

**Title 16A**

**DEVELOPMENT REVIEW CODE**

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## Chapter 16A.03

### GENERAL PERMIT PROCESSING PROVISIONS

Sections:

- 16A.03.010 Purpose – CHANGES PROPOSED**  
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**16A.03.030 Administration and Review Authority – CHANGES PROPOSED**  
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#### 16A.03.010 Purpose

These procedures describe how the City of SeaTac will process applications for project and other construction and land use permits. This title applies to all Type 0, I, II and III permits for development, as outlined on Appendix I. These procedures are intended to implement, and shall be applied in a manner consistent with, Chapter 36.70B RCW. It is the intent of these procedures to provide for the effective processing and review of project permits and to inform the public about how and when to provide timely comment during their consideration.

#### 16A.03.020 Definitions

Definitions in this section apply to Title 16A.

- A. “Applicant” means the property owner and/or the person or entity who submits a permit application.
- B. “Construction permit” means those permits and approvals that authorize construction work.
- C. “Days” means calendar days, unless otherwise specified.

~~C-D.~~ “Development standards” means standards, rules and regulations set forth in the following titles of the SeaTac Municipal Code:

1. Chapter 11.05 SMC, Road Standards
2. Chapter 11.10 SMC Right-of-Way use Code
- ~~1-3.~~ 3. SMC Title 12, Public Utilities.
- ~~2 4.~~ 4. SMC Title 13, Buildings and Construction.
- ~~3-5.~~ 5. SMC Title 14, Subdivisions.
- ~~4-6.~~ 6. SMC Title 15, Zoning Code.
- ~~5-7.~~ 7. SMC Title 17, Crime Prevention Through Environmental Design (CPTED).
- ~~6-8.~~ 8. SMC Title 18, Environmental Code.

E. “Director” means the Community and Economic Development Director or his/her designee.

~~D-F.~~ “Open record hearing” means a hearing, conducted by a single hearing body or officer authorized by the local government to conduct such hearings, that creates the local government’s record through testimony and submission of evidence and information under procedures prescribed by the local government by ordinance or resolution. An open record hearing may be held prior to a local government’s decision on a project permit to be known as an “open record predecision hearing.” An open record hearing may be held on an appeal, to be known as an “open record appeal hearing,” if no open record predecision hearing has been held on the project permit.

~~E-G.~~ “Preapplication meetings” means meetings between City staff, affected agencies, and an applicant or their representatives prior to formal submission of a detailed application. They are intended to acquaint the applicant with an overview of the regulatory requirements, application process and procedural submission requirements.

~~F-H.~~ “Procedural submission requirements” means requirements for the submittal of a permit application, as specified by this and other applicable ordinances regulating the application.

~~G-I.~~ “Project permit or project permit application” means any land use or environmental permit required for a project action, such as building permits, subdivisions, binding site plans, planned unit developments, conditional

uses, shoreline substantial development permits, site plan review, permits or approvals required by the City’s critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, or other Type I through III permits listed in Appendix I H, ~~excluding mechanical, electrical, plumbing, and fire code permits. (Adoption or amendment of a comprehensive plan, subarea plan or development regulation are also not considered project permits.)~~ Project permits do not authorize construction.

H.J. “Public meeting” means 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 local government’s decision. A public meeting may include, but is not limited to, a design review or architectural control board meeting, a special review district or community council meeting, or a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the local government’s project permit application file.

I. ~~Type of Permit. Permits are divided into category based on the required review process. See Appendix II for a list of permits by types.~~

- ~~1. Type I permits are permits and actions not required to provide notice to the public under State law, such as building permits where environmental review is not required or was done under another permit application (see Appendix I).~~
- ~~2. Type II permits are permits required under State law to provide a notice of application to surrounding properties.~~
- ~~3. Type III permits are permits that require a public hearing before the City’s Hearing Examiner.~~

### 16A.03.030 Administration and Review Authority

The Director is Responsibility responsible for the administration, application and interpretation of City development standards and these procedures rests with the applicable City department as outlined in the SeaTac Municipal Code and Appendix I and II, and as follows:

~~A. The Building Official or designee for those sections of the City of SeaTac Municipal Code or other development regulations under his/her responsibility such as, but not limited to, those pertaining to building, sign, electrical, plumbing, and mechanical permits.~~

~~B. The Engineer Review Manager or designee for those sections of the City of SeaTac Municipal Code or other development regulations under his/her responsibility such as, but not limited to, those pertaining to grading and drainage, erosion and sediment control, stormwater utility, right of way use and improvement permits, and King County Road Standards.~~

~~C. The Director of Community and Economic Development for those sections of the City of SeaTac Municipal Code and other development regulations under his/her responsibility, including Chapter 16A.23 SMC, Environmental Rules/Procedures, SMC Title 14, Subdivisions, SMC Title 15, Zoning Code, Chapter 18.05 SMC, Shoreline Master Program, and approvals and permits authorized by these sections such as short plats, lot line adjustments, shoreline exemption permits and permits or approvals required by the critical areas ordinance.~~

~~D. The City Manager shall determine the review authority where it is not apparent or when organizational changes modify the above responsibilities.~~

~~— The City Manager or designee shall also review and act on the following:~~

- ~~1. Variances to the provisions of SMC Titles 14 and 15 where the change does not exceed twenty percent (20%) of the distance, area, or other measure of the requirement of City Code, pursuant to the criteria in SMC 15.115.010(C);~~
- ~~2. Minor conditional use permits (CUP) which conform to the criteria in SMC 15.115.020(B).~~

~~E. The City Council shall review and act on development agreements and rezones initiated by the City, and may review and act on essential public facilities as determined by the City Council.~~

~~F. The Planning Commission shall review and make recommendations on amendments to the Comprehensive Plan, amendments to this title, amendments to SMC Title 14, Subdivisions, amendments to SMC Title 15, Zoning Code, and amendments to Chapter 18.05 SMC, Shoreline Master Program.~~

~~G.A.~~ The Hearing Examiner shall review and act on Type III permits, and appeals of Type 0, I and Type II permits.

~~H.B.~~ Requests for code interpretations shall be made in writing to the ~~responsible City official~~ Director. Interpretations of regulations will be issued by the City within ~~thirty (30)~~ eighty-five (85) days of a written request for such an interpretation. Code interpretations may be appealed to the Hearing Examiner pursuant to SMC 16A.17.

**16A.03.040 Permit Assistance Staff**

The City shall designate permit assistance staff pursuant to RCW 36.70B.220, whose function it is to assist permit applicants. Permit assistance staff designated under this section shall:

- A. Make available to permit applicants all current regulations and adopted policies of the City of SeaTac that apply to the subject application. The City shall ~~provide counter copies thereof and~~, upon request, provide copies according to Chapter 42.17 RCW. The City shall also make available procedures, checklists and information to facilitate the permit process; and
- B. Establish and make known to the public the means of obtaining the handouts and related information; and
- C. Provide assistance regarding the application of the regulations adopted by the City of SeaTac in particular cases.

