

TO WHOM IT MAY CONCERN:

The Public Hearing before the Mossyrock Planning Commission on October 12, 2026 is regarding the adoption of the portion of the City's Comprehensive Plan entitled "Development Regulations" related to land use development regulations. This is a requirement of the Department of Commerce pursuant to initial compliance review of the City's Comprehensive Plan Update 2025-2045.

These development regulations are a summary and not the regulation in its entirety. A majority of the proposed document is existing regulations which have already been adopted by the City and enumerated in at least the last 2 versions of the City's Comprehensive Plans (2018 and 2021). This includes more recent regulations which have been adopted. That language is in black. New or proposed language is in red. The City is not proposing any new regulations other than that which is legislatively mandated.

Mossyrock Planning Commission

APPENDIX B: SUMMARY OF DEVELOPMENT REGULATION, PRE-CODIFICATION

ARTICLE I: CREATION OF DEVELOPMENT DISTRICTS

Part I. Development Districts

In order to regulate the use of land, buildings, and structures in accordance with Section II, the *Comprehensive Plan for Future Development*, and the provisions of Section III, the *Rules for Land Development*, the City of Mossyrock is hereby divided into the following development districts, i.e. zones:

1.01 The Neighborhood District

The purpose of the Neighborhood District is to regulate development to protect the neighborhood character and rural residential lifestyle of the City of Mossyrock.

1.02 The Market District

The purpose of the Market District is to support business growth and encourage commercial development to maintain a vital downtown and an active tourist/service center for the economic stability of the City of Mossyrock.

1.03 The Official Development District Map

The Mossyrock Comprehensive Plan shall consist of the text herein and, as though contained herein, a map identified as the “Land Development District Map” of the City of Mossyrock. This Official Development District Map shall be available for public viewing at the Mossyrock City Hall.

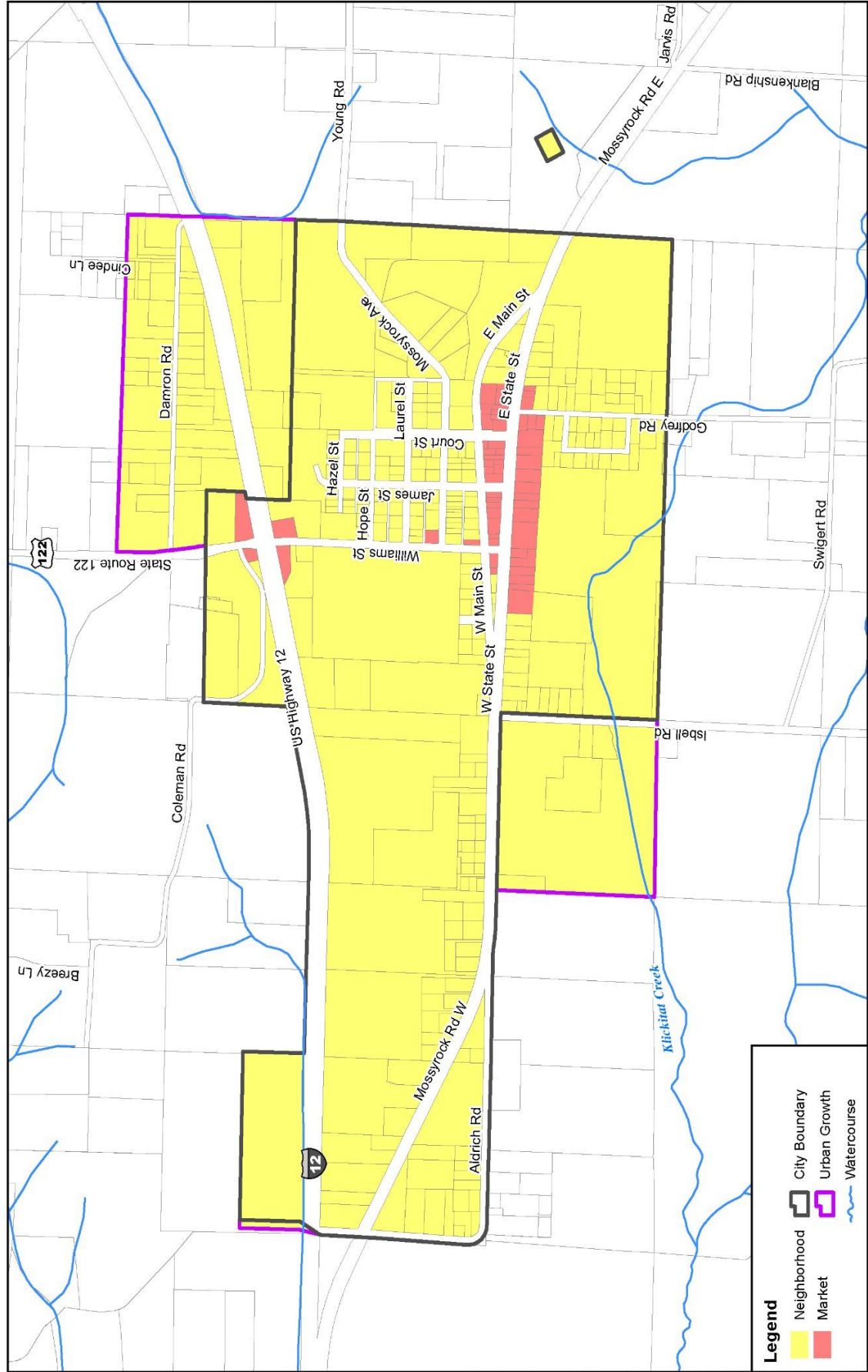
1.04 Development District Boundary Changes

Changes in the boundaries of a Development District shall be made by ordinance of the City Council by adopting an amended Official Development District Map. Changes shall be made only once each year according to the procedures established in Section II, under *Changing the Comprehensive Plan* of the City of Mossyrock Growth Management Directory.

Part 2. Annexations

Any uses contained within the boundaries of an annexation must comply with these Rules for Land Development. In order to not cause undue economic hardship on uses that existed before an annexation, they may continue under the provisions in Article V, Part 2.

Figure ____ Land Development District (Zoning) Map



GIS Data: Lewis County.
This map is a geographic representation based on information available.
It is not intended to be used for legal purposes. The accuracy, currency, or completeness
of data depicted on this map.

ARTICLE II: GENERAL PROVISIONS

This Article contains rules that apply to all land use activities within the City of Mossyrock's corporate limits.

Part 1. Structures

1.01 Placement of Structures on Lots

The placement of all newly constructed structures shall conform to the requirements of the State Building Code as specified in Chapter 19.27 RCW and WAC Title 51, as it now exists, or are hereafter amended.

1.02 Clear Vision Area

A property owner shall maintain a clear vision area of at least fifteen (15) feet from the corners of all property at the intersection on two (2) streets. A clear vision area shall contain no sight-obscuring structures or planting exceeding forty-eight (48) inches in height, except for trees with branches and foliage removed to a height of eight (8) feet above the ground.

1.03 Height Standard

No building, structure, or accessory building shall exceed two (2) stories, or thirty-five (35) feet, in height unless a variance is granted under Article VIII, Part 8 of this ordinance. This provision does not apply to antennas.

Part 2. Public Streets and Parking

2.01 Access to Lot

Future lots shall be adjacent to a public street. All buildings shall also be located on the lot in such a way as to provide safe and convenient access for fire protection and required off-street parking. Each lot created through the subdivision of land in Article VI and Article VIII, Part 6.03, shall have access to a public street. The street line of each lot created shall be no less than fifty (50) feet in width.

2.02 Ingress and Egress

A parking area serving more than two (2) automobiles shall have ingress or egress so that no vehicle shall create unsafe or hazardous conditions for traffic on adjacent streets or roads.

2.03 Required Parking Spaces

Off-street parking in conjunction with all land or building uses established after the enactment of this ordinance shall be provided according to Table 1 below. No on-street parking shall fulfill the parking requirements for any use.

Off-Street Parking Requirements	
Land Use	Number of Required Spaces
Single Family Home, Duplexes, Manufactured Homes, ~~&~~ Apartments, <u>Accessory Dwelling Units</u>	1 for each dwelling unit
<u>Co-Living House</u>	<u>0.25 spaces per sleeping unit</u>
Food stores, markets, and shopping centers having more than 2,000 square feet of gross floor area	1 for each 200 square feet of gross floor area of the building with public access
Motels and Bed ~~&~~ Breakfast Establishments	1 for each rental room
Public assembly facilities	1 for each 3 seats
All other general commercial and Restaurants	1 for each 100 square feet of interior gross floor space with public access
Manufacturing	1 for each employee

2.04 Grading and Surfacing at Schools

All required off-street parking areas shall at a minimum be graded and graveled.

2.05 Commercial and Light Manufacturing Uses Generating Greater than 25 auto trips per day Commercial and light manufacturing uses capable of generating traffic volumes of greater than twenty-five (25) auto trips per day shall be located on an arterial street or highway to lessen the impact on local and collector City public streets. Access to commercial and light-manufacturing uses shall meet ingress and egress standards for arterial streets or highways.

2.06 Loading and Service Space Requirements

Each business building requiring service vehicles for shipments or deliveries shall have an off-street loading space with access to a public street. The size of the place shall be large enough to accommodate all servicing of vehicles. No servicing vehicle shall extend into a public street when using the loading space.

2.07 Electric vehicles charging stations or charging of electric vehicles will be prohibited on public streets, in public parking areas or City right-of-way.

Part 3. Environmental Standards

3.01 Air Quality Standards

The emission of any air pollutants by any use shall be subject to Chapter 70A.15 RCW and Chapters 173-400, 173-401, and 173-460 WAC.

3.02 Noise Level Standards

The intensity of sounds emitted by any use to adjacent properties shall not exceed the levels stated in Chapters 173-60 and 173-62 WAC.

3.03 Light and Glare Standards

Land uses creating intensive glare or light, **which cannot be mitigated by type and intensity of light (including direction of beam)**, shall screen the view of this glare or light from any point along the property line in accordance with Part 4.03 of this Article.

3.04 Toxic Chemical Storage

All toxic chemicals shall be stored in containers and at locations that prevent leakage and are not hazardous to ground water sources and adjacent or nearby properties.

3.05 City Public Utility Connections

New development shall connect to the City of Mossyrock public water and sewer systems. Existing on-site wastewater disposal systems shall be in conformance with Chapters 246-272A through 246-272C WAC, until such systems fail, thus requiring connection to the public water and sewer system.

Part 4. Aesthetic Standards

4.01 Prohibited Signs

The following signs are prohibited:

- A. Signs determined to interfere with the view of traffic signs, signals, or devices, approaching or merging traffic, and pedestrian and vehicular traffic.
- B. Signs containing uncomfortably intense lights.
- C. Signs determined to be structurally unsafe by the Building Official.

4.02 Temporary Signs

A temporary sign is any sign that is not permanently mounted and that contains a message for a particular event or happening that will render the sign obsolete upon the event or happening. Temporary signs shall not exceed sixteen (16) square feet in sign area and must be removed within ten (10) days after the event or happening. No temporary sign shall obstruct the line of sight or right of way and shall conform to all other signage requirements as contained herein. A temporary sign that does obstruct the right of way or line of sight may be removed by the City immediately. Any obsolete temporary sign shall be removed immediately after the event or happening by the City if in the right-of-way. The City shall notify any property owner of any temporary sign on the owner's private property of said violation and the owner shall have thirty (30) days to remove the sign. A temporary sign that does not contain a message for a particular event or happening and is not permanently mounted shall not be permitted for more than 90 days. Any person, firm, or corporation who fails or refuses to remove any sign after receiving the thirty (30) day notice, shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than two hundred fifty dollars (\$250.00). Each day of continued violation will be considered a separate violation for each sign installed, created, erected, or maintained when applying penalty portions of this regulation. **For purposes of lien assessment, the time frame of continued violation shall be considered.**

4.03 Buffers and Screens

Buffers and screens may be required as a condition of a development permit to reduce impacts created by light, glare, and noise on adjacent areas and properties. The width of buffers or screens may vary to account for natural features, volumes, proposed setbacks in design, or other factors. The general rule is that the more intensive the proposed use and its potential for adverse impacts on adjacent areas or properties, the larger the buffer or screen that will be required.

The land area of all buffers and/or screens consisting of planted materials shall sufficiently serve its purpose within six (6) months of planting and be properly maintained for as long as the use creating the impact continues. Walls, fences, or earth berms shall be required where noise reduction is necessary. All screens shall be of sufficient height to ensure that the proposed use mitigates light, glare, and noise impacts.

