

ORIGINAL

ORDINANCE NO. 165

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON AMENDING CHAPTERS 16.30 AND 16.35 OF THE SHORELINE MUNICIPAL CODE FOR THE PURPOSE OF CLARIFYING THE LAND USE APPEAL PROCESS

WHEREAS, Chapter 16 of the Shoreline Municipal Code addresses land use and development within the City; and

WHEREAS, state law directs municipal governments to consolidate and streamline the permit process related to land use activities; and

WHEREAS, certain amendments to the City's land use code will assist in achieving that goal;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE DO ORDAIN AS FOLLOWS:

Section 1. Section 16.30.090 of the Shoreline Municipal Code is amended as follows:

16.30.90 Director.

"Director" means the director of Planning and Development Services or his/her designee.

Section 2. Section 16.35.020 of the Shoreline Municipal Code is amended as follows:

16.35.20 Consolidated open record hearings.

The city may combine any hearing on a project permit with any hearing that may be held by two different hearing bodies of the city, or by another local, state, regional, federal agency or other agency provided that the hearing is held within city limits.

Hearings shall be combined if requested by an applicant, as long as the joint hearing can be held within the time periods specified in this chapter or the applicant agrees to the schedule in the event that additional time is needed in order to combine the hearings.

Hearings may only be combined if (a) notice requirements of each agency are met, (b) agencies have received the necessary information from the applicant, and (c) an agency is not prohibited by statute from doing so.

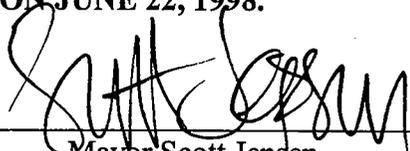
JAN 16 1998

Section 3. Table 1 of Section 16.35.080 is amended as set forth in Exhibit A of this ordinance;

Section 4. Table 2 of Section 16.35.110 is amended as set forth in Exhibit B of this ordinance.

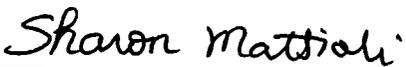
Section 5. This ordinance, or a summary thereof, shall be published in the official newspaper of the City and shall become effective thirty days after passage.

PASSED BY THE CITY COUNCIL ON JUNE 22, 1998.



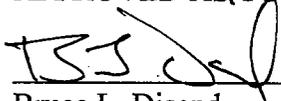
Mayor Scott Jepsen

ATTEST:



Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:



Bruce L. Disend
City Attorney

Date of Publication: June 26, 1998
Effective Date: July 22, 1998

**TABLE 1
DECISIONS MADE BY THE DIRECTOR AND RESPONSIBLE OFFICIAL,
CRITERIA FOR DECISION AND APPEAL AUTHORITIES:**

ACTION	CRITERIA FOR DECISION (CODE SECTION)	APPEAL AUTHORITY
<i>Type A:</i>		
1. Accessory Dwelling Unit	Sec. 21A. 08.030 (Ord. 11)	Hearing Examiner
2. Boundary Line Adjustment	Sec. 19.08.112 (Ord. 20)	Hearing Examiner
3. Building Permit	Sec. 16.04 (Ord. 17)	Building Board of Appeals
4. Continuation and/or Minor Alteration of Nonconforming Use	Sec. 21A.32.050 through 090 (Ord. 11)	Hearing Examiner
5. Final Short Plat	Sec. 19.26 (Ord. 20)	Hearing Examiner
6. Grading Permit	Sec. 16.82 (Ord. 17)	Hearing Examiner
7. Hazardous Material Permit	Sec. 17.04 (Ord. 18)	Hearing Examiner
8. Right-Of-Way Use Permit	Sec. 14.28 (Ord. 16)	Hearing Examiner
9. Shoreline Exemption	Sec. 25.32.010 (Ord. 23)	Hearing Examiner
10. Sign Permit	Sec. 21A.20 (Ord 11)	Hearing Examiner
11. Temporary Use Permit	Sec. 21A.32.100 (Ord. 11); and Sec. 14.30 (Ord. 16)	Hearing Examiner
<i>Type B:</i>		
1. Conditional Use Permit	Sec. 21A.44.040 (Ord. 11)	City Council Hearing Examiner
2. Preliminary Short Plat Approval/Alteration	Sec. 19.120 and 150 (Ord. 20)	Hearing Examiner
3. SEPA Threshold Determination	Sec. 20.44 (Ord. 52)	Hearing Examiner ¹
4. Shoreline Substantial Development Permit	Sec. 25.32 (Ord. 23)	Shorelines Hearings Board
5. Zoning Variance	Sec. 21A.44.030 (Ord. 11)	Hearing Examiner

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Exhibit B

TABLE 2

**REVIEW AUTHORITY, DECISION MAKING BODY, CRITERIA
FOR DECISION AND APPEAL AUTHORITY**

ACTION	REVIEW AUTHORITY	APPEAL AUTHORITY AND DECISION MAKING BODY	CRITERIA FOR DECISION (CODE SECTION)	JUDICIAL APPEAL
<i>Type C:</i>				
1. Preliminary Long Plat (Subdivision)	Planning Commission	City Council	Sec. 19.28 (Ord. 18)	Superior Court
2. Final Long Plat (Subdivision)	Director	City Council	Sec. 19.32 (Ord. 20)	Superior Court
3. Urban Planned Development (UPD)	Planning Commission	City Council	Sec. 21A.39 (Ord. 11)	Superior Court
4. Reclassification (rezone) of property	Planning Commission	City Council	Sec. 20.24.190 (Ord. 52)	Superior Court
5. Special Use Permit	Planning Commission	City Council	Sec. 21A.44.05 (Ord. 11)	Superior Court
6. Street Vacation	Planning Commission	City Council	Sec. 14.40 (Ord. 16)	Superior Court