

**Chapter 14.40**  
**TYPE 4 PERMITS**  
**(SEPA-APPLICABLE BUILDING**  
**PERMITS AND SHORT PLATS)**

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**14.40.010 Purpose**

This Chapter sets forth the procedural requirements for a Type 4 Permit, which includes a building permit, administrative development plan, or short plat, that is subject to SEPA. (Ord. 2111, 2006)

**14.40.020 Application**

- A. The City Planner may require a potential applicant to participate in a pre-application review.
- B. The applicant shall complete the appropriate application form and submit application and applicable fees to the City Planner. The City's application forms shall be developed by the City Planner and approved by the City Manager and shall specify the submittal requirements, which requirements shall be consistent with the laws applicable to each specific permit and which may include but not necessarily be limited to the information specified in SMC 14.55.005.

**14.40.030 Determination of Completeness and Notice of Application**

- A. Within 28 days of submittal, the City Planner shall:
  - 1. Send the applicant either a

determination of completeness or a notice stating information required to complete the application, and

- 2. Advise the applicant of other agencies that may have jurisdiction over the proposal.
- B. Within 14 days of submittal of additional information as required above, the City Planner shall send the applicant either a determination of completeness or another notice stating information required to complete the application.
- C. Within 14 days of determination of completeness of an application, the City Planner shall publish a notice of application in accordance with SMC 14.55.040. The public comment period for the notice of application shall be 14 days.

**14.40.040 Threshold Determination**

- A. The City Planner shall prepare a threshold determination and environmental impact statement (EIS), if required, at the earliest possible point in the decision making process, when the principal features of the proposal and its environmental impacts can be reasonably identified.
- B. If the timing of the threshold determination permits, the notice of threshold determination should be issued concurrently with the issuance of the notice of application. However, the City Planner is required to make the threshold determination no later than ninety days after the application and supporting documentation are determined to be complete. The applicant may request an additional thirty days for the threshold determination.
- C. Comment period procedures relating to

threshold determinations are as follows:

1. The public comment period shall be 14 days.
2. If a determination of non-significance (DNS) has been issued, the notice shall state that if timely comments are received the City Planner will reconsider the DNS.
3. If WAC 197-11-340(2) applies, the City cannot take final action until 14 days after issuing a DNS and the City Planner shall send the notice of application/DNS and environmental checklist to the agencies listed in WAC 197-11-340(2).
4. If a determination of significance (DS) has been issued, the notice of application/DS shall incorporate the DS and scoping notice. If other agencies share jurisdiction over the proposal, they shall also receive the notice of application/DS/scoping.
5. If a DNS is issued and timely comments are received, the City Planner shall reconsider the DNS in accordance with WAC 197-11-340(2)(f) and (3).

#### **14.40.050 Design Review**

If the proposal is not exempt from design review (see Chapters 14.225 and 14.230 SMC), at any time after the determination of completeness the reviewing entity shall issue a finding of conformance (with or without conditions) or non-conformance with the Snohomish Historic District Design Standards or Snohomish Design Standards and Guidelines as appropriate.

#### **14.40.060 Decision - Preliminary and Final Approvals and Notice of Decision**

- A. After the comment period has lapsed, and within 120 days of determination of completeness, the City Planner shall determine whether the application is consistent with the applicable permit criteria (see general criteria in SMC 14.65.030 and SMC 14.215.120A) and act on the application accordingly. See SMC 14.55.050 for exceptions to this 120-day deadline.
- B. If the proposal requires City acceptance of public improvements such as street, sidewalk, stormwater, or other utility improvements, the City Planner's decision as described in SMC 14.40.060 may be a preliminary approval of the proposal in the form of a letter to the applicant stating any conditions of approval. The City Planner shall coordinate with the City Engineer in determining acceptance of public improvements. The City Planner and City Engineer shall not give final approval, nor shall any short plat be recorded, until the stipulated public improvements are complete or bonded for, in compliance with Ch.14.215 SMC.
- C. The City shall publish in accordance with SMC 14.55.040 a notice of decision within 120 days of determination of completeness. See SMC 14.55.050 for exceptions to the 120-day deadline. The notice of decision shall include a statement of threshold determination and the procedures for administrative appeal. (Ord. 2111, 2006)

#### **14.40.070 Appeals**

Appeals shall be in accordance with SMC 14.75.010. (Ord. 2082, 2005)