Part 5. Permitted Uses Allowed in All Districts

This section lists all of the permitted uses allowed in all Districts. Uses may be added or deleted to this list in accordance with the amendment procedures for

Adding or Deleting to the Permitted Uses Lists in Article VIII, Part 9. All new uses in all Districts, or the expanded portion of an existing use, shall comply with the provisions and standards of this Article.

5.01 Public Community Buildings

5.02 Public Utility Structures

Public utility structures under thirty-five (35) feet in height shall be allowed when they:

- A. Serve the intended area with a minimal effect on surrounding property.
- B. Do not degrade scenic views from a public street or private property.
- C. Are buffered, screened, fenced, or kept within a structure.
- D. Public utility structures over thirty-five (35) feet in height are prohibited.

5.03 Farms, Crops, and Pasture for Livestock

All agricultural activities shall be allowed on two (2) or more contiguous acres of land. ~~Chickens are allowed in all Districts; however, roosters are not allowed in the Neighborhood District. [Ord. #520]~~

5.04 Public Parks

5.05 Public or Private Open Space Left in a Natural, Undisturbed State.

5.06 Adult Family Homes

~~Adult family homes are a permitted use in any zone allowing a single family dwelling provided the adult family home complies with underlying zoning requirements and the requirements set forth in Chapter 70.128 RCW, as the same exists or is hereinafter amended, and the following: Adult Family Homes are allowed in all development districts, subject to obtaining a state license in accordance with Chapter 70.128 RCW, as the same exists or is hereafter amended, and the following:~~

- A. Compliance with all building, fire, safety, health codes and City licensing requirements.
- B. Conformance to lot size, setbacks, building coverage, hard surface coverage, and other design and dimensional standards of the development district classification in which the home is located; and
- C. A ~~business license~~ *Permit to Operate* through the City.

~~A.—
Compliance with all building, fire, safety, health code, and city licensing requirements; and~~

~~Conformance to lot size, setbacks, building coverage, hard surface coverage, and other design and dimensional standards of the development district classification in which the home is located; and
A business license through the City.~~

5.07 Residential Care Facilities

Residential Care Facilities are an allowed subject to the following:

- A. Compliance with all building, fire, safety, health code, and state and city licensing requirements; and
- B. Conformance to lot size, setbacks, building coverage, hard surface coverage, and other design and dimensional standards of the development district classification in which the home is located; and
- C. A safe passenger loading area shall be provided, if determined necessary by the Building Official; and
- D. A ~~business license~~ *Permit to Operate* through the City.

5.08 Family Day Care

Family day care homes are a permitted use in any zone allowing a single-family dwelling provided they have obtained a permit for operation from the City. Permits shall be issued by the City, at no cost, upon proof that the family day care home has obtained all necessary licenses and approvals from the state to operate such a facility.

~~Family Day Care is allowed in all development districts, subject to the following:~~

~~Compliance with all building, fire, safety, health code, and state licensing requirements; and~~

~~Conformance to lot size, setbacks, building coverage, hard surface coverage, and other design and dimensional standards of the development district classification in which the home is located, except if the structure is a legal nonconforming structure; and~~

~~Certified by the department of children, youth, and families licensor as providing a safe passenger loading area; and~~

~~A business license through the State and the City; and~~

~~Prior to state licensing, proof of written notification by the provider to the immediately adjoining property owners have been informed of the intent to locate and maintain such a facility.~~

5.09 Child Care Facilities or Child Day-Care Center

Mean an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than 24 hours [RCW

43.216.010] and that are licensed or certified by the Washington State Department of Children, Youth, & Families, are a permitted use in any zone provided:

- A. They have obtained a permit for operation from the City. Permits shall be issued by the city upon proof that the family day care home has obtained all necessary licenses and approvals from the state to operate such a facility.
- A-B. Permitted with Washington State licensing requirements in the residence of the care provider or a separate structure.
- B-C. Signage and parking requirements conform to MMC.
- D. No structural or decorative alteration shall occur which will alter the residential structure. Any new or remodeled structure must be compatible with surrounding residential character.

5.10 Transitional Housing

A project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living [RCW 84.36.043] are permitted in any zones in which residential dwelling units or hotels are allowed [RCW 35.21.683].

5.11 Permanent Supportive Housing

Permanent supportive housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services [RCW 36.70A.030]. PHS are permitted in any zones in which residential dwelling units or hotels are allowed [RCW 35.21.683].

ARTICLE III: THE NEIGHBORHOOD DISTRICT

Part 1. Individual Lots

1.01 Lot Size

The minimum lot area shall be eight thousand seven hundred (8,700) square feet with the exception of residential cluster subdivisions in which lot size shall conform to the standards in Article VI, Part 3.

1.02 Lot Coverage

All structures, including accessory buildings, shall cover no more than fifty percent (50%) of the lot area except as set forth in Article II, Part 1.01. Parking spaces and private swimming pools are excluded when calculating lot coverage.

1.03 Setbacks

The following setbacks are determined from the edge of property:

Front: 25 feet

Side: 5 feet

Back: 15 feet

Part 2. List of Permitted Uses

This section lists all the permitted uses allowed in the Neighborhood District in addition to those listed in Article II, Part 5. No other uses are allowed. Uses may be added or deleted to this list in accordance with the amendment procedures for Amending Lists of Permitted Uses as provided in Article VIII, Part 9. All new uses in the Neighborhood District, or the expanded portion of an existing use, shall comply with the provisions and standards of this Article. Nothing shall prohibit or limit the number of unrelated persons from occupying a residential unit except for occupancy limits as it pertains to adopted building and fire codes.

2.01 Single-Family and Two-Family (Duplexes) Dwellings-Units

2.02 Single-Family Dwelling with Accessory Dwelling Unit(s)

- ~~A. Single family dwelling units may have an interior accessory dwelling unit provided that the accessory dwelling unit:~~
 - ~~Has a floor area of no larger than thirty percent (30%) of the main dwelling unit;~~
 - ~~Does not change the basic single family appearance of the structure;~~
 - ~~and,~~
 - ~~Provides one (1) off street parking space for the accessory dwelling unit.~~
- A. Attached or detached ADUs are allowed on any single-family lot that meets the minimum size for the principal dwelling.
- B. Up to two (2) accessory dwelling units are permitted on each lot with a single-family home as long as all other development standards are met.
- C. No more than fifty (50%) percent of the parcel may be indoors or covered.

- D. ADUs shall either be within the primary dwelling unit or placed on the side or within the rear yard of the property.
- E. The accessory dwelling unit shall comply with all standards for health and life safety as set forth in the International Building Code, International Residential Code, Uniform Plumbing Code, National Electrical Code, International Mechanical Code, International Fire Code, and Washington State Energy Code as each code is adopted by the City; and any other applicable codes or regulations, except as provided in this chapter.
- F. The accessory dwelling unit shall comply with all zoning code provisions for single-family residences, including accessory buildings and lot coverage, except as provided in this chapter.
- G. ADU height is limited to the height of the principal structure and the ADU may not exceed 1,000 square feet.
- H. Parking for accessory dwelling units shall be on-site; no on-street parking is allowed.
- I. Setbacks shall be the same as those required for the primary dwelling; a minimum setback of 5 feet shall be allowed between the primary dwelling and an ADU.
- J. The accessory dwelling unit, either attached or detached, shall have their own utility services, separate from the existing primary residence sewer and water connections and water meter.
- K. Impact fees shall not be charged at a rate exceeding 50% of those of a principal unit.
- L. Onsite property owner occupancy shall not be required unless the ADU is a short-term rental.
- M. The land upon which the ADU is located shall not be subdivided from the land on which the principal dwelling unit is located.

2.03 Apartments/Multiplexes

The following standards shall apply to all apartments/multiplexes:

- A. Provide a minimum of 100 square feet of recreation space for each dwelling unit in each apartment building or complex of buildings. No more than fifty (50%) percent of this area may be indoors or covered. Where the total required recreation area is three thousand (3,000) square feet or less, the outdoor space shall be a continuous piece of land. No part of the recreation space may have driveways, parking, or other automobile use.
- B. Adequate buffers and screening shall separate the recreation space from public streets, parking areas, and driveways.

- C. All parking areas shall have buffers to mitigate impacts to surrounding residential uses.
- D. All lights provided to illuminate parking areas shall be so arranged as to direct light away from adjoining land uses (Article I, Part 3.03).

2.04 Manufactured Homes (~~Mobile Homes~~) on Individual Lots

- A. Conform to all requirements for any single-family dwelling units as defined by the ordinance;
- B. Bear a tag or seal of approval of the State of Washington or the Department of Housing and Urban Development;
- C. Be provided with a foundation that shall be improved to provide adequate support for the placement of a manufactured home in accordance with the Department of Housing and Urban Development standards; manufactured home be set upon a permanent foundation, as specified by the manufacturer, ~~and that~~
- D. ~~Have skirting enclosing the space between the home and the foundation that provides adequate ventilation and access, and which is properly maintained, pit set; and~~ Be pit set with a solid, permanent foundation, the space from the bottom of the home to the ground to be enclosed by concrete or an approved concrete product which can be either load bearing or decorative. Skirting is prohibited.
- E. Be assembled on site in compliance with the Department of Housing and Urban Development Standards.

2.05 Manufactured Home (Mobile Home) Parks

All Manufactured Home Parks shall meet the following requirements:

- A. Spaces within a manufactured home park shall contain a minimum of three thousand (3,000) square feet per home.
- B. Each space shall accommodate only one (1) manufactured home.
- C. Unless an intervening firewall is provided, a manufactured home accessory structure shall not be located closer than fifteen (15) feet from any other manufactured home or closer than five (5) feet from a roadway.
- D. The installation of manufactured homes shall comply with Part 2.04 above.
- E. Each manufactured home space shall have:
 - a. A continuing supply of safe and potable water;
 - b. Sanitary facilities and services; and
 - c. Electricity.

2.06 Home Occupations

All home occupations shall meet the following requirements:

- A. The occupation must be incidental and accessory to the principal residential use of the structure.

- B. The area devoted to the home occupation shall occupy no more than twenty-five percent (25%) or more than five hundred (500) square feet of gross floor area of the residential structure, including all other buildings on the property serving the home occupation.
- C. The home occupation shall not create traffic to and from the residential dwelling unit that is disruptive to the residential area where it is located.
- D. There shall be no more than one (1) non-resident employee at the occupation.
- E. There shall be one (1) off-street parking space for the employee.
- F. The home occupation may have one (1) advertising sign located directly on the dwelling unit with a surface area of no more than 600 square inches.
- G. No home occupation may have freestanding signs.

2.08 Bed and Breakfast Inns All Bed and Breakfast Inns shall:

- A. Assure that the owner of the business lives on the premises;
- B. Offer no greater than five (5) rooms for transient guests; and
- C. Limit meals to guests only.

2.09 Professional Offices

Churches and Meeting and Assembly Halls.

When churches, meeting, or assembly halls are located next to a residence(s), the hours of operation of these uses shall be controlled so as not to disrupt residential uses.

2.10 Religious Organization Temporary Shelter.

Consistent with RCW 35A.21.360, a religious organization may host the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings. The City may impose reasonable health and safety regulations that do not prevent such use. In the event of conflict, State law controls.

2.11 Schools

2.12 Tiny Homes

The main dwelling area of a tiny home shall be a minimum of 100 square feet and not to exceed 600 square feet. To qualify as a “tiny home” each unit will be required to have a kitchen, bathroom, and one (1) bedroom. **Tiny Homes are considered accessory dwelling units and must comply with all State of Washington Building Code.**

A space for a tiny home shall contain a minimum of three thousand (3,000) square feet per home. ??? *This is existing but seems unnecessary; suggest deleting.*

2.13 Co-Living Housing

Co-living housing is a permitted use in areas that allow at least six multi-family residential units, including on lots zoned for mixed-use development [RCW 37.70A.535].

2.14 No Change-of-Use Permit Required

A change-of-use permit may not be required as a condition of converting an existing structure to residential use in any zone allowing residential use. All other applicable permits and code compliance requirements remain in effect. This does not apply to buildings that cannot be made to meet applicable life safety standards.

ARTICLE IV: THE MARKET DISTRICT

Part 1. Individual Lots

1.01 Lot Size

The minimum lot area shall be two thousand five hundred (2500) square feet.

1.02 Lot Coverage

All structures, including accessory buildings, may cover up to one hundred percent (100%) of the lot, including buffers and off-street parking, **unless:**

- i. Adjacent structures and utilities will be structurally compromised.
- ii. The parcel abuts a parcel zoned for single-family use. Side and rear setbacks of 5 feet will be required.

