

TITLE 19 – ADMINISTRATION OF LAND DEVELOPMENT REGULATIONS

19.10.040 Project permit application framework.

Table 1—Permits/Decisions

Type I-A	Type I-B	Type II	Type III	Type IV	Type V
Building permits	Site and building plan review (1)	Site and building plan review (2)	Site and building plan review (3)	Final plat	Development regulations
Short plat (simple)	Boundary line adjustment	Short plat	Preliminary PUD	Final PUD	Zoning text and map amendments
Grading permits	Conditional use (simple)	Conditional use	Site specific rezone		Comprehensive plan text and map amendments
Manufactured home placement permit		Zoning variances	Preliminary plat for full subdivision		Shoreline Master Program amendments
Permitted uses not requiring notice of application			Shoreline permits: substantial development, conditional use, or variances		Annexations

Table 2—Action Type

Procedure Project Permit Applications (Type I – IV)	Legislative					
	Type I-A	Type I-B	Type II	Type III	Type IV	Type V
Notice of application:	No	Yes	Yes	Yes	Yes	Yes
Recommendation made by: commission	N/A	N/A	Administrator	Planning commission	Administrator	Planning
Final decision made by:	Administrator	Administrator	Planning commission	City council	City council	City council

			(2), <u>Hearing Examiner (7)</u>			
Open record public hearing	No	No	Yes	Yes (3)	No	Yes (4)
Administrative appeal	Yes (5)	Yes (6), closed record before planning commission	Yes (6), closed record before city council	N/A	N/A	N/A
Judicial appeal	Yes	No	No	Yes	Yes	Yes

Commented [AC1]: Amended to make Hearing Examiner final decision authority. See amendments to WSMC 18.10.115 - Allowed Uses.

- (1) The administrator may make the final decision on some site and building plan review applications considering the degree of discretion to be employed as specified in Chapter 17.81.
- (2) The planning commission shall make the final determination for all site plan review within the parameters of Type II review as specified in Chapter 17.81.
- (3) The city council shall make the final determination of all site plan review within the parameters of Type III review as specified in Chapter 17.81. Open record hearings will be held before the planning commission to make recommendations to city council.
- (4) Open record hearings will be held both before planning commission to make recommendations to city council, and before city council for final decision.
- (5) Appeal provisions specified in Section 19.10.290 Appeal of administrative interpretations and approvals.
- (6) The planning commission will hear appeals of staff decisions; the city council will hear appeals of planning commission decisions. Both appeals are closed record hearings.
- (7) For requested reasonable use variances from critical area standards, the Hearing Examiner shall make the final decision.

Summary of Decision Making:

Type I-A — Administrative without notice; administrative appeal by applicant only.

Type I-B — Administrative without notice; administrative appeal by the applicant only; appealable to the planning commission.

Type II — Planning commission review. Notice and open record hearing before the planning commission. Planning commission makes the final decision subject to a right of appeal.

Type III — Planning commission makes a recommendation to city council. City council makes the final decision. Notice and public hearings will be held both before the planning commission to make recommendations to city council, and before city council for final decision.

Type IV — Notice and decision by city council during regular council meeting.

Type V — Notice and public hearing before planning commission, with planning commission recommendation to city council. City council also provides notice and public hearing before making final legislative decision.

(Ord. No. 2012-11-907, § 1, 11-26-2012; Ord. No. 2016-10-996, § 1, 10-19-2016; Ord. No. 2017-05-1007, § 2, 5-3-2017; Ord. No. 2022-05-1104, § 1, 4-20-2022)

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