLIC HEARING

Notice of a public hearing (which shall be open record) for all development permit applications and all open record appeals shall be given as follows:

A. Time of Notices: Except as otherwise required, public notification of meetings, hearings, and pending actions under Titles 16 through 19, LMC, shall be made by:

1. Publication at least ten (10) days before the date of a public meeting, hearing, or pending action in the official newspaper if one has been designated or a newspaper of general circulation in the City; and

2. Mailing at least ten (10) days before the date of a public meeting, hearing, or pending action to all property owners as shown on the records of the County Assessor and to all street addresses of properties within 300 feet, not including street rights-of-way, of the boundaries of the property which is the subject of the meeting or pending action. Notification shall be certified mail or registered mail, and satisfactory evidence of such notice must be provided prior to the hearing date by the applicant; and

3. Posting at least ten (10) days before the meeting, hearing, or pending action in three public places where ordinances are posted and, in addition, at least one notice on the subject property.

4. In addition to the above notification requirements, the notification requirements for a site-specific rezone resulting in a density of five or more residential units per acre, or the rezone of residential land to commercial or industrial zoning, include a sign, to be installed by the proponent with the following specifications:
   a. the sign must be a minimum of 4 x 8 feet in size,
   b. the sign must be centrally located on each lot line that fronts a public street,
   c. the sign must be placed on the lot minimum of ten days prior to the public hearing and must be removed within ten days after final approval or denial,
   d. the sign must include a map illustrating the area to be rezoned, the project number assigned by the Planning Department, brief project description, the developer or agent's phone number, and the phone number of the Public Works Department,
   e. the sign must have black lettering a minimum of two inches in height on a white background.

B. Threshold Determination and Timing of Open Record Hearing: If the City’s threshold determination requires notice under Chapter 43.21C RCW, the City shall issue its threshold determination at least fifteen (15) days prior to the open record hearing on the development proposal.

C. Content of Notice: The public notice shall include a general description of the development proposal and/or action to be taken, a non-legal description of the
property or a vicinity map or sketch, the time, date and place of the public hearing, the name of the body conducting the hearing, and the place where further information may be obtained.

D. Continuations: If for any reason, a meeting or hearing on a pending action cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a date certain and no further notice under this section is required.

17.07.040 NOTICE OF PLANNING COMMISSION RECOMMENDATION

Notice of Planning Commission recommendations identified in Section 17.03.040A shall be provided by mail to all parties of record in the proceeding. Said mailing shall follow written issuance of the Planning Commission recommendation within five (5) days.

17.07.050 NOTICE OF DECISION

A written notice for all final decisions of the City shall be sent to the applicant and all parties of record. For development applications requiring Planning Commission review and City Council approval, the notice shall include the minutes, or the signed ordinance or resolution. For shoreline permits, notice of decision must also be sent to the Department of Ecology and the Washington State Attorney General.