1.03 Parking and Deliveries

- A. Parking shall be provided as set forth in Article II, Part 2.03.
- B. Parking spaces beyond the commercial property boundary shall not be considered. No on-street parking shall fulfill the parking requirements (Article II, Part 2.03).
- C. Deliveries shall not be allowed on City streets where traffic is impeded.

Part 2. List of Permitted Uses

This section lists all the permitted uses allowed in the Market District in addition those uses listed beginning in Article II, Part 5. No other uses are allowed. Uses may be added or deleted to this list in accordance with the amendment procedures for Amending Lists of Permitted Uses as provided in Article VIII, Part 9. All new uses in the Market District, or the expanded portion of an existing use, shall comply with the provisions and standards of this Article.

2.01 Retail Activities Dispensing Commodities or Services

2.02 Professional and Business Offices

2.03 Indoor Entertainment and Recreation Facilities

2.04 Medical Clinics and Residential Care Facilities

2.05 Retail Services Requiring Outdoor Storage or Sales Space

Retail services, which require outdoor storage or sales, shall:

- A. Have all outdoor storage and sales areas adequately buffered to reduce the visual impact of stored material on adjacent properties;
- B. Direct all outdoor lighting in such storage areas such that no direct light is projected on adjoining properties; and,
- C. Limit outdoor retail sales activity from the hours of 7 a.m. to 10 p.m. to limit noise and traffic impacts on adjoining properties.

2.06 Automobile Service Stations

All automobile service stations shall have the leading edge of the base of any pump island no closer than 15 feet from any property line

2.07 Restaurants, Taverns, and Cafes

2.08 Drive-in Restaurants

All drive-in restaurants shall:

- A. Have ingress and egress to an arterial street or highway.
- B. Be designed to ensure that all vehicles waiting to be serviced are contained within the property boundaries.

2.09 Veterinary Clinics, Kennels, and Animal Hospital

All uses that provide short- or long-term lodging for animals shall prevent all noise, odor, and other obtrusive impacts on adjoining or neighboring property by using buffers or screens.

2.10 Motel

2.11 Recreational Vehicle Parks

All recreational vehicle parks designed for short-term occupancy shall:

- A. Have ingress and egress to an arterial street or highway;
- B. Provide connections for recreational vehicles to water and sanitary facilities and/ or provide for disposal of sanitary waste;
- C. Be buffered and/or screened to reduce the impact of noise, light, and visual obtrusiveness to adjoining properties; and
- D. Provide individual lots for each vehicle no smaller than five hundred (500) square feet.

2.12 Contractor's Office, Shops, and Storage Yards

In cases where equipment and supplies are stored in the open, such equipment or supplies shall be screened from adjacent lots by buffers and/or screens which reduce the visual and auditory impact of the equipment and supplies.

2.13 Assembly of Small Equipment

2.14 Cabinet, Carpenter's Shop, Furniture Manufacturing and Repair and Fix-It Shops

2.15 Blacksmith and Welding Shops

2.16 Agricultural Processing, Packing, Storage, and Distribution

ARTICLE V: VARIANCES AND NONCONFORMING USES AND STRUCTURES

Part 1. Variances

1.01 Variance: General Provisions

A variance provides a property owner relief when the strict application of the provisions in the *Rules for Land Development* would impose unusual, practical difficulties or unnecessary physical hardships on the development of a permitted use. The standards for evaluating practical difficulties and unnecessary hardships shall include:

- A. The size, shape, and dimension of a site;
- B. The location of any existing structures on a site or on adjacent property; and
- C. Any geographic or topographic condition on the site or in the immediate vicinity of the site.

A variance cannot be used to allow a non-permitted use to locate within the Neighborhood District or the Market District **or other zones hereinafter established.**

1.02 Criteria for Granting a Variance

The City Council shall grant no application for a variance unless all three of the following standards are met:

- A. The variance does not constitute a grant of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and district in which the property is located;
- B. The variance is necessary because of:
 - i. Special circumstances relating to the size, shape, topography, location, or surroundings of the property, and
 - ii. To provide it with rights and privileges permitted to other properties in the vicinity and district in which the subject property is located; and,
- C. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and district that the property is located.

1.03 Attaching Conditions

In granting any Variance Permit, the City Council may attach any conditions to the permit deemed necessary to mitigate any possible adverse impacts created by the proposed use.

1.04 Variance Permit Required

No use shall be allowed to vary from the Provisions in Articles II, III or IV of this Ordinance until a Variance Permit has been received by the applicant as specified in Article VIII, Part 8.

Part 2. Nonconforming Uses and Structures

2.01 Nonconforming Uses and Structures Defined

Nonconforming uses and structures are those uses and structures which existed prior to the adoption of amendment of the Rules for Land Development that do not conform to all the requirements of this Ordinance.

2.02 Continuation of Nonconforming Uses

In order not to cause undue economic hardship to owners of property with nonconforming uses, these uses are allowed to continue under the conditions outlined below.

2.03 Discontinuance of Nonconforming Uses

If a nonconforming use discontinues for a period of twelve (12) months or more, then the nonconforming use is no longer legal and subsequent uses shall conform to this ordinance.

2.04 Destruction of Nonconforming Use or Structure

If a nonconforming structure or use becomes damaged beyond fifty percent (50%) of its assessed value and if it is not returned to use or repaired within twelve (12) months, any future use or structure shall conform to all provisions of the Rules for Land Development.

ARTICLE VI: SUBDIVISION OF LAND

Part 1. Purpose and Exemptions

1.01 Purpose

The purpose of this Article is to establish uniform procedures for dividing land into

five (5) or more lots, tracts, parcels, sites or divisions, with public dedications, for the purpose of sale, lease, or transfer of ownership. This Article supplements the requirements of Chapter 58.17, RCW.

1.02 Exemptions

The following actions are exempt from this Article:

- A. Cemeteries and other burial plots;
- B. Divisions of land into lots or tracts each of which is one-one hundred twenty-eighth (1/128) of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land.
- C. Divisions of land made by testamentary provision, or the laws of decent; and,
- D. A division made for the purpose of alternation by adjusting boundary lines between platted or un-platted lots of both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient areas and dimension to meet minimum requirements for width and area for a building site.

Part 2. Approval

2.01 Approval of Subdivision

No subdivision of land shall be allowed in the City of Mossyrock unless the City Council have approved it as provided in Article VIII, Part 10.

2.02 Compliance with Rules for Land Development

Every subdivision of land shall comply with the City of Mossyrock Growth Management Directory, all City ordinances, and Chapter 58.17, RCW.

2.03 Subdivisions Next to Highway 12 or Highway 122.

Upon receiving a Subdivision Application for land that is located next to Highway 12 or

Highway 122, the City Clerk or Treasurer shall notify the Washington State Department of Transportation by sending copies of the Subdivision Application and, environmental information as appropriate. The Department of Transportation has fourteen (14) days upon receiving the copies of the Application to comment on the proposed subdivision. Comments received from the Department by the City Clerk or City Treasurer shall be forwarded to the Planning Commission for their consideration and the public hearing record.

Part 3. Residential Cluster Subdivisions

3.01 Purpose

The purpose of the residential cluster subdivision is to provide flexibility for a developer to decrease the lot sizes without increasing overall density by placing

the remaining land area into open space devoted to recreation, preservation of environmentally sensitive areas.

3.02 Cluster Subdivision Requirements

Cluster subdivisions shall conform to the following standards:

- A. Each lot must be of sufficient size and dimensions so that it can support the structure proposed to be located on the lot and be consistent with applicable requirements for public health and safety provisions in Article II;
- B. The number of dwelling units in a residential subdivision may not exceed five (5) dwelling units per gross acre;
- C. In order to use the provisions of Article VI, Part 3, at least 10,000 square feet of open space must be saved.
- D. The land saved by creating lots smaller than the minimum lot area must be set aside as usable open space, not dedicated to the public and remain under ownership of the developer and/ or an owners' association, **unless agreement with the City is undertaken prior to final plat approval to dedicate the open space to the City.**
- E. Saved open space land cannot be used for roadways, parking areas, and sidewalks.

Part 4. Improvements

4.01 Consideration of Critical Areas

The City of Mossyrock shall consider the physical characteristics of a proposed subdivision site and may either disapprove or approve with conditions a proposed plat to protect critical areas **as set forth pursuant to the Mossyrock Critical Areas Ordinance (Appendix ____)**.

4.02 Completion of Required Improvement before Filing of Final Plat

All required preliminary plat improvements shall be completed prior to submittal of the final plat to the City Council. However, in lieu of required completed improvements, the City of Mossyrock may accept a performance bond before final plat approval. The performance bond shall have satisfactory surety and conditions, or other secure method, for an amount equal to the actual cost of construction and installation of such improvements within the period specified by the City.

4.03 Owner Maintenance of Dedicated Areas until Public Acceptance

The owner shall maintain all facilities and improvements that the owner offers towards public dedication until the appropriate public authority accepts the dedication.

Part 5. Submittal Requirements for Subdivisions

5.01 An applicant for a final plat shall submit to the city clerk the requisite fee and the following information:

- A. A form provided by the city containing the following information:
 - i. Subdivision name;
 - ii. Name, mailing address, and telephone number of owner and/or developer, and surveyor of the plat;
 - iii. Date;
 - iv. Acreage;
 - v. Number of lots;
 - vi. Zoning designation.
- B. Four paper copies of the final plat map shall be provided, and shall include the following:
 - i. Subdivision name;
 - ii. Legend;
 - iii. Location, including one-quarter section, section, township, range, and, as applicable, donation land claim and/or subdivision;
 - iv. Boundary survey;
 - v. Lot, block, and street right-of-way and centerline dimensions;
 - vi. Street names;
 - vii. Scale, including graphic scale, north arrow, and basis of bearings;
 - viii. Identification of areas to be dedicated;
 - ix. Surveyor's certificate, stamp, date, and signature;
 - x. Signature blocks for the following:
 - Public Works Director or engineer
 - Mayor;
 - City Clerk or Director;
 - County auditor;
 - County assessor
- C. Special setbacks;
- D. Public and private easements and the purpose of each;
- E. Tracts and the purpose of each;
- F. Walkways/sidewalks/trails;
- G. Legal description of the boundary which has been certified by

the

land surveyor shall be provided, with seal and signature as being an

accurate description of the lands surveyed. H. A plat certificate shall be provided, including dedications, if any.

H. A certificate of title shall be provided.

I. Restrictions and covenants shall be provided if proposed to fulfill conditions of approval or applicable provisions of law.

A. Submittal Requirements for Short Plats

An applicant for a preliminary short plat shall submit the requisite fee, a completed application review form provided for that purpose by the City, and ten (10) copies of the following information:

A. Short plat name (if any);

B. Contact information including the name, mailing address, and telephone number of the owner/s, engineer, surveyor, planner, and/or attorney and the person with whom official contact should be made regarding the short subdivision;

C. Environmental (SEPA) checklist or EIS, if applicable;

D. A preliminary short plat at a scale of no more than one inch equals 200 feet, with north arrow, date, graphic scale, existing and proposed lots, tracts, easements, rights-of-way and structures on the site, and existing lots, tracts, easements, rights-of-way and structures abutting the site; provided, information about off-site structures and other features may be approximate if such information is not in the public record. The applicant shall provide one copy of the plan reduced to fit on an eight-and-one-half-inch by 11-inch page. The short plat shall show the dimensions and areas of all proposed lots, tracts and dedications. The short plat shall show the distance from proposed lot lines to the nearest existing structures on the site unless those structures will be removed;

E. Proposed dedications of title, easements or other interests to the city or other agency, if applicable;

F. Written authorization to file the application signed by the owner of the property that is the subject of the application, if the applicant is not the same as the owner as listed by the Lewis County assessor;

G. Proof of ownership document, such as copies of deeds and/or a policy or satisfactory commitment for title insurance;

H. A legal description of the property proposed to be divided;

I. If a short subdivision contains large lots which at some future time could be re-subdivided, the application shall include a

master plan of all land under common ownership in order to provide for extension and opening of streets at intervals which will permit a subsequent division of each divisible parcel into lots of smaller size;

- J. A copy of the pre-application conference summary, and a description of information submitted in response to the issues, comments and concerns in the summary;
- K. A written description of how the proposed preliminary short plat does or can comply with each applicable approval criterion for the preliminary short plat, and basic facts and other substantial evidence that supports the description;
- L. The names and addresses of owners of land within a radius of 300 feet of the site. Owner names and addresses shall be printed on mailing labels.
 - 1. An area map showing parcels within ¼ mile of the subject parcel shall be included;
 - 2. If the applicant owns property adjoining or across a right-of-way or easement from the property that is the subject of the application, then notice shall be mailed to owners of property within a 300-foot radius, as provided above, of the edge of the property owned by the applicant adjoining or across a right-of-way or easement from the property that is the subject of the application;
- M. Applications necessarily associated with the preliminary short plat, such as applications for exceptions, adjustments or variances to dimensional requirements of the base or overlay zones or for modifications to road standards are required to approve the short plat application as proposed;
- N. A wetlands delineation and assessment site shall be regulated by the applicable sections of the Critical Areas Ordinance (CAO), and an application for a critical area and associated preliminary plan if required;
- O. A report prepared by a geotechnical engineer or geologist licensed in the State of Washington if:
 - i. The applicant proposes to place substantial fill on the site (500 cubic yards or more); or
 - ii. The site contains land identified by the U.S. Soil Conservation Service, Lewis County or the state of Washington as having slopes in excess of 25 percent or as being subject to instability, unless the applicant will not develop or otherwise significantly affect such lands or shows that the site does not contain unstable soils or steep slopes;
- P. An archaeological predetermination if the area proposed for development contains lands classified as having moderate or

higher probability of containing archaeological resources as determined.