## Chapter 16A.05

### PROJECT AND CONSTRUCTION PERMIT APPLICATIONS

Sections:

- 16A.05.010 General – CHANGES PROPOSED**  
**16A.05.020 Preapplication Meetings – CHANGES PROPOSED**  
**16A.05.030 Procedural Submission Requirements and Submittal – CHANGES PROPOSED**  
**16A.05.040 Expiration of Application – CHANGES PROPOSED**  
**16A.05.050 Standard of Review – CHANGES PROPOSED**

#### 16A.05.010 General

A. ~~Project p-~~Permit applications shall be processed as Type 0, I, II, or III applications, consistent with this Title and Appendix II. A current listing of permit applications subject to these procedures is contained in Appendix I. The following generally describes the permit types:

1. Type 0 permits are construction permits required by SMC Title 13 Buildings and Construction and Chapter 11.10 Right-of-Way use Code,

~~1-2.~~ Type I permits are project permits ~~and actions~~ not required to provide notice to the public under State law ~~such as building permits and~~, where environmental review is not required or was done under another permit application (see Appendix I).

~~2-3.~~ Type II permits are project permits required under State law to provide a notice of application to ~~surrounding properties~~the public.

3.4. Type III permits are project permits that require a public hearing before the City’s Hearing Examiner.

B. Where a project ~~action~~ requires more than one (1) Type I, II, or III application, all applications required may be submitted at one (1) time under a consolidated review process specified in ~~Chapter 16A.19 SMC subsection C of this section~~.

C. Consolidated Review Process. A project permit application that involves two or more permit type procedures may be processed collectively under the highest numbered permit type procedure required for any part of the application or may be processed individually under each of the application permit type procedures identified in Appendix II. The applicant may determine whether the application will be processed collectively or individually. If the applications are processed individually, the highest numbered permit type procedure shall be undertaken first, followed by the other permit type procedures in sequence from the highest numbered to the lowest.

D. Applications processed in accordance with subsection C of this section which have the same procedure number, but are assigned to different decisionmakers, shall be heard collectively by the Hearing Examiner.

#### 16A.05.020 Preapplication Meetings

Applicants for all Type III permits are required to attend a preapplication meeting. Additionally, applicants for some Type 0, I and II permits may be required, or may request, to undergo preapplication review, depending on the magnitude and impact of the proposal.

#### 16A.05.030 Procedural Submission Requirements and Submittal

A. A completed application for a construction or project permit, which meets the procedural submission requirements, shall be submitted to the City on forms and/or in a manner provided by the City.

B. General procedural submission requirements are defined in SMC 16A.07.030(B). Application forms materials for each project type and specific submittal requirements related to each application are available from the responsible City department.

**16A.05.040 Expiration of Application**

A. Absent statute or ordinance provisions to the contrary, any complete permit application for which the applicant no-substantial-step has been taken to meet project approval requirements has been nonresponsive per SMC 16.15.015(C) for a period of one hundred eighty (180) ninety (90) days after receipt, or for a period of one hundred eighty (180) ninety (90) days after the City has requested additional information studies, will expire by limitation and become null and void. The City may grant a one hundred eighty (180) day extension on a one (1) time basis per application if the failure to take a substantial step was due to circumstances beyond the control of the applicant. The extension request must be requested prior to the expiration date.

B. For any applications and permits required by Title 11 or Title 13, expiration of applications shall be governed by Section 13.100.

**16A.05.050 Standard of Review Vesting of Applications**

A. Absent statute or ordinance provisions to the contrary, the regulations in effect on the date a complete application, consistent with SMC 16A.07 is submitted and applicable fees are paid will be the standard of review vest the application.

B. Vested applications shall be considered under the development standards in effect on the date of complete application. Additional information and revisions required by the city after vesting of a complete application shall not affect the validity of such application.

C. Complete applications are only vested to the intended use and development proposal as described in the complete application.

D. The vested rights of an application will terminate if the application or permit expires, or the applicant withdraws the application or permit.

E. Applicant-generated modifications or revisions to a project proposal which are not made in response to staff review, public comment, appeal, or conditionals of approvals and which result in substantial changes to a development proposal shall be treated as a new application for purposes of vesting. Substantial changes include but are not limited to the creation of additional lots, a substantial change in access, a substantial change in project design or configuration, and additional impacts to critical areas.

## Chapter 16A.07

### DETERMINATION OF COMPLETENESS

Sections:

**16A.07.010** **Applicability** – CHANGES PROPOSED

16A.07.020 Contents

**16A.07.030** **Procedural Submission Requirements** – CHANGES PROPOSED

#### 16A.07.010 Applicability

This chapter shall apply to all Type 0, I, II and III permit applications.

#### 16A.07.030 Procedural Submission Requirements

A. A permit application is complete for the purposes of this section when it meets the procedural submission requirements of the City and is sufficient for continued processing even though additional information may be required subsequently. Note that once a permit application is submitted, substantial project modifications may require submittal of a new permit application. The determination of completeness shall not preclude the City from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur. The issuance of a determination of completeness shall not be construed to mean the permit application or any of its components have been approved. The applicant for a permit shall have the burden of demonstrating that the proposed development complies with the applicable regulations and decision criteria.

B. A project-permit application shall be declared complete only when it contains all of the following minimum materials:

1. A fully completed, signed, and acknowledged, and submitted permit application with all required materials and information and all applicable review fees. The property owner and/or applicant shall provide all the information as specified on the applications checklists and forms as provided by the City. In all cases, the City shall determine if the information being submitted with an application is sufficient and in such detail as to warrant the acceptance of the application.

2. A fully completed, signed, and acknowledged and submitted environmental checklist for projects subject to review under the State Environmental Policy Act.

~~3. The information specified for the desired project as established by the Director.~~

~~4. Any supplemental information or special studies identified as necessary for the review.~~

3. Payment of all fees required at the time of application.

C. Determination of Completeness. An application shall be deemed complete as follows:

1. Upon issuance of a Determination of Completeness by the city:

2. A permit application shall be deemed procedurally complete on the 29<sup>th</sup> day after submittal of a permit application if the City does not provide a written determination to the applicant that the application is incomplete as provided in this section; or,

3. Fourteen (14) days after the applicant has submitted additional information identified by the City as being necessary for a complete application, provided the City has not issued a notice of incomplete application as provided in subsection (D).

