

Chapter 14.50
TYPE 6 PERMITS
(AMENDMENTS TO DEVELOPMENT
CODE'S LAND USE DESIGNATION
MAP, SEPA-APPLICABLE
CONDITIONAL USE PERMITS,
RECORDED DEVELOPMENT PLANS,
PRELIMINARY PLATS, PRD'S,
AND SHORELINE PERMITS)

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14.50.010 Purpose

This Chapter sets forth the procedural requirements for Type 6 Permits, including amendments to the Development Code's Land Use Designation Map, and conditional use permits, recorded development plans, preliminary plats, planned residential developments, and shoreline management substantial development permits, which are subject to SEPA.

14.50.020 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.

14.50.030 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.

14.50.040 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.

340(2)(f) and (3).

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-

6. For shoreline permits, the comment period shall be 20 days for certain improvements to single-family residential lots per RCW 90.58.140(11)(a), or 30 days for all other substantial development permits per RCW 90.58.140(4), and the notice shall also include the information required in RCW 90.58.140(4).

14.50.050 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 Design Review Board shall review the proposal and 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.

14.50.060 Hearing, Findings, And Decision

- A. The Hearing Examiner shall hold any necessary public hearing relating to an appeal of the environmental decision on the application prior to conducting the public hearing on the application itself.
- B. The Hearing Examiner shall hold the public hearing on the application and issue written findings referencing the applicable permit criteria, including: SMC 14.65.010 relating to amendments to the Development Code's Land Use Designation Map; SMC 14.65.020B relating to conditional use permits; SMC 14.65.030 relating to recorded development plans; SMC 14.215.020 related to preliminary plats, Ch. 14.220 SMC related to planned residential

developments, Ch. 14.250 SMC related to shoreline permits, SMC 14.70.040 relating to variances, all other applicable provisions of the Comprehensive Plan and Development Code, and all other applicable laws and regulations. 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.

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

14.50.070 Notice of Decision

- A. Within 120 days of the determination of completeness, 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 contain a statement of threshold determination.
- C. The notice of decision shall be provided in accordance with SMC 14.55.040.

14.50.080 Additional Provision for Shoreline Permits

For shoreline permits, notices of decision shall also be sent to the Washington Department of Ecology and Attorney General, per RCW 90.58.140(6), and construction shall not be permitted until 21 days after filing of notice of decision per RCW 90.58.140(5).

14.50.90 Appeals

Appeals of shoreline permits shall be in accordance with RCW 90.58.180. Other