

Chapter 14.45
TYPE 5 PERMITS
(SEPA-EXEMPT CONDITIONAL USE
PERMITS,
RECORDED DEVELOPMENT PLANS,
and VARIANCES)

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14.45.010 Purpose

This Chapter sets forth the procedural requirements for Type 5 Permits, which include conditional use permits, recorded development plans, and variances which are exempt from SEPA. (Ord. 2092, 2006)

14.45.020 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.

14.45.030 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.

14.45.040 Scheduling of hearing and publication of notice

- As soon as City staff is able to forward a recommendation to the Hearing Examiner, the City Planner shall:
- A. Schedule a public hearing before the Hearing Examiner for a date that conforms to the following notice requirement, and
 - B. Publish between 15 and 30 days before the hearing a notice of application/hearing in accordance with SMC 14.55.040.

14.45.050 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.

14.45.060 Hearing, findings, and decision

The Hearing Examiner shall hold the public hearing and issue written findings referencing the applicable permit criteria: SMC 14.65.010 B relating to conditional use permits; SMC 14.65.020 relating to recorded development plans; and SMC 14.70.040 relating to variances. The Hearing Examiner's findings shall also include, if applicable, either the City Planner's finding of conformance with the Snohomish Historic District Design Standards or Snohomish Design Standards and Guidelines as appropriate or an alternative finding. The Hearing Examiner decision regarding the application shall include the above referenced findings and conclusions based on those findings.

14.45.070 Notice of decision

- A. Within 120 days of the determination of completion, the City Planner shall issue a notice of decision. See SMC 14.55.050 for exceptions to this 120-day deadline.
- B. The notice of decision shall be provided in accordance with SMC 14.55.040.

14.45.080 Appeals

Appeals shall be in accordance with SMC 14.75.030 (Ord. 2082, 2005)