- Q. Preliminary grading, erosion control and drainage plans, which may be a single plan, consistent with applicable provisions of this Article;
- R. Evidence that potable water will be provided to each lot from a public water system, and that each lot will be connected to public sewer.

Part 7. Unit Lot Subdivisions

Consistent with RCW 58.17.060, as adopted or hereafter amended:

7.01 Authorization. Unit lot subdivisions are permitted to allow individual lots to be created for attached housing types on a single parent lot. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots or by a homeowners' association comprised of the owners of the individual unit lots.

7.02 Required Plat Notes. The following informational notes shall be prominently placed on the unit lot subdivision plat and recorded with the Lewis County Auditor:

- A. Approval of the design and layout of the unit lot housing development project was granted based on detailed review of that specified project, as a whole, on the parent lot, including specific reference to the applicable permit or file number for that specified project;
- B. Subsequent subdivision actions, additions, or modifications to the unit lot housing development project's structures may not create or increase any nonconformity of the parent lot as a whole, and shall conform to the approved unit lot housing development project or to the land use and development standards in effect at the time of the proposed actions, additions, or modifications;
- C. If a structure or portion of a structure within the unit lot housing development project has been damaged or destroyed, any repair, reconstruction, or replacement of any structure shall conform to the approved unit lot housing development project or to the land use and development standards in effect at the time the proposed repair, reconstruction, or replacement project's permit application becomes vested; and
- D. Additional development or redevelopment of the individual unit lots may be limited as a result of the application of development

standards to the parent lot.

7.03 Procedural Requirements. Unit lot subdivision applications shall be processed as follows:

- A. No public predecision meeting or hearing may be required, nor any design review other than administrative design review, except as required by state law including chapter 90.58 RCW;
- B. The city shall provide notice to the community and property owners within 250 feet of the unit lot to be subdivided consistent with RCW 36.70B.110, including through notice posted on the closest public sidewalk or roadway, of how to provide written comments to the administrative decision maker;
- C. Only clear and objective design and development standards shall apply;
- D. Applications shall be processed concurrently with the underlying unit lot housing development project application to the greatest extent feasible; and
- E. Applications are subject to the maximum time period for local government actions as set forth in RCW 36.70B.080, unless extended pursuant to project-specific mutual agreement as permitted by RCW 36.70B.080.

7.04 Acceptance of Applications. The city may not decline to accept, process, or approve an application for a unit lot subdivision consistent with this part solely because the city has not completed adoption of the procedures required under this section.

7.05 Limitations. Nothing in this part:

- A. Prohibits the city from applying public health, safety, building code, and environmental permitting requirements to a development project subject to or integrated with a unit lot subdivision process; or
- B. Requires the city to authorize a unit lot subdivision in a location where development is restricted under other laws, rules, or ordinances, such as locations where development is limited due to on-site sewage system infrastructure, critical areas, or other unsuitable physical characteristics of a property.

Part 8. Administrative Lot Splits

Consistent with RCW 58.17.145, as adopted or hereafter amended:

8.01 Authorization. An applicant may seek administrative approval to split a residential lot into two lots. A lot split application may be combined with concurrent review of a residential building permit to create new middle housing or single-family housing.

8.02 Administrative Process. Lot split applications shall be reviewed, approved, or denied by the planning director or designee based on applicable clear and objective development standards. No pre-decision public hearing may be required, nor any design review other than administrative design review. A new buildable residential lot and residential building permit or permits must be administratively approved and are not subject to administrative appeal if they comply with applicable development standards and all of the following conditions are met:

- A. No more than one newly created lot is created through the administrative lot split;
- B. Both the parent lot and the newly created lot meet the minimum lot size allowed under applicable development regulations;
- C. The parent lot was not created through the splitting of a residential lot authorized by this part;
- D. The parent lot is located in a residential zone and not in an exclusively nonresidential zone including, but not limited to, zones that are exclusively commercial, retail, agricultural, or industrial;
- E. If the lot split would require demolition or alteration of any existing housing that would displace a renter, the applicant must recommend a displacement mitigation strategy that may include, but is not limited to, relocation assistance;
- F. The applicable sewer and water purveyors have issued certificates of availability to serve the newly created lot and dwelling units;
- G. Access and utility rights are granted or conveyed as necessary on or before recording of the lot split survey to provide access for the maximum number of dwelling units that could be developed on the newly created lot, provided such access rights may be reduced consistent with the city's adopted codes, regulations, or design standards through review of a subsequent application if less than the maximum number of dwelling units are built on the newly created lot;
- H. The planning director or designee determines that the application follows all applicable development regulations; and
- I. The lot split survey has been approved by the planning director or designee and includes a condition on the face of the survey that further lot splits of the parent lot and newly created lot are not authorized by this part.

8.03 Right-of-Way Dedication. A proposed lot split may be conditioned upon dedication of right-of-way on the parent lot to the extent such dedication is required under applicable codes, regulations, and design standards for development of the parent lot absent an administrative lot split.

8.04 Frontage Improvements. Development of dwelling units on the newly created lot may be conditioned upon construction of frontage improvements to a right-of-way adjacent to either the parent lot or the newly created lot to the extent required under applicable codes, regulations, and design standards.

8.05 Applicable Laws. Any construction on the newly created lot is subject to all existing state and local laws. Nothing in this part modifies the requirements for approval of residential building permits in chapter 19.27 RCW.

8.06 Dwelling Unit Limits. The city may not impose a limit on the total number of dwelling units allowed on the parent lot or newly created lot that is less than the number of dwelling units allowed by the underlying zoning of the parent lot prior to the administrative lot split.

8.07 Ineligible Lots. The following lots are not eligible for a lot split under this part:

- A. Lots that are not buildable according to locally adopted development regulations including, but not limited to, critical areas, shorelines, stormwater, setbacks, impervious surface areas, and building coverage standards; and
- B. Lots of a size that would allow for further land division — such lots are not eligible for a lot split but may be divided under other applicable land subdivision processes.

8.08 Minimum Density. The newly created lot must meet any locally adopted minimum density requirements.

8.09 Recording. Parent lots and newly created lots approved under this part must have a lot split survey recorded with the Lewis County Auditor with a notation that future lot splits are not allowed on the lot.

8.10 Time Limits. Applications under this part are subject to the maximum time period for local government actions as set forth in RCW 36.70B.080, unless extended pursuant to project-specific mutual agreement as permitted by RCW 36.70B.080.

8.11 Immunity. The city is immune from any liability, loss, or other damage suffered by another that is related to the city's approval of a lot split under this part, including if the lot split creates a lot that is later determined to not be buildable.

ARTICLE VII: CRITICAL AREAS PROTECTION

Part 1. Purpose

The purpose of the Article is to set forth general principles and procedures for critical areas protection. Detailed requirements are established in the City's Critical Areas Ordinance; see Appendix _____. It is not the intent of this Article to deny a reasonable use of public or private property, but to assure that land development is accomplished in a manner that will protect the environment, specifically critical areas such as wetlands, aquifer recharge areas, frequently flooded areas, geologically hazardous areas and fish and wildlife habitat conservation areas.

Critical areas are valuable and potentially fragile natural resources that, in their natural state, provide many valuable social and ecological functions which would result in a detriment to public safety and welfare if lost. The attendant buffers of critical areas are essential to the maintenance and protection of these resources.

Part 2. Compliance Critical Areas Protection

All public and private land uses in the City of Mossyrock shall comply with the requirements as established pursuant to the Critical Areas Ordinance as a condition to any of the following permits:

- A. Building permits for any construction;
- B. Clearing and grading permit;
- C. Subdivision or short subdivision; and
- D. Variance; and
- E. Any other land use or construction within an area identified as a critical area.

Part 3. Violation

Violations of the Critical Areas Code shall be prosecuted by the City of Mossyrock and any fines collected pursuant to conviction upon municipal ordinance shall be paid to the treasurer of said City.

Part 4. Variance

4.01 Variance Application Review

The City shall review variance Applications according to the procedures in Article VIII, Part 8 of this ordinance.

Part 5. Administration

The administration of this Section shall be in accordance with the all the provisions in Article VIII of this ordinance, the Mossyrock Growth Management Directory and all other applicable City, state and federal laws.

ARTICLE VIII: ADMINISTRATION of RULES for LAND DEVELOPMENT

Part 1. Purpose

The purpose of this Article is to establish procedures for administering the Rules for Land Development in the City of Mossyrock. This includes the requirements and procedures for:

- a. Annexations;
- b. Building Permits;
- c. Short Plats;
- d. Boundary Line Adjustments;
- e. Variance Permits;
- f. Adding or Deleting to the Permitted Use Lists in Articles III and IV;
- g. Subdivision Approval;
- h. Amendments to the Rules for Land Development;
- i. Enforcement of the Rules for Land Development; and
- j. Administrative interpretations.

Part 2. Application Requirements

2.01 Applications

- B. Applications for **annexation**, a building permit, variance permit, adding or deleting to the permitted use lists in Articles III and IV, short plat, subdivision, and amendment to the Rules for Land Development are **available on the City's website or by contacting the Mossyrock City Hall from the City Clerk or Treasurer.**
- C. **Application for annexation and changes to land use and any other changes inherent to the City's comprehensive plan will only be accepted annually during the month of August except during years the City is currently undergoing comprehensive plan updating.**
- D. In general, all development applications must include a Site Plan with the following:
 - 1. North arrow
 - 2. Property dimensions and boundary lines
 - 3. Proposed structure dimensions and setbacks (front, side, and rear – in feet)
 - 4. Type of structure(s)
 - 5. Existing structures, paved/graveled surfaces, patios/decks, etc.
 - 6. Driveway location
 - 7. Streets and/or alley ways
 - 8. Major feature(s) of property (ravines, seasonal creeks, wetlands, etc.)
 - 9. Existing well(s) and/or system location

2.02 Application, Designated Representative

The applicant shall designate a single person or entity to receive all determinations and notices required by Article VIII.

2.03 Permit Application Conference

A. The City Clerk or Treasurer or designated representative shall schedule an application conference with the applicant not later than fourteen (14) days after an application has been submitted to:

- 1. Review each application for completeness and compliance with provisions of this ordinance and any other applicable codes or ordinances;
- 2. Provide an exchange of information regarding the proposed permit, development plan, and/ or amendment, and applicable elements of Section II, Comprehensive Plan for Future Development in the City of Mossyrock Growth

Management Directory, and other development policies, regulations, and requirements; and

3. Identify any additional information required to make the application complete.

- A. The City Clerk or Treasurer may invite the City Engineer or other City representatives, as deemed appropriate, to the application conference.
- B. If the applicant fails to attend the permit application conference, the City Clerk or Treasurer shall notify the applicant in accordance with Article VIII, 2.04 that the application is incomplete. The application will be considered withdrawn if the applicant fails to reschedule an application conference with the City Clerk or Treasurer within fourteen (14) days of the issuance of the Determination of Completeness.

2.04 Determination of Completeness

The City Clerk or Treasurer, or designated representative, shall review all applications for variance permits, adding or deleting to the permitted use lists in Article III and IV, subdivisions, short plats, and amendments to the Rules for Land Development. The procedures for determining the completeness of applications are as follows:

- A. Within fourteen (14) days after receiving the application, the City Clerk or Treasurer shall mail or provide a written determination to the applicant stating either that the permit application is complete or incomplete, and if incomplete, what is necessary to make the application complete.
- B. If the applicant fails to provide the additional information, as requested, within sixty (60) days, the application will be considered as withdrawn by the applicant.
- C. An application shall be deemed complete if the City issues a Determination of Completeness or does not provide a written Determination of Completeness to the applicant within twenty-eight (28) days.