D. Incomplete Applications.

1. Whenever the applicant receives a determination from the city that the application is incomplete per SMC 16A.070.020 (B) the applicant shall have 28 days to submit the necessary information.

2. Within fourteen (14) days after an applicant has submitted additional information identified by the City as being necessary for a complete application, the City shall notify the applicant whether the application is complete or what additional information is necessary. [If additional information is necessary, the city will provide the applicant with a final notice of an incomplete application.](#)
3. If the applicant does not submit the additional information requested within twenty-eight (28) days after the final notice of incomplete applications, the application will expire by limitation and become null and void.
4. If, upon request for fee payment, an applicant fails to pay within twenty-eight (28) days, the application will expire by limitation and become null and void.

E. For purposes of this Section “submitted” or “submittal of a permit application” mean when either the “application submitted” or “correction submitted” event status in LAMA permit database is changed from pending to complete. This correlates to when the applicant clicks the submit button on the LAMA permit portal.



**Chapter 16A.09**

**Notice of Application**

Sections:

16A.09.010 General

**16A.09.020 Contents – CHANGES PROPOSED**

**16A.09.030 Distribution CHANGES PROPOSED**

**16A.09.020 Contents**

In addition to the requirements of RCW 36.70B.110, ~~the~~ NOA shall include the following:

- A. The application/project file number;
- ~~B. The designation of the City contact person and contact information; associated telephone numbers;~~
- ~~C. Date of application submittal, date the determination of completeness was issued, and the date of the notice of application;~~
- ~~B.D. The place, days, and times where information about the application and studies may be examined;~~
- ~~C.E. The name, address and telephone number of the applicant and/or agent;~~
- ~~D.F. A description of the proposed project action;~~
- ~~G. A description of the site, including current zoning classification, nearest road intersection and site address, if available, reasonably sufficient to inform the reader of the general location;~~
- ~~H. General project location, vicinity, and address and parcel number(s), if applicable;~~
- ~~F.I. Identification of existing environmental documents that evaluate the proposed project and the location where such documents can be reviewed if other than that of the City;~~
- G. A statement of the comment period, inviting the public and agencies to comment on the application within fourteen (14) days of the notice date, and stating that any person has a right to receive notice and participate in any hearings, to request a copy of the decision once made, and describing any appeal rights, along with the deadline for submitting a SEPA appeal (if applicable). Additionally, the statement should include a notice that this may be the only comment period if the optional determination of nonsignificance (DNS) process for combined notice of application and the DNS comment period identified in WAC 197-11-355 is used;
- H. Any other information determined appropriate by the City.

**16A.09.030 Distribution**

The notice of application shall be distributed as follows:

- A. The NOA shall be posted on the subject property. The notice on the property shall be posted on a “notice board” at a conspicuous place. It must be visible from the public right-of-way and to persons passing by the property. Such “notice board” may be located adjacent to the property upon approval of the City Manager Director or his/her designee.
  - 1. The City Manager Director or his/her designee may require additional notice boards when a site does not abut a public right-of-way or as determined to be necessary.

2. The posting shall be on site ~~for at least thirty (30) days until the end of the comment period, or after the public hearing or appeal period if applicable.~~
3. The “notice board” shall be of a size and design as specified by the ~~City Manager~~ Director or designee.
4. The ~~property owner or his/her representative applicant~~ shall be responsible for the installation of the “notice board.” An affidavit shall be submitted to the City by the ~~property owner or his/her representative applicant~~ stating when the “notice board” has been installed and the location of the “notice board.”
5. Failure to post a site in accordance with these provisions for the required time frame may require extending the comment period and/or the re-initiation of the notice process.

~~B. The NOA shall be posted in three (3) public places where ordinances are posted.~~

~~C. The NOA shall be published once in a newspaper of general circulation.~~

~~D. B.~~ The NOA shall be mailed via first class mail to adjacent property owners based on the standards set forth below and in Appendix II.

1. The City may exercise discretion to expand the mailing to include areas adjacent to access easements and to areas on the opposite sides of rights-of-way, streams, and other physical features.
2. The notice shall be deemed mailed when deposited in the U.S. mail, postage prepaid and properly addressed.

~~E. C.~~ The notice shall additionally be distributed by the City to:

1. The applicant and/or agent;
2. Such internal review offices as needed;
3. Adjacent municipal corporations or organizations which may be affected by the proposal;
4. Other persons, organizations or entities the City may determine or who request in writing such notice.

## Chapter 16A.11

### PROJECT PERMIT APPLICATION REVIEW

Sections:

**16A.11.010 General – CHANGES PROPOSED**

**16A.11.020 Review for Consistency – CHANGES PROPOSED**

**16A.11.030 SEPA Review – CHANGES PROPOSED**

#### 16A.11.010 General

A. The purpose of the application review process is to review complete [project permit](#) applications for consistency and conformance with applicable development regulations prior to proceeding to hearing or rendering permit decisions.

B. Additional information, corrected or revised plans, or studies may be requested during the review, if determined to be needed. Any time period during which the applicant has been requested to provide such information is excluded from the time frames outlined in Chapter 16A.15 SMC.

#### 16A.11.020 Review for Consistency

A. A proposed project's consistency with the City's development standards and regulations adopted under Chapter 36.70A RCW, or, in the absence of applicable development regulations, the appropriate elements of the Comprehensive Plan adopted under Chapter 36.70A RCW, shall be determined by the City during project review by consideration of:

1. The type of land use;
2. The level of development, such as units per acre or other measures of density;
3. Infrastructure, including public facilities and services needed to serve the development;
4. The characteristics of the development, such as building design standards and adherence to all applicable life safety standards; and
5. The design of the project in conformity with the City's standards.

Upon determination by the City that a complete application [pursuant to Chapter 16A.07](#) contains sufficient information to determine consistency and conformance with City regulations, the project permit application will be reviewed and can proceed to hearing or a project permit decision rendered administratively.

During project review, the City or any subsequent reviewing body shall not reexamine alternatives to or hear appeals on the items identified in this section, except for issues of code interpretation. Nothing in this section limits the City's authority to approve, condition, or deny a project as provided in its development regulations and its policies adopted under RCW 43.21C.060. Project review shall be used to identify specific project design and conditions relating to the character of development, such as the details of site plans, curb cuts, drainage swales, transportation demand management, or other measures, to mitigate a proposal's probable adverse environmental impacts, if applicable.

B. Review Procedure. The general procedure for review of an application is for the receiving department to route the application to all other departments that will contribute to the review. After each department has reviewed the application with respect to their applicable regulations and standards, comments will be compiled and a ~~comment~~ correction letter sent to the applicant. Subsequent reviews will be required until all comments have been addressed in revised plans and documents.

