



# DEVELOPMENT REVIEW

City of La Center, Planning Services  
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## WHY ARE THERE DIFFERENT TYPES OF REVIEW?

Proposed developments are classified for different levels of review depending upon their impacts to the community.

The **Type I** review process involves an application subject to non-discretionary standards or standards that require the exercise of professional judgment about technical issues, and exempt from the State Environmental Policy Act (SEPA) review. Examples of this type of review include permits for signs, home occupations, family day care and Variances less than 10%. City staff has the authority to issue Type I review permits.

The **Type II** review process involves an application subject to objective and subjective standards that require the exercise of limited discretion about non-technical issues and which there may be a limited public interest. Examples of this review include permits for commercial Site Plans, Short Plats (land divisions of 4 lots or less) and Variances of greater than 10%. City staff has the authority to issue Type II review permits.

The **Type III** review process involves an application for relatively few parcels and ownerships. It is subject to standards that require the exercise of substantial discretion and about which there may be a broad public interest. Examples of Type III reviews include Subdivisions, Conditional Uses and Planned Unit Developments. Type III reviews require a public hearing before the hearing examiner with the examiner making the final decision.

## HOW IS THE PUBLIC INFORMED ABOUT THEIR OPPORTUNITY TO COMMENT ON PROPOSED DEVELOPMENTS?

Type I reviews require no public notice and are often issued over the counter following a brief review. If a more in-depth review is required, the city has up to 21 days to issue a decision.

Type II and III reviews have a public notice requirement and include specified times within which the public may comment. Notice of proposed developments for Type II reviews are mailed to all property owners within 150 feet. Notice of proposed developments for Type III reviews are mailed to all property owners within 300 feet. Notice is also posted in *The Columbian* newspaper. For Type III reviews only, the property is posted with signs indicating the type of development proposed, opportunities to comment, and the public hearing date, time and location.

## WHAT IS A PRE-APPLICATION CONFERENCE?

For Type II and III reviews, the applicant must attend a pre-application conference prior to submitting their development application. The purpose of the pre-app is to acquaint the applicant with the requirements of the code and other laws that apply to their development. It is also a time for federal, state, and regional agencies to comment on the proposed development. The public may attend and observe the conference, but may not make comments.

## WHAT IS A SEPA DETERMINATION?

The State Environmental Policy Act (SEPA) requires a review of environmental impacts of the proposed development. City staff and interested agencies will review the development application to determine its compliance with applicable Federal, State and city laws. Through this process, a determination will be made as to whether the impacts will be considered non-significance (DNS), mitigated non-significance (MDNS) (i.e., conditions can be required to mitigate anticipated impacts), or significance (DS). If a DS determination is made, the applicant is required to prepare an Environmental Impact Statement (EIS) prior to the city considering the proposed subdivision. The SEPA determination is published in the newspaper.

## **WHEN AND HOW DO I GET TO COMMENT ON TYPE II REVIEWS?**

Public notice is mailed to area property owners about proposed developments. The public notice specifies a 14-day comment period in which the public may submit written comments to city staff. Staff will take these comments into consideration as they develop their staff report and make their decision.

## **I UNDERSTAND THAT TYPE III REVIEWS REQUIRE A PUBLIC HEARING, SO WHAT HAPPENS AT THE PUBLIC HEARING AND WHEN DO I GET TO SPEAK?**

First, the Hearing Examiner will open the hearing. Next, city staff will present an overview of the proposed project to the audience. The staff will then proceed to give a more detailed description of the project and design considerations, showing the proposed development plan and other drawings by utilizing the overhead projector. Staff will conclude with a summary of their analysis and findings, and make a recommendation whether the application meets or exceeds the approval criteria.

Next, the applicant may present their testimony and address issues regarding the staff report and recommendations. This is also the time for the applicant to address issues they believe may be brought up during the public testimony portion of the hearing, and/or issues they believe the Hearings Examiner may raise.

Following the applicant's presentation, the hearing will be open to the general public for their testimony. Once all the public testimony has been presented, the applicant will have the opportunity to provide rebuttal testimony. The Hearing Examiner will then close the public hearing.

## **HOW LONG BEFORE A DECISION IS ISSUED?**

Following the pre-application conference, the applicant submits a full application for review. Upon submittal, the city conducts a "Fully Complete" review to determine if the application includes all the required information. A letter of completeness must be sent to the applicant within 21 days of application.

Type I review decisions must be issued within 21 days of submitting a complete application.

For Type II and III reviews, the process begins with a pre-application conference that must be held within 21 days from receiving the application.

For a Type II review, staff must issue a decision within 78 days after the city has issued a determination of application completeness.

For Type III reviews, a public hearing must be held within 78 days from issuance of a determination of application completeness, and a decision issued within 92 days.

*Note: The above review deadlines may be extended when requested by the applicant. These requests are sometimes needed to allow the applicant time to submit additional information.*

## **CAN I APPEAL A DECISION?**

Yes. Appeals must be submitted in writing, together with the appeal fee, within 14 calendar days of mailing the decision.

For Type I review decisions, any interested party may appeal the decision.

For Type II review decisions, only the applicant and a party of record (i.e., someone who submitted written testimony to staff prior to issuance of the decisions) may appeal the decision. An appeal of a Type I or II decision will be reviewed, at a public hearing, by the hearing examiner.

A Type III decision by the Hearing Examiner may be appealed to the City Council by the applicant or a party of record (i.e., someone who presented written or verbal testimony, or signed the hearing sign-in sheet on the specific application).

## **But I Still Have Questions!**

Please contact the Public Works Department located at 305 NW Pacific Highway, La Center, WA 98629 T/ 360.263.7665 F/ 360.263.7666