2.05 Determination of Completeness, Administrative Permits

- A. Building Permit applications shall be reviewed by the Planning Committee and/or Mayor and determined complete as follows:
 1. Within 28 days after receiving the application, the Planning Committee and/or Mayor shall mail or provide a written determination to the applicant stating either that the permit

application is complete or incomplete, and if incomplete, what is necessary to make the application complete. To be determined at the next Planning Committee meeting.

2. If the applicant fails to provide the additional information requested by the Planning Committee and/or Mayor within sixty (60) days, the application will be considered as withdrawn by the applicant.
- B. Short plat applications shall be reviewed by the City Clerk or Treasurer or designated representative and determined complete as follow:
 1. Within 28 days after receiving the application, the City Clerk or Treasurer shall mail or provide a written determination to the applicant stating either that the permit application is complete or incomplete, and if incomplete, what is necessary to make the application complete.
 2. If the applicant fails to provide the additional information requested by the City Clerk or Treasurer within ninety (90) days, the application will be considered as withdrawn by the applicant.

2.06 Notice of Application

Upon receipt of a completed application for variance permit, subdivision, or a consolidated permit application the City Clerk or Treasurer will provide a Notice of Application to public agencies with jurisdiction at least fifteen (15) days prior to the open record public hearing on the application. A Notice of Application shall include:

- A. Date of application, date of Determination of Completeness for the application and date of Notice of Application;
- B. Description of proposed permits including location, SEPA checklist if applicable, existing environmental documents that evaluate the proposed permit(s), and where the application and any additional studies can be reviewed;
- C. The identification of other permits not in the application to the extent known;
 1. A statement of the public comment period, which shall be not less than fifteen (15) or more than thirty (30) days; and
 2. The date, time, and place of the open record public hearing on the application.

Notice of Application is not required for actions that are categorically exempt from environmental review.

2.07 Application Transmittal

Within five (5) working days after an application is deemed complete, the City Clerk or Treasurer shall forward the completed applications for variance permit, Adding or Deleting to the Permitted Use Lists in Article III and IV, subdivision, and amendment(s) to the Rules for Land Development with all appended information and the Notice of Application, if applicable, as follows:

- A. Application for a variance permit to the Mayor; and
- B. Adding or Deleting to the Permitted Use Lists in Article III and IV, subdivision and amendment(s) to the Rules for Land Development to the Chair of the City Planning Commission.

2.08 Public Notice

The City shall require public notice for all boundary line adjustments, variances, subdivisions, short plats, and consolidated permit applications as follows:

- A. A waterproof sign posted on the site in a conspicuous place and visible to the public which states, in a minimum of two (2) inch high letters, the type of permit and the date, time and place of the open record public hearing; and if a Notice of Application is required,
- B. Publication of the Notice of Application in a newspaper of general circulation in the area where the proposal is located.
 - i. Public notice for Adding or Deleting to the Permitted Use lists in Article III and IV and amendment(s) to the Rules for Land Development shall be in accordance with RCW 35A.63.070 and RCW 35A63.152.
 - ii. The applicant shall be responsible for the cost of public notice requirements for all applications.

Part 3. Determination of Consistency and Concurrency

3.01 Consistency

During application review, the reviewing body or official shall determine that development regulations applicable to the application or, in the absence of pertinent regulations, the adopted City of Mossyrock Growth Management Directory, are consistent by:

- A. Type of land use;
- B. Level of development, such as units per acre or other measures of density;

- C. Availability and adequacy of public facilities needed to serve the development; and
- D. Character of the development, such as development standards.

3.02 Concurrency

During application review, the reviewing body shall determine that concurrency exists at the time when the impacts of development will occur. Compliance with this requirement shall be sufficient to satisfy the concurrency requirements of RCW 58.17.110 and 58.17.060 and WAC 365-195-835. The City reserves the right to deny approval to any application for development if concurrency is not met.

3.03 Inclusion of Determination in Notice of Decision

The City shall include a statement as to the determination of consistency and concurrency in the Notice of Decision for the approval, approval with conditions or disapproval of the application.

Part 4. Identification of Deficiencies

If during permit review, the reviewing body or official identifies deficiencies in the City of Mossyrock Growth Management Directory or any other development regulations of the City of Mossyrock they shall:

- A. Not be used as a comprehensive planning process to stop application review
- B. Be recorded and consideration for potential amendment(s) to the City of Mossyrock Growth Management Directory on, at least, an annual basis.

Part 5. Notice of Decision

In making an order, requirement, recommendation, determination, or decision in the administration of the Rules for Land Development, the City shall provide to the applicant and to any person who submitted substantive comments on the application prior to the decision, a written Notice of Decision that includes the following:

- A. Findings and conclusions demonstrating a decision is supported by the record; and
- B. Procedures for appeal.

Part 6. Administrative Approvals

6.01 Building Permit

- A. The Building Official shall review all building permit applications. If during the course of the review of a building permit application the Building Official determines that an application needs additional approval(s) for activities listed in Article VIII Part 1 of the Rules for Land Development, the Building Official shall inform both the applicant and the City Clerk- or Treasurer accordingly in writing within three (3) days of receiving the application. No further action will be taken by the Building Official until he/ she is notified by the City Clerk or Treasurer of any other permit or amendment approval.
- B. The Building Official shall issue a building permit only when all the Rules for Land Development and other City laws are satisfied.

6.02 Short Plat *Public Hearing Not Required*

- A. In accordance with RCW 58.17.060, the Mayor, City Clerk, City Treasurer, or designated representative, is appointed as the City's administrator who shall approve the subdivision of land into four or less lots, tracts, parcels, sites or divisions, and alterations or the vacation of existing short plats.
- B. The Mayor, City Clerk, City Treasurer or designated representative shall review the application for a short plat, circulate copies of the proposed short plat to the City Engineer, Planning Commission and other agencies, as necessary, for their approval or disapproval as to appropriate provisions for public health, safety and general welfare for; but not limited to, drainage, potable water, sanitary sewer, streets and to assure safe walking conditions for students who walk to and from school.
- C. The City shall provide written notice of any application for a short plat that is located adjacent to the right of way next to Highway 12 and/or Highway 122 including legal description and a location map to the Washington State Department of Transportation.

The Department shall furnish the City Clerk or Treasurer within fourteen (14) days after receiving notice of the short plat application, a statement with any information that the department deems relevant about the effect of the proposed short plat upon the legal access to the state highway, the

traffic carrying capacity of the state highway and the safety of the users of the state highway.

- D. The Mayor, City Clerk, City Treasurer shall review the completed application, comments from the City Engineer, citizens and other interested agencies, and approve or disapprove the short plat within twenty-eight (28) days from the date of a completed application provided:
1. Approval of a short plat shall include a determination that appropriate provisions are made for public health, safety and the general welfare, the public interest will be served by the short subdivision and the short plat is in conformance with this ordinance and other applicable ordinances;
 2. The City Engineer shall specify any easements necessary prior to approval of the short plat and such easements will be agreed upon and filed prior to approval; and,
 3. A short plat granted approval pursuant to local regulations shall not be deemed approved until filed with the Lewis County Auditor by the applicant.
 - i. Lots within a short plat shall not be resub divided within a period of five (5) years unless the person wishing to resub divide any such lot applies in the same manner as for a regular subdivision. Such application shall include all the lots in the original subdivision.

6.03 Boundary Line Adjustments

- A. The boundary lines separating parcels may be adjusted under the provisions of this chapter; provided that such adjustment
1. Will not result in the creation of any additional lot, tract, or parcel; and
 2. Will not create any lot, tract, or parcel, which contains insufficient area and dimension to meet the requirements of the Rules for Land Development; and
 3. Will not adversely affect access, easements, or drain fields; and
 4. Will be consistent with any applicable health, building, or similar regulations; and
 5. Will not increase the nonconforming aspects of an existing nonconforming lot.
- B. The owner of the subject property or the authorized agent(s) of the owner may apply for a lot line adjustment by submitting to the City Clerk or Treasurer a completed application for a boundary line adjustment.

- C. The Mayor, City Clerk, City Treasurer or designated representative shall review the application for a boundary line adjustment, circulate copies of the proposed short plat to the City Engineer, Planning Commission, and other agencies, as necessary, for their approval or disapproval as to appropriate provisions for public health, safety, and general welfare for; but not limited to, drainage, potable water supply, sanitary sewer, and streets.
- D. The Mayor, City Clerk, City Treasurer shall review the completed application, comments from the City Engineer, citizens, and other interested agencies, and approve or disapprove the boundary line adjustment within twenty-eight (28) days of the Determination of Completeness.
- E. A boundary line adjustment granted approval pursuant to local regulations shall not be deemed approved until filed with the County Auditor by the applicant.

Part 7. Appeal of an Administrative Approval

Any person aggrieved by orders, recommendations, permits, decisions or determinations made by a City official in the administration or enforcement of the Rules for Land Development may appeal such decision to the City Council in writing; including the date and nature of the decision and the grounds for appeal, within ten (10) days of such decision. The City Council shall:

- A. Conduct an open record appeal hearing not less than fifteen (15) nor more than thirty (30) days after receiving the appeal and issue a decision not later than seven days (7) after the close of the open record public hearing.
- B. The decision of the City Council shall be final within ten (10) days unless appealed to Superior Court.

Part 8. Variance Permits

8.01 Conditions for Granting Variance Permits

Variances to the Rules for Land Development may be granted only if they conform to the requirements in Article V, Part 1.01, 1.02, 1.03, and 1.04 of Section III, Rules for Land Development of the Mossyrock Growth Management Directory.

8.02 City Council Review

- A. The Planning Committee shall review the variance and make recommendations to the City Council.
- B. The City Council shall review the variance permit application, conduct an open record public hearing, at least fifteen (15) but not more than thirty (30) days after the Notice of Application is published, review written testimony to assure conformance with the requirements of the Rules for Land Development and any other City ordinances and issue a decision to approve, approve with conditions or deny the application for a variance permit not later than seven days (7) after the close of the open record public hearing.
- C. In granting any Variance Permit, the City Council may attach conditions to the permit deemed necessary to mitigate any possible adverse impacts.

8.03 Appeal

The decision of the City Council shall be final within ten (10) days unless appealed to Superior Court.

8.04 Time Limit

Substantial construction must start within six (6) months of the issuance of a variance permit. If substantial construction has not been started within six (6) months, the variance permit shall become void.

Part 9. Legislative Review: Changes to Permitted Uses or Siting Essential Public Utilities ~~Adding or Deleting to the Permitted Use Lists~~

9.01 Planning Commission Review

Upon receiving an application for adding or deleting a use to the permitted use lists in Articles III, IV and VII and the special uses in Article VII, Part 5; the Planning Commission shall conduct a public hearing within thirty (30) days after the Planning Commission receives the application. At the hearing, the Planning Commission will review the application, take public testimony, and make written recommendations on the proposed addition or deletion to the City Council.

9.02 Standards for a Proposed Added Use

The Planning Commission may include specific performance standard for the proposed new use in their written findings based on mitigation of the following impacts:

- A. Erosion;
- B. Excessive water runoff;

- C. Environmental hazards;
- D. Visual or auditory impacts;
- E. Traffic hazards;
- F. Traffic congestion;
- G. Impact on public facilities;
- H. Fiscal Impact; and,
- I. Any unusual impact associated with the proposed use.

9.03 City Council Review

The City Council at their next public meeting shall set a date for a public hearing to consider the Planning Commission recommendation. The date for the public hearing shall be within thirty (30) days of the receipt of the Planning Commission recommendation. At the public hearing the City Council shall review the application and the Planning Commission's recommendations, take public testimony and make a final decision. The City Council may decide to:

- A. Deny the application to add or delete a use; or
- B. Refer the matter back to the Planning Commission for further study with the provision that if be returned to the Council within sixty (60) days; or
- C. Accept the application, including any performance standards which it deems necessary to mitigate impacts created by an added use.

9.04 Appeal

The decision of the City Council shall be final within ten (10) days unless appealed to Superior Court.

Part 10. Land Subdivision

10.01 Purpose

The purpose of this section is to establish the procedures for approving subdivision of land into more than 4 lots, tracts, parcels, sites, or divisions; with public

dedications, for the purpose of sale, lease, or transfer of ownership.