~~—For procedures specific to a permit type, please see instructions attached to the permit application.—~~

C. Decisions. Decision on project permit applications shall be issued in accordance with Chapter 16A.15 SMC.

**16A.11.030 SEPA Review**

A. Development subject to the provisions of the State Environmental Policy Act (SEPA) shall be reviewed in accordance with the policies and procedures contained in Chapter 16A.23 SMC.

B. Timing of Review. SEPA review will generally be conducted at the preliminary design phase of a project, allowing for site plan review prior to the submittal of detailed building plans-construction permits. This will allow the applicant to integrate required mitigations into the project design with less cost.

~~—Despite the general advantage to an applicant of submitting for SEPA review at the preliminary design phase, prior to submittal of detailed building plans, the City will accept and review building permit applications concurrently with SEPA review if a developer chooses to sign a specific authorization for such joint review.~~

## Chapter 16A.13

### PUBLIC HEARINGS

Sections:

**16A.13.010 Notice of Public Hearing – CHANGES PROPOSED**

**16A.13.020 Procedure for Public Hearing – CHANGES PROPOSED**

#### **16A.13.010 Notice of Public Hearing**

A. A notice of public hearing is required for all Type III project permits. Notice shall be provided at least fourteen (14) days prior to the scheduled hearing.

B. The written notice shall consist of only that information approved and provided by the City. The notice shall include the following information:

1. The application/project file number;
2. Project summary/description of each project permit application;
3. The date, time and place of the hearing and a statement that the hearing will be conducted in accordance with the rules of procedure adopted by the Hearing Examiner;
4. General project location, vicinity and address and parcel number(s), if applicable;
5. The name, address and telephone number of the owner, applicant and designated contact;
6. The SEPA threshold determination or description thereof (determination of nonsignificance (DNS) or mitigated determination of nonsignificance (MDNS) if other than a DS), shall be contained in the notice, along with any appropriate statement regarding any shared or divided lead agency status and phased review, and stating the end of any final comment period;
7. The date when the staff report will be available and ~~the office~~ where it can be reviewed.

C. Distribution.

1. The public hearing notice shall be posted on the property and mailed to adjacent property owners pursuant to the procedures described in SMC 16A.09.030.
2. Failure to properly post the site or complete the required notice may result in re-initiation of the notice process.

#### **16A.13.020 Procedure for Public Hearing**

A. Public hearings shall be conducted in accordance with the Hearing Examiner's rules of procedure and shall serve to create or supplement an evidentiary record upon which the Examiner will base his/her decision.

B. Before rendering a decision on any application or appeal, the Hearing Examiner shall hold a public hearing.

C. Whenever a project requires more than one (1) project permit or approval, the Hearing Examiner shall order a consolidation of and conduct the required public hearings to avoid unnecessary costs or delays. Decisions of the Hearing Examiner to order and conduct consolidated hearings shall be final in all cases.

D. **Department Report.** When an application or appeal has been set for public hearing, the Department shall coordinate and assemble the reviews of other City departments and governmental agencies having an interest in the subject application or appeal and shall prepare a report summarizing the factors involved and the Department's findings and recommendation or decision. The Department's report, and in the case of appeals, any written appeal arguments submitted to the City, shall be filed with the Hearing Examiner and copies thereof shall be transmitted to all persons of record who have not previously received said materials.

**E. Hearing Examiner Decisions.**

1. Each decision of the Hearing Examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision.
2. The Hearing Examiner’s findings and conclusions shall implement and enforce applicable State laws and regulations and the regulations, policies, objectives and goals of the Comprehensive Plan, the Zoning Code, the Subdivision Code and other official laws, policies and objectives of the City, and that the decision will not be unreasonably incompatible with, or detrimental to, affected properties and the general public.
3. The Hearing Examiner shall accord substantial weight to the Director’s recommendation.

**F. Hearing Examiner Actions.** Within ten (10) working days of the conclusion of a hearing or rehearing, the Hearing Examiner shall render a written recommendation or decision and shall transmit a copy thereof to the Department. The Department shall then transmit a copy of the decision to all parties of record.

1. The Examiner’s decision may be to grant or deny the application or appeal, or the Hearing Examiner may grant the application or appeal with such conditions, modifications, and restrictions as he/she finds necessary to make the application or appeal compatible with the environment, and carry out applicable State laws and regulations, and the regulations, policies, objectives and goals of the Comprehensive Plan, the Zoning Code, the Subdivision Code and other ordinances, policies and objectives of the City.
2. Performance bonds or equivalent measures may be required to ensure compliance with the conditions, modifications and restrictions of this code.

## Chapter 16A.15

### NOTICE OF DECISION

Sections:

- 16A.15.010 General – CHANGES PROPOSED**
- 16A.15.015 Time Limit for Decisions – NEW SECTION**
- 16A.15.020 Contents – CHANGES PROPOSED**
- 16A.15.030 Distribution – CHANGES PROPOSED**
- 16A.15.040 Duration and Expiration of Decisions – NEW SECTION**

#### 16A.15.010 General

- A. Applicability. The City will issue a notice of decision for all Type I, II and III project permit applications.
- B. A notice of decision is issued by a City department or the Hearing Examiner at the conclusion of the project permit application review process. The notice of decision may be the decision report, administrative decision, or the issuance of the project permit. The purpose of the notice of decision is to inform the applicant and any person who, prior to rendering of the decision, requested notice of the decision, or submitted comments on the application. The notice of decision also marks the beginning of any appeal period which may be set forth herein or in other ordinances governing the project permit.
- ~~1. Except as provided in subsection (B)(3) of this section, a notice of decision on a project permit should be issued as soon as possible but no more than one hundred twenty (120) days after issuance of the determination of completeness.~~
- ~~a. The issuance of a Type II permit or administrative decision will constitute a notice of decision.~~
- ~~b. If a determination of significance is issued, then the City or Hearing Examiner shall issue a project permit decision not sooner than seven (7) days after a final environmental impact statement is issued.~~
- ~~e. The applicant may agree in writing to extend the time frame for issuance of a decision.~~
- ~~2. In general, a notice of decision shall be issued within one hundred twenty (120) days after a determination of completeness has been issued, unless an alternative time period is otherwise specified in the SeaTac Municipal Code.~~
- ~~3. The time limit established by subsections (B)(1) and (2) of this section do not apply if a project permit application:~~
- ~~a. Requires an amendment to the comprehensive plan or a development regulation;~~
- ~~b. Requires approval of a new fully contained community as provided in RCW 36.704.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 6.70A.200;~~
- ~~e. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete under Chapter 16A.07 SMC.~~
- ~~4. If the review authority is unable to issue its final decision within the time limits provided for in this section, it shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision.~~

**16A.15.015 Time Limits for Decision**

A. A notice of decision will be issued within the time period specified below, except as provided for in subsections (B-D) of this section:

1. Type I Project Permits: Within eighty-five (85) calendar days of determination of complete application.
2. Type II Project Permits: Within one hundred and thirty-five (135) calendar days of determination of complete application.
3. Type III Project Permits: Within one hundred and seventy (170) calendar days of determination of complete application.
4. For multiple project permits that have been consolidated for review under SMC 16A.05.010(C): Within one hundred and seventy (170) calendar days of determination of complete application.