10.02 Planning Commission Review

The Planning Commission shall conduct an open record pre-decision public hearing on the preliminary plat application, at least fifteen (15) but not more than thirty (30) days after the Notice of Application, and take written and public

testimony on the application to assure conformance of the proposed preliminary plat to the City of Mossyrock Guide to Community Development and all requirement of Chapter 58.17 RCW and forward a recommendation for approval, approval with conditions, or denial of the preliminary plat application to the City Council within fourteen (14) days following action by the Planning Commission.

10.03 City Council Review

Upon receipt of the Planning Commission recommendation, the City Council, at their next public meeting, shall set a date for a public meeting to consider the recommendation of the

Planning Commission of the preliminary plat as follows:

- A. The City Council may adopt or reject the recommendation of the Planning Commission based on the record established at the open record pre-decision public hearing; or
- B. If, after considering the matter at a public meeting, the City council deems a change in the Planning Commission's recommendation is necessary, they shall adopt their own recommendations to approve or disapprove the preliminary plat.
- C. The City Council shall adopt written findings that:
 1. Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, any applicable transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
 2. The public use and interest will be served by the platting of such subdivision and dedication.

10.04 Appeal

The decision of the City Council shall be final within ten (10) days unless appealed to Superior Court.

10.05 Time Limit

Approval of the preliminary plat shall be effective for one year from the date of approval by the City Council during which time a final plat may be submitted. The City Council may extend the approval period on the written request of the applicant, provided such request is made prior to the expiration of the preliminary

approval. No preliminary plat shall receive more than three (3) one-year extensions of time.

10.06 Approval of Final Plat

A Subdivision Application becomes a final plat when it is submitted to the City Council for final review and receives approval for filing. The final plat shall show all lots, streets, dedications, and conditions placed on the approved Subdivision Application and all improvements shall be constructed except as provided in Part 10 of this Article.

10.07 Filing of Final Plat

After the City Council approves the final plat, the applicant shall file an original of the final plat with the Lewis County Auditor no later than three (3) years from the date of its approval by the City Council, unless as provided in Part 6.03 of this Article. A copy of the Final Plat shall be provided to the Lewis County Assessor and a reproducible copy shall be provided to the City Clerk or Treasurer. Each final plat shall contain:

- A. A statement of approval from the City Engineer as to the layout of streets, alleys and other rights of way, sewage and water systems and other structures; and
- B. Be accompanied by a complete survey of the section or sections in which the plat or replat is made to Department of Natural Resources surveying standards; and
- C. Be acknowledged by the person filing the plat before the Lewis County Auditor; and
- D. Contain a certification from the proper officer(s) in charge of tax collections that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied, or discharged; and
- E. Show written finding by the City Council approving the plat.

10.08 Extension of Time for filing a Final Plat

The City Council, at the request of the applicant, may extend the required filing period for the final plat for up to one (1) year.

Part 11. Optional Consolidated Review

11.01 Request for Consolidated Review

An applicant may request a consolidated review and decision on two or more required permits which shall be conducted as a single application review and approval process.

11.02 Consolidated Project Review

Consolidated project review combining any of the following; building permit, short plat, subdivision, variance, and/or subdivision, except as specified in 12.03 below, shall be conducted as follows:

- A. The Planning Commission shall hold a public meeting within thirty (30) days after the issuance of the Determination of Completeness to obtain comments from City administrators, the public and/or other agencies on the proposed permits and make a recommendation to the City Council within fourteen (14) days of the public meeting;
- B. The City Council shall conduct an open record predecision public hearing to consider the Planning Commission recommendation and evaluate the proposed permits(s) as required in Section III, Rules for Land Development of this ordinance;
- C. The City Council shall issue a final decision to approve, approve with conditions, or deny the consolidated application not later than thirty days (30) from the date of the public hearing; and
- D. Decisions may be appealed to Superior Court within ten (10) days of the issuance of the decision.

11.03 Consolidated Project Review, Administrative Approvals Only

Project review combining only administrative approvals; building permit, short plat, and/ or critical areas permit shall be conducted jointly by the Building Official and City Clerk, Treasurer or designated representative. These officials shall:

- A) Review individual permits to assure they incorporate all the requirements of the Rules for Land Development and other applicable regulations;
- B) Issue a written decision to approve, approve with conditions or deny the permit action not more than five (5) days after the applicant has been provided with a Determination of Completeness for SEPA exempt permits and not more than one hundred twenty (120) days for non-exempt projects; and
- C) An appeal of an administrative decision on the project may be made to the City Council as provided in Part 7 of the Article not later than ten (10) days after the administrative decision is issued.

Part 12. Amendments to the Rules for Land Development

12.01 Authority for Amendment

The City Council may amend the text to the Rules for Land Development whenever public necessity, convenience, and general welfare require such action.

12.02 Initiation of Amendment

Amendments to the text of the Rules for Land Development may be initiated by:

- A. One or more owners of property within the corporate boundaries of the City of Mossyrock.
- B. A motion of the City Council requesting the Planning Commission to set the matter for hearing, or
- C. A motion of the Planning Commission.

12.03 Planning Commission Review

The Planning Commission at their next public meeting shall set a date for a public hearing to review the application to amend the text of the Rules for Land Development not less than fifteen (15) or more than thirty (30) days after receipt of an application or motion for amendment. The Planning Commission shall forward a recommendation for approval or denial of the application to the City Council within fifteen (15) day of the Planning Commission public hearing.

12.04 City Council Review

- A. The City Council shall set a date for a public hearing to review the Planning Commission recommendation to amend the text of the Rules for Land Development not less than fifteen (15) or more than thirty (30) days after receipt of the recommendation.
- B. The City Council shall prepare written findings of fact and conclusions to approve, disapprove, or refer the application back to the Planning Commission.
- C. Prior to the final passage of any ordinance adopting an amendment to the Rules for Land Development, the Mayor shall first transmit a copy of the proposed amendment to the Washington State Department of Community, Trade, and Economic Development to allow for review and comment by state agencies in accordance with Chapter 36.70A106(3), RCW.

The City Council shall take no action on the final adoption of the amendment for sixty (60) days.

12.05 Appeal

The decision of the City Council shall be final and conclusive within ten (10) days unless appealed to Superior Court.

Part 13. Enforcement

13.01 Filing Complaints

Whenever a violation of the Rules for Land Development occurs, any person may file a complaint. All complaints shall be made in writing to the City Clerk or Treasurer who shall forward the complaint to the City Attorney for review.

13.02 Violations

The City Attorney shall review the complaint and, upon finding a violation, forward it to the City of Mossyrock Chief of Police who shall issue a misdemeanor citation to the property owner for the violation. The Chief of Police shall provide the City Clerk or Treasurer a copy of the citation.

13.03 Penalty Clause

The conviction of any property owner violating the provisions of the Rules for Land Development shall be a misdemeanor, and the fine for that conviction shall be not more than \$100 for each offense. Each day a violation continues shall be considered a separate offense.

13.04 Costs and Fees

Any property owner found in violation of the Rules for Land Development shall pay all attorney and court costs involved in any legal action(s) related to the offense.

Part 14. Interpretation and Application

In their interpretations and application, the Rules for Land Development shall be held to be the minimum requirements adopted for public health, safety, and general welfare. Whenever the requirements of this ordinance differ with requirements of any other lawfully adopted rules, regulation, or ordinance, the most restrictive of those imposing the highest standards shall govern.

ARTICLE IX: DEFINITIONS

Unless otherwise specifically provided, the work and phrases defined in the City of Mossyrock Rules for Land Development shall mean the following:

Accessory use: A use, building, or structure, part of a building or other structure which is subordinate to and the use of which is incidental to that of the main building, structure or use on the same lot, including a private garage.

Accessory dwelling unit (ADU): A dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, townhome, or other housing unit. It may be attached or detached and will have an entrance separate from the primary dwelling unit.

Accessory living quarters: "Accessory living quarters" means living quarters within an accessory building for the sole use of the family or of persons employed on the premises, or for the temporary use of guests of the occupants of the premises. Such quarters have no kitchen facilities and are not rented or otherwise used as a separate dwelling unit. The term "accessory living quarters" includes "guest house."

Adult family home: The regular family abode of a person or persons who are providing personal care, room and board to more than one but not more than four adults who are not related by blood or marriage to the person or persons providing the services; except that a maximum of six adults may be permitted if the Washington State Department of Social and Health Services determines that the home and provider are capable of meeting standards and qualifications provided for by Chapter 70.128.010 RCW.

Affordable Housing: Unless the context clearly indicates otherwise, residential housing whose monthly costs, including utilities other than telephone, do not exceed thirty percent of the monthly income of a household whose income is:

- (a) For rental housing, sixty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development; or

(b) For owner-occupied housing, eighty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

Affordable housing development: A proposed or existing structure in which one hundred percent of all single-family or multifamily residential dwelling units within the development are set aside for or are occupied by low-income households at a sales price or rent amount that may not exceed thirty percent of the income limit for the low-income housing unit.

Agricultural land: Land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, or livestock, and that has long-term commercial significance for agricultural production.

Alley: A public thoroughfare or way which affords only a secondary means of access to abutting property.

Alterations: A change or rearrangement of the structural parts or exit facilities, or an enlargement by extending the sides or increasing the height or depth, or the moving from one location to another. In buildings for business, commercial or similar uses, the installation or rearrangement of partitions affecting more than one-third of a single floor area shall be considered an alteration.

Apartment: A room or suite of rooms in an apartment house or multifamily dwelling. See Dwelling, multifamily.

Aquifer recharge area: "Aquifer recharge area" means an area with a critical recharging effect on an aquifer that is vulnerable to contamination and is used as a sole source of potable water supply. Aquifer recharge areas are those areas designated pursuant to:

- a) The Federal Safe Drinking Water Act
- b) RCW 90.44, 90.48, and 90.54, and
- c) WAC 173-100 and 173-200.

Arterial: Any street which has been designed to carry large volumes of traffic and designated as an arterial in the City of Mossyrock Comprehensive Plan for Future Development.

Automobile, boat, trailer, and recreational vehicle sales area: An open area, other than a street, used for the display, sale or rental of new or used automobiles, boats, trailers, or recreational vehicles, and where no repair work is done except minor incidental repair of automobiles, boats, trailers, or recreational vehicles to be sold, displayed, or rented on the premises.

Automobile Service Station: A retail place of business engaged primarily in the sale of motor fuels, but also supplying goods and services required in the operation and maintenance of automotive vehicles.

Bed and Breakfast Inn: A residence that has five (5) or fewer guest rooms where lodging with or without meals is provided for compensation.

Block: A group of lots, tracts, or parcels within well-defined and fixed boundaries.

Buffer: A horizontal distance, measured perpendicularly from a property line, intended to provide attractive spaces to reduce the impacts of proposed uses on adjacent property or natural features.

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

Building height: The vertical distance above "Grade" to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped-roof. The measurement may be taken from the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building. The height of a stepped or terraced building is the maximum height of any segment of the building.

Building line: The line of face or corner of a part of a building nearest the property line, and parallel to the property line.

Building, main: The principal buildings or other structure on a lot or building site designed or used to accommodate the primary use to which the premises are devoted.

Building official: The building official for the City of Mossyrock shall be designated by ordinance **or otherwise designated by the Mayor.**

Business or commerce: The purchase, sale, offering for sale, or other transaction involving the handling, disposition of any article, service, substance or commodity for livelihood or profit.

Cemetery: Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes.

Child day care center and child care center mean an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than 24 hours (RCW 43.216.010) and that are licensed or certified by the *Washington State Department of Children, Youth, & Families*.

Church: An establishment, the principal purpose of which is religious worship and for which the principal building or other structure contains the sanctuary or principal place of worship, and including accessory uses in the main building or in separate buildings or structures, including Sunday School rooms and religious education classrooms, assembly rooms, kitchen, library room or reading room, recreational hall, a one-family dwelling unit and residences on the site for nuns and clergy, but excluding facilities for training of religious orders.

Closed record appeal: An administrative appeal on the record to a local government body or officer, including the legislative body, following an open record public hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

Co-Living Housing: A residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, in which residents share kitchen facilities with other sleeping units in the building.

Commission, Planning Commission: The Mossyrock Planning Commission.

Concurrency: "Concurrency" means that adequate public facilities are available when the impacts of development occur.

Construction Trailer/Container/Portable Structure: A trailer, portable temporary container or portable structure, with or without axles and wheels, intended to support construction activity at a site with an active building permit and is permitted pursuant to said building permit for the duration of construction.