B. The following time periods shall be exempt from the calculation of the time limits in subsection (A) of this section:

1. Any period between the day that the city has notified the applicant, in writing, that additional information, plan correction, or studies are required to further process the application and the day when responsive information is resubmitted by the applicant.
2. Any period after an applicant informs the city, in writing, that they would like to temporarily suspend review of the application until the time that the applicant notifies the local government, in writing, that they would like to resume the application. The city may set conditions for the temporary suspension of the application.
3. Any period after an administrative appeal is filed until the administrative appeal is resolved and any additional time period provided by the administrative appeal for the city to issue the decision.
4. Any extension for any reasonable period of time mutually agreed upon in writing between the applicant and the city.

C. Any written notice from the city to the applicant that additional information is required to further process the application will include a notice that nonresponsiveness for 60 consecutive days will result in 30 days being added to the time for review. For the purposes of this subsection, "nonresponsiveness" means that an applicant is not making demonstrable progress on providing additional requested information to the city, or that there is no ongoing communication from the applicant to the city on the applicant's ability or willingness to provide the additional information. For the purposes of this subsection "demonstrable progress" means submittal of clear and meaningful materials responsive to all the city's comments and corrections.

D. An additional 30 days will be added to the time limits of subsection A, if:

1. At any time, an applicant informs the local government, in writing, that the applicant would like to temporarily suspend the review of the project for more than 60 days, or
2. If an applicant is nonresponsive for 60 or more consecutive days, as provided for in subsection C.

E. The time limits established by subsections (A) of this section do not apply if a project permit application:

1. Requires an amendment to the comprehensive plan or a development regulation, or requires a development agreement; or,
2. Requires approval of a new fully contained community as provided in RCW 36.704.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in SMC 15.115.040 and RCW 6.70A.200; or,
3. Is substantially revised by the applicant, in which case the time period shall start over from the date at which the revised project application is determined to be complete under Chapter 16A.07 SMC. This includes if the applicant proposes a change in use that adds or removes commercial or residential elements from the original application that would make the application fail to meet the determination of procedural completeness for the new use.

F. If the review authority is unable to issue its final decision within the time limits provided for in this section, it shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision.

G. For purposes of this Section "submittal" or "resubmitted" mean when the "correction submitted" event status in LAMA permit database is changed from pending to complete. This correlates to when the applicant clicks the submit button on the LAMA permit portal.



**16A.15.020 Contents**

The following must be included on all notices of decision except when the issuance of a permit serves as the notice of decision:

- A. A notice of decision shall include a statement of the decision and that the decision and/or SEPA determination made under Chapter 43.21C RCW are final but may be appealed.
- B. The appeal closing date shall be listed.
- C. The statements shall include how a party may appeal the project permit decision and/or the SEPA determination.
- D. The notice of decision may be optionally included in the written decision, a decision on the project permit application or provided as a separate document.
- E. The notice of decision shall also state that affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

**16A.15.030 Distribution**

- A. The review authority shall provide the notice of decision by first class mail or email to the applicant and to any person who prior to the rendering of the decision, requested notice of the decision or submitted comments on the application or testified at the public hearing.
- B. The review authority shall also provide the notice of decision to the County Assessor's Office.

**16A.15.040 Duration and Expiration of Decision**

- A. Unless otherwise provided for in the SeaTac Municipal Code or in the specific notice of decision, a decision on a project permit shall be valid for three (3) years.
- B. For multiple project permits that have been consolidated for review under SMC 16A.05.010(C), the project permit with the longest approval duration shall govern all project permits.
- C. All project permit decisions become null and void and expire at the end of the approval period if, on the date the decision expires, a complete application for subsequent construction permit has not been submitted.
- D. A complete application for subsequent construction permit(s) will extend the validity of said project permit if the construction permit(s) have not expired.
- E. For project permits which do not require a construction permit, the project permit does not expire if the use allowed by the project permit has been legally established prior to the expiration date of the project permit decision.
- F. Once a use or development has been legally established, the project permit will remain valid as long as the use and development are in compliance with the terms of the project permit decision.

## Chapter 16A.17

### APPEALS

#### Sections:

- 16A.17.010 Standing
- 16A.17.015 Notice of Appeal to Hearing Examiner – NEW SECTION**
- 16A.17.020 State Environmental Policy Act (SEPA) Appeals
- 16A.17.030 Appeal of Administrative Interpretations, Approvals and Project Permit Decisions – CHANGES PROPOSED**
- 16A.17.040 Appeal of Hearing Examiner Decisions – CHANGES PROPOSED**
- 16A.17.060 Contents
- 16A.17.070 Appeal Briefs
- 16A.17.080 Notice of Appeal Hearings
- 16A.17.085 Appeal Hearings – NEW SECTION**
- 16A.17.090 Motion for Reconsideration
- 16A.17.100 Judicial Appeal

#### 16A.17.015 Notice of Appeal to Hearing Examiner.

All notices of appeal regarding any decision being appealed to the Examiner shall be filed with the City Clerk only on forms provided by the City Clerk within fourteen (14) days from the date of the decision, unless a longer period is provided for in the municipal code, together with a filing fee in the amount specified in the City’s schedule of fees by resolution of the City Council.

#### **16A.17.030 Appeal of Administrative Interpretations, Approvals and Project Permit Decisions**

Administrative interpretations, administrative approvals, and Type 0, I and Type II permit decisions may be appealed to the Hearing Examiner. ~~Such appeals shall be filed with the City Clerk only on forms provided by the City Clerk, together with the required filing fee, within fourteen (14) days of the date of the decision.~~

#### **16A.17.040 Appeal of Hearing Examiner Decisions**

Decisions of the Hearing Examiner may be appealed to King County Superior Court pursuant to this chapter, except that decisions relating to matters governed by the State Shorelines Management Act shall be appealed to the State Shorelines Hearing Board as specified in SMC 18.05.490.

#### 16A.17.085 Appeal Hearings

A. The procedures for an appeal hearing shall be the same as for a public hearing in SMC 16A.13.020, unless the Hearing Examiner provides alternative procedures in writing to all parties of the appeal.

B. The appeal hearing shall be electronically recorded and each party shall have the right to call and cross-examine witnesses.

## ~~Chapter 16A.19~~

### ~~OPTIONAL CONSOLIDATED PROJECT REVIEW PROCESS~~

~~Sections:–~~

~~16A.19.010—General~~

~~16A.19.020—Contents~~

#### ~~16A.19.010—General~~

~~This optional process allows for the consideration of all discretionary land use, environmental, engineering and building permits issued by the City, together with project permits requiring a public hearing, as a single project, if so desired and requested in writing by the applicant. Permit decisions of other agencies are not included in this process; but public meetings and hearings for other agencies may be coordinated with those of the City.–~~

#### ~~16A.19.020—Contents~~

~~Where multiple permits are required for a single project, the optional consolidated project review process is available and is composed of the following:~~

~~A.—A preapplication meeting.–~~

~~—The preapplication meeting process will be adapted by the review authority to accommodate the consolidated project permit review of applications. The consolidated process will generally follow the path of the highest level type permit application.–~~

~~B.—A permit coordinator, designated from the most appropriate department based on the applications submitted.–~~

~~C.—A single application packet based on the project permits requested to be consolidated.–~~

~~D.—A single determination of completeness.–~~

~~—Upon acceptance of a consolidated application, all appropriate City staff and relevant other agency staff may meet to determine, within twenty eight (28) days, whether the accepted application is complete and whether a consolidated determination of completeness should be issued consistent with Chapter 16A.07 SMC.–~~

~~E.—A single notice of application.–~~

~~—When the application is deemed complete, a consolidated notice of application will be issued and/or posted consistent with the provisions of Chapter 16A.09 SMC.–~~

~~F.—A single comment period.–~~

~~—The combined, affected staff may meet as needed with the applicant and/or interested public prior to the issuance of a decision.–~~

~~G.—A consolidated administrative decision for applicable Type I or Type II project permit.–~~

~~—The review authority will issue decisions for Type I and Type II nonhearing administrative permits. Any administrative decisions will be issued with sufficient time for appeal period(s) to place appeals on the same Hearing Examiner agenda date as any companion Type III land use permit requiring a public hearing. Appeals of Type I or Type II administrative permits will be heard in a single, consolidated open record appeal hearing before the Hearing Examiner, unless otherwise specified by statute.–~~

~~H.—A single notice of hearing and open record public hearing, if required.–~~

~~I.—A consolidated report and recommendation will be developed for the Type III open record hearing portion of the project permit application.–~~

~~2.—A consolidated report will be developed which will summarize Type I or Type II administrative project permit decisions (if any) and provide an appropriate consolidated response to any appeals of administrative Type I or Type II project permits. To the extent possible, appeal hearings of administrative Type I or Type II project permits shall be consolidated with open record public hearings for Type III project permit applications.~~

~~—If the Hearing Examiner’s deliberations include an open record appeal hearing or an appeal of an engineering or building/construction administrative permit, the Hearing Examiner may keep the record open for a period not to exceed ninety (90) days, unless agreed to in writing by both the Hearing Examiner and the applicant, and may request submission of a recommendation from one (1) or more neutral, technical advisory boards or other sources chosen by the Hearing Examiner. Alternatively, technical issues may, by statute, necessarily be heard by special boards.~~

~~I.—A single consolidated public hearing decision.~~

~~1.—The Hearing Examiner will issue a consolidated decision and a consolidated notice of decision regarding all administrative Type I and Type II project permit applications requiring an open record public hearing, consistent with the provisions of these procedures.~~

~~2.—The Hearing Examiner’s decision is appealable only to Superior Court. Shoreline permit appeals are appealable only to the State Shoreline Hearings Board.~~

## Chapter 16A.21

### DEVELOPMENT REGULATIONS – AMENDMENT PROCEDURES

Sections:

**16A.21.010 Development Regulations – CHANGES PROPOSED**

**16A.21.020 Development Regulations – Review Procedures – CHANGES PROPOSED**

#### 16A.21.010 Development Regulations

The City shall consider suggested amendments to its development regulations by any interested person, including but not limited to, applicants, citizens residents, the SeaTac Hearing Examiner, and staff of other agencies, pursuant to the requirements of RCW 36.70A.130.

A. “Development regulations,” as stated in RCW 36.70A.~~130030~~, means the controls placed on development or land use activities ~~by a County or City~~ including, but not limited to:

1. Zoning ordinances.
2. Critical areas ordinances.
3. Shoreline master programs.
4. Official controls.
5. Subdivision ordinances.

B. A development regulation does not include a project-construction permit or project permit application as defined in RCW 36.70B.020 SMC 16A.03.020, including but not limited to:

1. Building permits.
2. Subdivisions.
3. Binding site plans.
4. Planned unit developments.
5. Conditional uses.
6. Shoreline substantial development permits.
7. Site plan review.
8. Permits or approvals required by critical area ordinances.
9. Site-specific Zone Reclassifications (rezones) consistent with SMC 15.115.

#### 16A.21.020 Development Regulations – Review Procedures

A. Suggested amendments from interested persons, ~~including citizens, applicants, the SeaTac Hearing Examiner and the staff of other agencies~~ shall be docketed and considered on a biennial basis. The Department of Community and Economic Development shall establish a procedure for review that generally implements the following:

1. Provides public notice of the opportunity to propose amendments.
2. Evaluates the proposed list of changes against preliminary criteria.
3. Eliminates proposed amendments that do not satisfy preliminary criteria.

4. Prepares a final list of proposed changes.
  5. Evaluates the final list against final criteria and conducts additional review (including SEPA) on the proposed amendments.
  6. Adopts proposed amendments by action of the City Council.
- B. Suggested amendments by the City Council, Planning Commission, and City staff need not be docketed under this procedure, and may be considered on a more frequent basis than provided under this procedure.