Container – Bulk Solid Waste Container: A container intended for construction waste material or other refuse, excluding garbage, for the purpose of removing said material from a site.

Corner lot: A lot situated at the intersection of two or more streets, the street frontages of which form an angle not greater than one hundred twenty-eight degrees, and not less than forty-five degrees.

Critical Areas: Critical Areas include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas.

Day Care Center: A person or agency that provides care for children during part of the twenty-four-hour day.

Dedication: The deliberate appropriation of land by an owner for any general public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner filing a final plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the City of Mossyrock.

Development: Development covers all activities for which a permit is required under the Standards for Future Development.

Development district: An area defined as to boundaries located on an official map in which standards are applied that regulate the impact or effect of an activity on land and neighbors.

Dwelling: A building designed exclusively for residential purposes.

Dwelling/ single-family: A detached building designed exclusively for occupancy by one family and containing one (1) dwelling unit.

Dwelling, duplex: A building designed exclusively for occupancy by two families living independently of each other and containing two (2) dwelling units.

Dwelling, multi-family: A building designed exclusively for occupancy by three (3) or more families living independently of each other and containing three (3) or more dwelling units.

Dwelling unit: One or more rooms occupied by one family and containing kitchen facilities for use solely by one family. All rooms comprising a dwelling unit shall have access through an interior door to other parts of the dwelling unit.

Electric Scooters and Motorcycles: Any uni-cycle or 2-wheel vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and produces zero emissions or pollution when stationary or operating.

Electric Vehicle: Any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. "Electric vehicle" includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle.

Electric Vehicle Charging Station: A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

Electric Vehicle Charging Station - Restricted: An electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public).

Electric Vehicle Charging Station – Public: An electric vehicle charging station that is (1) publicly owned and publicly available (e.g., Park & Ride parking, public library parking lot, on-street parking) or (2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multi-family parking lots).

Electric Vehicle Infrastructure: Structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

Electric Vehicle Parking Station: Any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle

Emergency Housing: Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

Emergency Shelter: A facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations. Emergency shelters include overnight shelters which provide safe and dry conditions which save lives.

Existing building: A building that received a certificate of occupancy at least three years prior to the permit application to add housing units.

Extremely Low-Income Household: A single person, family, or unrelated persons living together whose adjusted income is at or below thirty percent of the median household income adjusted for household size, for the county where the household is located, as reported by the United States department of housing and urban development.

Family: One or more persons occupying a dwelling unit and living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, boarding, or lodging house. Nothing in this definition shall be construed to limit

or restrict the number of unrelated persons occupying a dwelling unit, consistent with RCW 36.01.227, except for occupant limits on group living arrangements regulated under state law, on short-term rentals as defined in RCW 64.37.010, and any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building code.

Family Day Care: A family Day Care is operated by a family day care provider who is a childcare provider who regularly provides early childcare education and early learning services for not more than twelve (12) children in the provider's home and in the family living quarters.

Fence: A wall or barrier for the purpose of enclosing space or separating parcels of land. Any such fence or barrier 5 feet or over requires a building permit.

Final plat: The final drawing of the subdivision and dedication that is filed for the record with the county auditor and containing all elements and requirements set forth in Chapter 58.17.160 of the Revised Code of Washington and in Article VIII, Part 10 of the Rules for Land Development.

Fish and wildlife habitat area: Fish and wildlife habitat conservation means land management for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created. This does not mean maintaining all individuals of all species at all times, but it does mean cooperative and coordinated land use planning is critically important among counties and cities in a region. In some cases, intergovernmental cooperation and coordination may show that it is sufficient to assure that a species will usually be found in certain regions across the state. Fish and wildlife habitat conservation areas include areas with which endangered, threatened, and sensitive species have a primary association; waters of the state; state natural area preserves and natural conservation areas; and streams and rivers planted with game fish by a governmental agency.

Floor area: The sum of the gross horizontal areas of the floors of a building or buildings, measured from the exterior faces of exterior walls and from the center line of division walls. Floor area shall include: Basement space, elevator shafts and stairwells at each floor, mechanical equipment rooms or attic spaces with headroom of seven feet six inches or more, penthouse floors, interior balconies and mezzanines, enclosed porches. Accessory water tanks and cooling towers,

mechanical equipment or attic spaces with headroom of less than seven feet six inches, exterior steps or stairs, terraces, breezeways, and open spaces shall not be counted.

Frequently flooded areas: "Frequently flooded areas" are lands in the flood plain subject to a one percent or greater chance of flooding in any given year. These areas include, but are not limited to, streams, rivers, lakes, coastal areas, wetlands, and the like. The 100 year flood plain designations of the National Flood Insurance Program shall delineate the presence of frequently flooded areas.

Garage, private: An accessory building or an accessory portion of the main building, designed or used only for the shelter or storage of vehicles owned by or operated only by the occupants of the main building or buildings.

Geologically hazardous areas: Geologically hazardous areas are areas that because of the susceptibility to erosion, sliding, earthquake, or other geological events, are not generally suited to siting commercial, residential, or industrial development consistent with public health or safety concerns. Geologically hazardous areas are characterized by slopes greater than 15% and known erosion, landslides, settling, rock slide, debris flow and/ or seismic hazards as defined by the US Department of Agriculture Soil Conservation Service.

Grade: Is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

Growth Management Act: Planning enabling legislation as provided generally in Chapter 36.70A RCW and Chapters 365-190 and 365-195 WAC.

Height: See Building height.

Home occupation: An occupation or profession carried on by a member of the family residing within any dwelling.

Hospital or clinic, small animal: An establishment in which veterinary medical services, clipping, bathing and similar services are rendered to dogs, cats and other small domestic animals and pets.

Indoor emergency housing: A project that provides housing and supportive services to homeless persons or families for up to sixty days.

Indoor emergency shelter: A facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

Interior lot: A lot other than a corner lot.

Junk yard: Any premises devoted wholly or in part to the storage, buying or selling or otherwise handling or dealing in old rags, sacks, bottles, cans, metal, papers, rubber or other articles commonly known as junk.

Kennel: A place where four (4) or more adult dogs or cats or any combination thereof are kept. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four months.

Leading space: A space on the same site with the use served which provides for the temporary parking of a vehicle while loading or unloading merchandise, materials, or passengers.

Lot: A fractional part of divided lands having fixed boundaries, that meets the minimum general provisions of a district. The term shall include tracts or parcels.

Lot Area: The total horizontal area within the boundary lines of the lot.

Lot split: The administrative process of dividing an existing lot into two lots for the purpose of sale, lease, or transfer of ownership pursuant to this part.

Lot split survey: The final survey prepared for filing for record with the Lewis County Auditor containing all elements and requirements for a parcel or lot split under this part and applicable local regulations.

Low-Income Household: A single person, family, or unrelated persons living together whose adjusted income is at or below eighty percent of the median household income adjusted for household size, for the county where the

household is located, as reported by the United States department of housing and urban development.

Managing agency-Homeless: An organization such as a religious organization or other organized entity that has the capacity to organize and manage a homeless outdoor encampment, temporary small houses on-site, indoor overnight shelter, and a vehicle resident safe parking program.

Manufactured home: means a single-family dwelling built according to the United States department of housing and urban development manufactured home construction and safety standards act, which is a national preemptive building code. A manufactured home also: (a) includes plumbing, heating, air conditioning (optional), and electrical systems; (b) is built on a permanent chassis; and (c) can be transported in one or more sections with each section at least eight feet wide and 40 feet long when transported, or when installed on-site is three hundred twenty square feet or greater. Any unit having a combined width less than twelve feet and length less than fifty feet or combined width of less than twenty feet and length less than twenty-eight feet, but classified by the department as a mobile home, shall for the purpose of this title only, be considered a recreational vehicle.

Medical clinic: A facility specializing in providing clinical, temporary, and emergency services of a medical or surgical nature to human patients and licensed by state law to provide facilities and services.

Medium-Speed Electric Vehicle: Self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than 25 miles per hour but not more than 35 miles per hour and otherwise meets or exceeds the federal regulations set forth in 49 C.F.R. Sec. 571.500.

Mineral Resource Land: Lands that include gravel, sand, and valuable metallic substances.

Mobile/manufactured home: “Mobile home” means a factory-built dwelling built prior to June 15, 1976, to standards other than the United States department of housing and urban development code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the United States Department of Housing and Urban Development Manufactured Home Construction and Safety Act. In general, a mobile home is a dwelling on one or more chassis for towing to the point of use and designed to be used with a

permanent foundation as a residence on a year around basis and which bears an insignia issued by a state or federal regulatory agency indicating that the mobile manufactured home complies with all applicable construction standards. A recreational vehicle is not a mobile/ manufactured home.

Modular home: A structure constructed of factory assembled parts that are transported to the building site and assembled at the site. The completed structure is not mobile and should not be considered a manufactured home.

Motor Home: Means a vehicular unit that is designed to provide temporary living quarters for recreational, camping, or travel use, and is built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.

Motel: A building that has more than five (5) guest rooms where lodging with or without meals is provided for compensation. The building may include one (1) apartment for use of the resident manager.

Neighborhood Electric Vehicle: A self-propelled, electrically powered four-wheeled motor vehicle whose speed attainable in one mile is more than 20 miles per hour and not more than 25 miles per hour and conforms to federal regulations under Title 49 C.F.R. Part 571.500.

Newly created lot: A lot created by a lot split pursuant to RCW 58.17.145.

Nonconforming building: A building, or fully erected and maintained prior to this ordinance, but which does not conform to the regulations of this ordinance.

Nonconforming use: A use which was lawfully established and maintained prior to this ordinance, but which does not conform to the regulations of this ordinance.

Open record public hearing: An open record public hearing means a hearing, conducted by a single hearing body or officer authorized by the City of Mossyrock to conduct such hearing, that created record through testimony and submission of evidence and information under procedures prescribed by ordinance or resolution. An open record hearing may be held before a local government's decision on a project permit to be known as a "open record pre-decision hearing". An "open record appeal hearing" may be held if no open record pre-decision public hearing of the project permit has been held.

Outdoor encampment: Any temporary tent or structure comprising an encampment or both.

Park model recreational vehicle (PMRV): A tiny home or similar dwelling structure with wheels and a chassis. A PMRV with its wheels taken off and mounted on a foundation will still be viewed as a temporary or recreational use and not a permanent dwelling. PMRVs are only permitted for temporary use in Washington State, unless in a mobile home park (RCW [35.21.684](#) and [36.01.225](#)). PMRVs must adhere to applicable snow load requirements for Mossyrock, or as approved by the city building official.

Parking area, private: An open area other than a street, alley, or other public property, limited to the parking of automobiles of occupants or employees uses to which these facilities are appurtenant.

Parking area, public: An open area other whether publicly or privately owned, which of more than four automobiles and is available to the public.

Parcel: A tract or plat of land of any size which may or may not be subdivided or improved. Often referred to as a lot.

Parking space: An area which is improved, maintained, and used for the sole purpose of accommodating a motor vehicle.

Plat: A map or representation of a subdivision, showing the division of a tract or parcel of land into lots, blocks, streets, and alleys, or other divisions and dedications.

Plat short: A map or representation of a subdivision of land into four or less lots, tracts, parcels, sites, or divisions.

Preliminary plat: A neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with requirements of this chapter. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

Principal unit: means the primary single-family housing unit, duplex, triplex, townhome, or other housing unit located on the same lot as an accessory dwelling unit.

Principal use: The primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

Project permit or project permit application: Any land use or environmental permit or license required from the City of Mossyrock for a project action, including but not limited to building permits, subdivisions, and variance permits, but excluding the adoption or amendment of development regulations.

Public meeting: An informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the City of Mossyrock's decision on the permit. A public meeting does not include an open record hearing. The proceeding at a public meeting may be recorded and a report or recommendation may be included the project permit application file.

Public utility: A private business organization such as a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either or which are paid for directly by the recipients thereof. Such services shall include but are not limited to, water supply, electric power, gas, telecommunications, and transportation for persons and freight.

Public utility structure: Structures such as telecommunication and electrical transmission towers, tanks, pumping stations, electrical transformer stations, and similar large equipment that is owned by a public utility.

Qualified Expert: A person preparing a technical assessment who has expertise appropriate to the relevant critical area being assessed. Expertise shall consist of professional credentials and/ or certification, any advanced degrees earned in the pertinent scientific discipline from a recognized university, the number of years of experience in the pertinent scientific discipline, recognized leadership in the discipline of interest, formal training in the specific area of expertise, and field and/ or laboratory experience with evidence of the ability to produce peer-reviewed publications or other professional literature.