**Chapter 16A.23****ENVIRONMENTAL RULES/PROCEDURES**

## Sections:

16A.23.010	Authority
16A.23.020	Adoption by Reference
<b>16A.23.030</b>	<b>Additional Definitions – CHANGES PROPOSED</b>
16A.23.040	Responsible Official Designated
16A.23.050	Timing of Environmental Review
16A.23.060	Determination of Categorical Exemption
16A.23.065	Critical Areas Categorical Exemptions – No Longer Exempt
16A.23.070	Environmental Checklist Required
16A.23.075	Fees and Costs
16A.23.080	Environmental Impact Statement
<b>16A.23.090</b>	<b>Public Notice – CHANGES PROPOSED</b>
<b>16A.23.100</b>	<b>Internal Circulation of Environmental Documents – CHANGES PROPOSED</b>
16A.23.110	Timing of Decision on Nonexempt Action
16A.23.120	Authority to Condition or Deny Proposals
<b>16A.23.130</b>	<b>Substantive Authority – CHANGES PROPOSED</b>
16A.23.140	City Responsibilities as Consulted Agency
16A.23.150	Environmental Appeals
16A.23.155	Content of Appeals
<b>16A.23.160</b>	<b>Time Limitation on Appeals – CHANGES PROPOSED</b>
16A.23.170	Fee to Accompany Notice of Appeal
<b>16A.23.180</b>	<b>Notice of Hearing – CHANGES PROPOSED</b>
<b>16A.23.190</b>	<b>Public Hearing – CHANGES PROPOSED</b>
16A.23.200	Testimony – Recording
16A.23.210	Substantial Weight – Burden of Proof
16A.23.220	Decision of the Hearing Examiner
16A.23.230	Dismissal of Appeal
16A.23.250	Superior Court Review – Limitations for Appeal

**16A.23.030 Additional Definitions**

In addition to those definitions set forth in SMC 16A.23.020, the following words and terms shall have the following meanings, unless the context indicates otherwise:

- A. “Advisory body” means any body, established by the City Council, the responsibilities of which include review of development proposals for the purpose of making recommendations to the Council.
- B. “Department” means the Department of Community and Economic Development.
- C. “Development” means the rezoning of property, the subdivision of land, the construction of buildings, or any physical alteration of the land which is subject to City approval and to the requirements of SEPA.
- D. “Hearing Examiner” means the City Hearing Examiner as codified in Chapter 1.20 SMC.
- E. “SEPA” means Chapter 43.21C RCW, as now existing or as may subsequently be amended.
- F. “SEPA rules” means Chapter 197-11 WAC adopted by the Department of Ecology, as now existing or as may subsequently be amended.

~~G. “Final staff evaluation of checklist” means that documentation and report of City staff’s analysis of the checklist and any identified impacts. The report identifies any necessary findings, policies and the type of determination.~~

**16A.23.090 Public Notice**

A. Whenever public notice is required under the SEPA rules, the responsible official shall cause notice to be given in the following manner:

1. By posting the subject property (site specific proposals only); and
- ~~2. By publishing notice in the official newspaper of the City.~~
2. By mailing or emailing any person, group or agency who requested notice.

B. Additional public notice may be provided for proposals having, or potentially having, unusually widespread, unique or significant adverse impacts, or, for other proposals, at the discretion of the responsible official.

**16A.23.100 Internal Circulation of Environmental Documents**

Relevant environmental documents shall accompany proposals through existing City project review processes. The responsible official shall ensure that environmental documents are provided to decision makers in the following manner:

A. Where a nonelected City official is to make a final decision on a nonexempt action, the responsible official shall provide that deciding official with a copy of ~~a final staff evaluation~~ the environmental checklist, a determination of nonsignificance (DNS), a mitigated determination of nonsignificance (MDNS) or a final EIS upon issuance of the DNS or FEIS.

B. Where the Hearing Examiner is to make a decision on a nonexempt action, the responsible official shall transmit to the Examiner a copy of the following:

1. Environmental checklist.
2. The final environmental determination, except for when a determination of significance (DS) has been issued, both a copy of the Draft and Final Environmental Impact Statements shall be provided.

**16A.23.130 Substantive Authority**

The City adopts by reference the following policies, plans, rules and regulations, as now existing or as may subsequently be amended, as a basis for the exercise of substantive authority to approve, condition, or deny proposed actions under RCW 43.21C.060 of SEPA:

- A. City of SeaTac Comprehensive Plan;
- B. City of SeaTac Shoreline Management Master Program;
- C. City of SeaTac Municipal Code;
- D. King County Surface Water Design Manual, together with City of SeaTac Addendum;
- E. King County Road Construction Standards;
- F. Des Moines Creek Restoration Plan;
- G. State ~~Growth Management~~ Legislation or Initiatives;
- H. City of SeaTac Parks, Recreation and Open Space Plan;
- I. City of SeaTac Transportation Master Plan;
- J. SeaTac Subarea Plans and Policies.

K. City of SeaTac Stormwater Comprehensive Plan

L. City of SeaTac Housing Action Plan



**16A.23.160 Time Limitation on Appeals**

A written notice of appeal identifying the grounds for appeal must be filed with the City Clerk within ten (10) days of the date of issuance of the final threshold determination of significance, final determination of nonsignificance, or final EIS.

A. An appellant intending to offer additional written documentation in support of its position must file any such material with the City Clerk's office within ~~fourteen (14)~~ twenty-one (21) days of filing the initial appeal. Documents not so filed with the City Clerk's office shall not be admitted at the time of the hearing.

B. Any party, other than the appellant, wishing to submit written documentation either in support of, or in opposition to, the appeal shall file any written material with the City Clerk's office within ten (10) days of publication of the public hearing notice.

**16A.23.180 Notice of Hearing**

Notice of appeal, timely filed, shall be transmitted by the City Clerk to the Hearing Examiner and the SEPA responsible official. The public hearing notice shall be ~~published~~, posted, and mailed to parties of record, and, if applicable, to adjacent property owners, not less than thirty (30) days prior to the public hearing.

**16A.23.190 Public Hearing**

A public hearing upon appeal of a threshold determination shall be conducted by the Hearing Examiner. The appeal hearing shall be consolidated with any open record hearing on the project permit.

## Chapter 16A.25

### COMPREHENSIVE PLAN

Sections:

- 16A.25.010 Purpose
- 16A.25.020 Comprehensive Plan Adopted
- 16A.25.030 Early and Continuous Public Participation
- 16A.25.040 Amendments and Exceptions
- 16.25.050 Tribal Participation – NEW SECTION**

#### **16A.25.010 Purpose**

The City of SeaTac Comprehensive Plan establishes the principles, goals, objectives and policies guiding future development of the City in compliance with Chapter 36.70A RCW, the Washington State Growth Management Act. The purpose of this chapter is to identify those elements that comprise the Comprehensive Plan and to provide for the establishment of procedures for review and amendment of the Plan.

#### **16A.25.020 Comprehensive Plan Adopted**

A. The City of SeaTac Comprehensive Plan, initially adopted in December 1994 to comply with the Growth Management Act and as periodically amended thereafter, is hereby adopted by reference.

B. The Comprehensive Plan consists of the following:

1. City of SeaTac Comprehensive Plan, Volumes 1 and 2;
2. City of SeaTac Shoreline Master Program;
3. City Center Plan;
4. South 154th St. Station Area Action Plan;
5. Angle Lake District Station Area Plan;
6. City of SeaTac Parks, Recreation and Open Space Plan;
7. City of SeaTac Transportation Master Plan.

#### **16A.25.030 Early and Continuous Public Participation**

A. The City of SeaTac encourages early and continuous public participation in the comprehensive planning process and in other City-initiated planning programs that may be carried out under the overall framework of the plan.

B. The Community and Economic Development Director shall establish and broadly disseminate information regarding the Comprehensive Plan amendment process.

#### **16A.25.040 Amendments and Exceptions**

A. Pursuant to Resolution 97-001, the Comprehensive Plan may only be amended pursuant to procedures established by the Community and Economic Development Director and no more frequently than once each calendar year, except as provided in subsection (C) of this section.

B. All amendments shall be considered concurrently so as to assess their cumulative impact.

C. Exceptions. Pursuant to Chapter 35A.70 RCW, under the following circumstances, amendments to the Comprehensive Plan may be processed separately and in addition to the established amendment cycle:

1. If an emergency exists, which is defined as an issue of community-wide significance that addresses the public health, safety, and general welfare;

2. To resolve an appeal of a comprehensive plan filed with the Growth Management Hearings Board or with the court;
3. To adopt or amend the Shoreline Master Program under the procedures set forth in Chapter 90.58 RCW;
4. The initial adoption of a subarea plan or new element to the Comprehensive Plan;
5. An amendment of the Capital Facilities Plan may occur concurrently with the adoption or amendment to the City budget.

#### 16A.25.050 Tribal Participation

A. A federally recognized Indian tribe may voluntarily choose to collaborate and participate in the planning process.

B. Collaboration and participation is a nonexclusive exercise of coordination and cooperation in the planning process and failure to exercise discretionary collaboration and participation shall not limit a party's standing for quasi-judicial or judicial review or appeal under

1. Upon receipt of notice in the form of a tribal resolution from a federally recognized Indian tribe whose reservation or ceded lands lie within the county, which indicates the tribe has a planning process or intends to initiate a parallel planning process, the city shall enter into good faith negotiations to develop a mutually agreeable memorandum of agreement with such tribes in regard to collaboration and participation in the planning process.

2. If a mutually agreeable memorandum of agreement cannot be reached between the city and such tribes, the shall enter mediation with such tribes for a period not to exceed thirty (30) days, which shall be arranged by the Department of Commerce using a suitable expert to be paid by the Department of Commerce.

3. If a mutually agreeable memorandum of agreement is not reached at the conclusion of the mediation period, the period shall be extended for one additional period not to exceed thirty (30) days, upon written notice to the department by one or more parties.

4. If a mutually agreeable memorandum of agreement cannot be reached at the end of the mediation period or the extended mediation period, the parties shall have no further obligation to develop a memorandum of agreement. Inability to reach a mutually agreeable memorandum of agreement shall not preclude a tribe from providing notice as described in SMC 16A.25.050(A) in subsequent planning processes.

**APPENDICES**

**Appendix I – City of SeaTac Permits by Department Division and Type**

Permits/Actions	<u>Type 0</u>	Type I	Type II	Type III
<b>Building Services Division</b>				
Electrical	<u>X</u>	X		
Mechanical	<u>X</u>	X		
Plumbing	<u>X</u>	X		
Building	<u>X</u>	X		
<b>Engineering Review Division</b>				
Grading and Drainage (STE permit)	<u>X</u>	X		
Right-of-Way Use	<u>X</u>	X		
<u>Noise Variance</u>	<u>X</u>			
<u>Wireless Communication Facilities – Small Wireless Facilities</u>	<u>X</u>			
Engineering Variance		X		
Concurrency Determination		X		
<b>Fire Department</b>				
Fire Alarm Permits	<u>X</u>	X		
Fire Suppression System	<u>X</u>	X		
Fuel Storage Tank	<u>X</u>	X		
Other Fire Code Permits	<u>X</u>	X		
<b>Planning Division</b>				
<u>Zoning Compliance Letter</u>	<u>X</u>			
Departures		X		
Home Occupation		X		
Lot Line Adjustment		X		
<del>Separate-Lot</del> <u>Legal Lot Separation</u>		X		
Shorelines Exemption		X		
Sign		X		
Temporary Use		X		
<u>Final Plat for a short plat, subdivision or binding site plan</u>		<u>X</u>		
<u>Wireless Communication Facilities – Eligible Facilities Request</u>		<u>X</u>		
<u>Wireless Communication Facilities – Macro Wireless Facilities</u> (1) <u>Permit type dependent on type of facility, see SMC 15.480.030</u>		<u>X(1)</u>	<u>X(1)</u>	
<u>Administrative-Variance, including sign variance</u>			X	

Permits/Actions	<a href="#">Type 0</a>	Type I	Type II	Type III
Conditional Use Permit (CUP) <del>Minor, Administrative</del>			X	
Preliminary Site Plan			X	
Public Utility Exception to CAO			X	
Short Plat			X	
<a href="#">Unit Lot Subdivisions</a>			X	
Special Home Occupation (SHOP)			X	
Reasonable Use Exception to CAO			X	
<a href="#">Binding Site Plan</a>			X	
<del>Conditional Use Permit (CUP) Major</del>		-	-	X
CUP – Essential Public Facility (EPF)				X
Planned Unit Development (PUD)				X
<del>Zone Reclassification (Rezone) - Owner-Initiated</del>				X
Shoreline Substantial Development				X
<a href="#">Shoreline Conditional Use</a>				X
<a href="#">Shoreline Variance</a>				X
Subdivision				X
<a href="#">Plat Alteration/Vacation</a>				X
<del>Variance</del>		-	-	X
<del>Variance (Sign)</del>		-	-	X

**Appendix II – City of SeaTac Permit Review and Public Notice Procedures<sup>1</sup>**

Permit Type	Determination of Completeness	Notice of Application	Notice of Public Hearing	Decision Made by	Notice of Decision	Appeal Heard by
	<a href="#">RCW 36.70B.070</a> <a href="#">SMC 16A.07</a>	<a href="#">RCW 36.70B.110</a> <a href="#">SMC 16A.09</a>	<a href="#">SMC 16A.13.010</a>		<a href="#">RCW 36.70B.130</a> <a href="#">SMC 16A.15</a>	
<a href="#">Type 0</a>	<a href="#">Yes</a>	<a href="#">No</a>	<a href="#">N/A</a>	<a href="#">City staff</a>	<a href="#">No</a>	<a href="#">Hearing Examiner</a>
Type I	<del>No</del> <a href="#">Yes</a>	No	N/A	City staff	<del>No</del> <a href="#">Yes</a>	Hearing Examiner
Type II	Yes	within 300 feet	N/A	City staff	Yes	Hearing Examiner
Type III	Yes	within 500 feet	within 500 feet	Hearing Examiner	Yes	Superior Court

<sup>1</sup> See SMC 18.05 Article VIII for additional Shoreline Master Program permitting procedures.