Recreational area commercial: An area operated for profit and devoted to facilities and equipment for recreational purposes.

Recreational vehicle: “Recreational Vehicle” or “RV” means a vehicular-type unit which is primarily designed for recreational camping or travel use and is self-propelled, or can be mounted on or towed by another vehicle. Recreational vehicles include, but are not limited to, travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, park models, and motor homes.

Recreational vehicle park: A lot or series of lots designed to provide safe and sanitary temporary housing or storage of recreational vehicles for limited periods of time but which are not intended for use as a manufactured housing park.

Religious organization. The federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property.

Reproducible copy: A reproducible copy is one that is reduced in size to fit onto an 8.5 x 11 inch paper and is of such quality that any copy made thereof is clearly legible.

Residence: A building or structure, or portion thereof, which is designed for and used to provide an abode for human beings.

Residential care facility: A facility licensed by the State of Washington that cares for at least five people with functional disabilities and is not an "Adult family home".

Roof: A structural over covering over any portion of a building or structure, including the projections beyond the walls or supports of the building or structure.

Schools, elementary, junior high or high: Institutions of learning offering instruction in the several branches of learning and study required by the Educational Code of the State of Washington to be taught in the public and private schools.

Screen: A vertical barrier located in a limited space intended to provide a buffering effect, particularly for noise reduction or visual separation. Screens may consist of

existing or planted vegetation, attractive sight obscuring fencing, hedges, walls or earth berms, or similar techniques.

Shoreline of state wide significance: Shorelines as defined pursuant to RCW 90.58.030 and hereinafter amended.

Short Term Rental: A lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, is offered or provided to a guest by a short-term rental operator for a fee for fewer than 30 consecutive nights.

Site area: The total horizontal area within the property lines excluding external streets.

State Environmental Policy Act (SEPA): The environmental review process as provided by Chapter 43.21c RCW and Chapter 197-11 WAC.

Storage Unit: Shall mean any container, storage unit, shed-like container or portable structure that can be or is used for the storage of personal or business property of any kind and which is located for such purposes outside an enclosed building.

Storage Units – Temporary: Are defined as portable storage units that do not have a permanent foundation or footing, which includes:

- 1) Shipping containers such as cargo containers, portable storage containers (aka PODs), or railroad cars; and
- 2) Repurposed vehicles such as truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, vehicles, truck or semi-trailers, construction trailers, and bulk solid waste containers, excluding those units used and maintained for their original, intended purpose.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it. If there be no floor above it, then the space between the floor and the ceiling next above it shall be considered a story. If the finished floor level directly above the basement or cellar is more than six (6) feet above grade, such basement or cellar shall be considered a story.

Street: A public or recorded private thoroughfare which affords primary means of access to abutting property.

Street line: The boundary line between a street and the abutting property.

Structure: Anything constructed in the ground, or anything erected which requires location in the ground, but not including something having location on or in the supporting members of a fences less than six (6) feet in height, or paved areas.

Structural alterations: Any change in the supporting members of a building or structure.

Subdivision: The division or re-division of land into two or more lots, tracts parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

Through lot: A lot having frontage on two streets, including a lot at the intersection of two streets when the side streets of such lot form an internal angle of less than forty-five degrees.

Unlisted uses: Uses which are not specifically named as permitted in any use classification contained within this title.

Tiny Home: Single family dwelling unit. Minimum 100 square feet but not to exceed 600 square feet. Must contain a kitchen, bathroom and one (1) bedroom. ~~Space for a tiny home must have at least three thousand (3,000) square feet per unit.~~

Trailer: A separate vehicle, not driven or propelled by its own power (non-automotive), but drawn by some independent power and used primarily for moving or hauling freight, equipment, animals, or merchandise of any kind, including boats, boat trailers, jet skis, halftracks, snowmobile, and the like, not included in other definitions

Transitional Housing: A project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

Unrelated Persons: Persons not related by blood, marriage, or committed intimate relationship that live together in a residential structure.

Use: The nature of the occupancy, the type of activity, or the character and form of improvements to which land is devoted or may be devoted.

Wetland: "Wetland" or "wetlands" means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands, if permitted by the City of Mossyrock. The methodology used for delineating the presence of wetlands will be the U.S. Army Corps of Engineers 1987 Federal *Manual for Identifying and Delineating Jurisdictional Wetlands*.

Variance: An adjustment in the specific regulations of this title regarding a particular piece of property because it is deprived of the privileges commonly enjoyed by other properties in the same vicinity. This adjustment remedies disparity in privileges.

APPENDIX A: ILLUSTRATED PROCEDURES FOR SECTION III, ARTICLE VIII ADMINISTRATION: LAND USE DEVELOPMENT

The illustrated procedures assist the reader regarding the Administration of land use development regulation and of Section III, Article VIII in understanding administrative procedures in the text. The flow charts are simplified renditions of specific Parts and do not replace the text. Please use them only as a supplement to the Growth Management Directory.

1. Procedures for a Building Permit exempt from SEPA as provided in Article VIII, Parts 2.05, 6.01, and 7.

Action	Timeline
Step 1. Applicant submits Building Permit Application	
Step 2. Review by Building Official	Clock stops until application is complete

If not complete, application returned to applicant to add requested information.	
Step 3. Determination of Completeness	Issued within 28 days of receiving application
Step 4. Building Permit issued or denied If necessary...	
Step 5. Appeal of Administrative Decision to City Council	

2. Procedures for a Building Permit not exempt from SEPA as provided in Article VIII, Parts 2.05/ 2.06, 6.01, 7 and Mossyrock Environmental Policy Ordinance.

Action	Timeline
Step 1. Applicant submits Building Permit Application	
Step 2. Review by Building Official If not complete, application returned to applicant to add requested information.	Clock stops until application is complete
Step 3. Determination of Completeness	Issued within 28 days of receiving application
Step 4. Notice of Application	
Step 5. Public Comment Period	At least 15 days
Step 6. SEPA Determination	Mader after public comment period ends on Notice of Application
Step 7. Building Permit Issued or Denied If necessary...	Within 120 days from date of completed application
Step 8. Appeal of Administrative Decision to City Hall	

3. Procedures for Short Subdivisions as provided in Article VIII, Parts 2.05, 6.02, and 7.

Action	Timeline
Step 1. Applicant submits Short Subdivision Application	
Step 2. Determination of Completeness If not complete, application returned to applicant to add requested information	Clock stops until application is complete
Step 3. Application circulated for comment* (Planning Commission, City Engineer, and other agencies if necessary)	
Step 4. Mayor, City Clerk of Treasurer Approves/Denies Application If necessary...	Decision made within 28 days from date of receiving completed application
Step 5. Appeal of Administrative Decision to City Council	

**PLEASE NOTE: If an applicant's proposed short subdivision is next to Highway 12 or 122, the City must notify WSDOT. WSDOT has 14 days from their date of receiving a copy of the application to comment. See Article VI, Part 2.03. Short subdivisions undertaken partly or wholly within lands covered by water or in critical areas must comply with SEPA.*

4. Procedures for Administrative Appeal as provided in Article VIII, Part 7.

Action	Timeline
Step 1. Applicant submitted in writing to Mayor, City Clerk, or Treasurer	Submitted within 10 days of decision
Step 2. City Council conducts Pre-decision Open Record Public Hearing	Held within 15 days or no more than 30 days from date of appeal
Step 3. City Council Decision	Issued no later than 7 days from Public Hearing.

5. Procedures for Variance Permit as provided in Article VIII, Parts 2.04, 2.06, 2.08, 5 and 8.

Action	Timeline
Step 1. Applicant submits Variance Application	
Step 2. Mayor, City Clerk, or Treasurer reviews Application for completeness	Clock stops until application is complete

If not complete, application returned to applicant to add requested information	
Step 3. Determination of Completeness	Issued within 28 days of receiving application
Step 4. Notice of Application	
Step 5. Public Comment	At least 15 days
Step 6. City Council conducts Open Record Public Hearing	Conducted no earlier than 15 days before or no more than 30 Days from Notice of Application
Step 7. City Council Decision	
Step 8. Notice of Decision	Issued within 7 days of hearing and within 120 days of Completed application
<i>If necessary...</i>	
Step 9. Appeal to Superior Court	

6. Procedures for Adding or Deleting to the List of Permitted Uses as provided in Article VIII, Parts 2.04, 5, and 9.

Action	Timeline
Step 1. Applicant submits Application	
Step 2. Mayor, City Clerk, or Treasurer reviews Application for completeness If not complete, application returned to applicant to add requested information	Clock stops until application is complete
Step 3. Determination of Completeness	Issued within 28 days of receiving application
Step 4. Mayor, City Clerk, or Treasurer forwards Application to Planning Commission	At next regular meeting
Step 5. Planning Commission sets date, time, & place for Public Hearing	Within 30 days
Step 6. Planning Commission holds Public Hearing and makes Decision	
Step 7. Planning Commission forwards recommendation to City Council	
Step 8. City Council sets date, time and place for Public Hearing	Within 30 days
Step 9. City Council holds Public Hearing and makes decision	
Step 10. Notice of Decision	<i>Issued within 7 days of hearing</i>

Step 11. Mayor, City Clerk, or Treasurer amends Standards for Future Development	
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7. Procedures for subdividing land as provided in Article VIII, Parts 2.04, 2.06, 2.08, and 5, and 10.

Action	Timeline
Step 1. Applicant submits Preliminary Plat Application	
Step 2. Mayor, City Clerk, or Treasurer reviews Application for completeness	Within 14 days of application.
If not complete, application returned to applicant to add requested information	Clock stops until application is complete
Step 3. Determination of Completeness	Issued within 28 days of receiving application
Step 4. Notice of Application	At next regular meeting
Step 5. Public comment period	At least 15 days
Step 6. SEPA Determinations	Made after public comment period ends
Step 7. Planning Commission conducts Open Record Public Hearing	Conduct no earlier than 15 days before or no more than 30 days from Notice of Application
Step 8. Planning Commission prepares and forwards recommendation to City Council	Issued within 14 days of public hearing
Step 9. City Council decision on Planning Commission recommendation	Final decision within 120 days of completed application
Step 10. Completion of required improvements by applicant or bon	Within 1 year, but may receive up to three 1-year extensions
Step 11. Applicant submits for Final Plat Approval	City Clerk or Treasurer submits to Mayor and Council within 3 days
Step 12. City Council votes on accepting Final Plat	Votes at next regular meeting
Step 13. Applicant files Final Plat with County Auditor	Filed within 95 days of City Council acceptance

8. Consolidated Permit Review for Combining Building Permits, Short Subdivision, Variance Permits, and/or Subdividing land as provided in Article VIII, Parts 2.04, 2.06 2.08, 5 and 11.

Action	Timeline
Step 1. Submittal of Consolidated Application by Applicant	
Step 2. Mayor, City Clerk, or Treasurer reviews Application for completeness If not complete, application returned to applicant to add requested information	Within 14 days of receiving application. Clock stops until application is complete
Step 3. Determination of Completeness	Issued within 28 days of receiving application
Step 4. Notice of Application	
Step 5. Public comment period	At least 15 days
Step 6. SEPA Determinations	Made after public comment period ends
Step 7. Planning Commission conducts Open Record Public Hearing	No later than 30 days from Determination of Completeness
Step 8. Planning Commission makes recommendation to Council	Within 14 days of public hearing
Step 9. Planning Commission conducts Open Record Public Hearing and considers Planning Commission recommendation	At next regular meeting
Step 10. City Council decision	Within 30 days of Open Record Public Hearing
Step 11. Notice of Decision	Within 7 days of decision and 120 days from date of Determination of Completion

9. Procedures for Amending the Standards for Future Development as provided in Article VIII, Part 12.

Action	Timeline
Step 1. Amendment initiated by: 1) One or more property owners; or 2) Planning Commission passes a motion to amend; or 3) City Council passes a motion for Planning Commission to make a recommendation	
Step 2. Mayor, City Clerk, or Treasurer forwards Amendment to Planning Commission	Next regular meeting
Step 3. Planning Commission sets date, time, and place for Public Hearing	Within 30 days

Step 4. Planning Commission holds Public Hearing, reviews amendment request, and prepares written recommendation to City Council	Within 15 days
Step 5. City Council received recommendation of Planning Commission and sets date, time, and place for Public Hearing	Within 30 days
Step 6. City Council holds public hearing, reviews Planning Commission recommendation, and makes Decision to approve, deny, or return matter back to Planning Commission for further study	
Step 7. Submittal of proposed amendment to State for comment	
Step 8. Final approval of amendment by Ordinance by City Council	