

LEARANCES	Date	Date Received in Council Office	Agenda Date	Assigned To
Orig. Dept.: Planning & Develop	9/14/99	<b>RECEIVED</b>  <b>SEP 14 1999</b>  <b>WHATCOM COUNTY COUNCIL</b>	9/21/99	Introduction
Division Head:			9/28/99	P&D COMM
Dept. Head:			10/12/99	P&D COMM
Prosecutor:			10/12/99	HEARING
Budget:			10/26/99	P&D / PUB. HEARING
Executive:			11/9/99	P&D / PUB. HEAR. CONTD
			11/23/99	P&D

**SUBJECT:**

Ordinance amending Whatcom County Code Title 20 regarding site specific rezones (69-98:ZT)

**ATTACHMENTS**

**SUMMARY STATEMENT:**

Related County Contract #:	Should the Clerk schedule a hearing? <input checked="" type="radio"/> Y <input type="radio"/> N	Requested Date: <i>October 12</i>
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Ordinance amending Whatcom County Code Title 20, regarding site specific rezones, master plans, and site plan amendments

*Planning Number 69-98:ZT*

**RECOMMENDED MOTION (for final action):**

**COUNCIL ACTION TAKEN:**

- 1999 - 331 9/21/99: Introduced
- 9/28/99: Held in Committee to Oct. 12
- 10/12/99: Public hearing continued to Oct. 26 - also in Committee Oct. 26
- 10/26/99: Held in committee - public hearing held open to 11/
- 11/9/99: Held in Committee - Public Hearing closed
- 11/23/99: Amended and adopted 7-0, Ord. #99-081

Re *l* File Numbers:

Ordinance or Resolution Number (this item only):

**ORD. # 99-081**

SPONSORED BY: Planning  
PROPOSED BY: Planning  
INTRODUCTION DATE: 9/21/99

ORDINANCE NO. 99-081

**ADOPTING AMENDMENTS TO THE WHATCOM COUNTY  
CODE TO ESTABLISH SUBMITTAL REQUIREMENTS AND PROCEDURES  
FOR REVIEWING MASTER PLANS AND SITE-SPECIFIC REZONES**

**WHEREAS**, Whatcom County Code, Title 20, Chapter 90 provides direction for docketing zoning map and text amendments and such docket was initiated and processed for 1998; and

**WHEREAS**, The Deputy SEPA Official for Whatcom County issued a determination of non-significance on November 4, 1998; and

**WHEREAS**, Pursuant to RCW 36.70.590, legal notice was published in the Bellingham Herald on October 31, 1998, November 26, 1998, January 4, 1999, January 14, 1999, February 11, 1999, February 27, 1999, March 11, 1999, March 25, 1999, April 11, 1999; and

**WHEREAS**, The Planning Commission held public hearings on the proposed amendments on November 12, 1998, December 10, 1998, January 14, 1999, January 28, 1999, February 11, 1999, February 25, 1999, March 11, 1999, March 25, 1999, and April 8, 1999 and considered all testimony; and

**WHEREAS**, The Planning Commission held a work session on April 22, 1999 to consider all the amendments concurrently, as required by WCC 20.90.070; and

**WHEREAS**, The Planning Commission has evaluated the merits of each amendment in relationship to the County Wide Planning Policies and the goals, policies and objectives of the Comprehensive Plan, as required by WCC 20.90.070; and

**WHEREAS**, The County Council has considered the Planning Commission's Findings of Fact, Reasons for Action, and Recommendations for all the amendments, as required by WCC 20.10.110; and

**WHEREAS**, The County Council decided to split the batch of proposed zoning map and text amendments into separate ordinances to allow for public hearings and adoption of revisions to some of the proposed amendments in advance of the other proposed amendments; and

**WHEREAS**, The County Council has developed alternate text which would be more appropriate to address this issue; and

**WHEREAS**, the County Council finds the zoning text amendments in the best interest of the public, safety, and welfare, based on the following findings and conclusions:

## **FINDINGS**

1. Public notice was published in the Bellingham Herald on Thursday, March 11, 1999.
2. This proposal was given a determination of non-significance by the Whatcom County SEPA official on November 4, 1998.
3. RCW 36.70B.020(4) provides direction to process site specific rezones authorized by the comprehensive plan or subarea plan as a "project", as defined by Regulatory Reform and in compliance with the provisions of Regulatory Reform (RCW 36.70B).
4. WCC 2.33 (Permit Review Procedures) implements the Regulatory Reform provisions for Whatcom County. The hearing method employed by Whatcom County for all permit applications which meet the definition of "project" as defined by Regulatory Reform legislation is through the hearing examiner system.
5. RCW 36.70.970 –Planning Enabling Act – provides authorization for hearing examiner system and allows for the hearing of rezone proposals, while reserving final action on rezones for the legislative authority.
6. The proposed text amendment is in compliance with the comprehensive plan, and implements policies 7D-4, 7D-7, 7D-9, 2D-1 and 2D-3.
7. The proposed text implements RCW 36.70A.020(7) by establishing a more timely review procedure for site-specific rezones.
8. The proposed text amendment provides criteria which precludes "spot zone" applications from review. The proposed text amendment provides guidance for site-specific rezones which require concomitant agreements as condition of approval and further provides a similar option for rezone agreements which can be applied to area-wide rezones. A section of the text amendment describes the minimum components required for a master plan.
9. The proposal is in the public interest and will not detrimentally affect the public's health, safety or morals.

## **CONCLUSION**

Amendments to the Official Whatcom County Zoning Ordinance text should be adopted as set forth in Exhibit 1.

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that:


Section 1. The Chapter 2.33, 20.92, 20.90 and 20.88 of the Whatcom County Code are hereby amended as shown in the attached Exhibit 1.

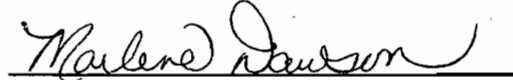
Section 2. Adjudication of invalidity of any of the sections, clauses, or provisions of the Ordinance shall not affect or impair the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

ADOPTED this 23 day of November, 1999

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

ATTEST:


  
Dana Brown-Davis, Council Clerk

  
Marlene Dawson, Chairperson

APPROVED as to form:

  
Civil Deputy Prosecutor

Approved ( ) Denied

  
Pete Kremen, Executive

Date: 12/2/99

## EXHIBIT 1

1) Section 2.33.010 of Chapter 2.33 (Permit Review Procedures) is amended as follows:

### **2.33.010 Purpose and Applicability.**

B. This chapter describes how the county will process applications for development. The provisions of this chapter shall apply to all applications for a project permit that require an open record hearing including, but not limited to:

1. Conditional uses;
2. Variances;
3. Subdivisions;
4. Shoreline permits when an open record hearing is required;
5. General binding site plans;
6. Lot consolidation relief. (Ord. 96-031 1).
7. Site specific rezones.

### **2.33.020 Exemptions.**

The following are exempt from the provisions of this chapter:

A. Project permits not subject to open record hearings; including, but not limited to, building permits and short plats, are exempt from the provisions of this chapter; provided that:

1. The county shall make a determination of completeness pursuant to WCC 2.33.050; and
2. A final decision is made by the county pursuant to WCC 2.33.090:
  - a. Within 90 days of a determination of completeness if the project is exempt from SEPA review unless a shorter review period is provided in the other provisions of Whatcom County Code;
  - b. Within 120 days of a determination of completeness if the project is subject to SEPA review unless a shorter review period is provided in other provisions of Whatcom County Code;

B. Planned unit development permits; provided, that the county shall make a determination of completeness pursuant to WCC 2.33.050;

C. Major development permits; provided, that the county shall make a determination of completeness pursuant to WCC 2.33.050;

D. Concomitant rezones; provided, that the county shall make a determination of completeness pursuant to WCC 2.33.050;

~~E (D) Legislative actions including changes in zoning area-wide rezones and text amendments, comprehensive plans or other related plans and regulations. are exempt from the provisions of this chapter.~~

2) Chapter 20.92 (Hearing Examiner) is amended as follows:

### **20.92.205 Recommended decisions.**

The hearing examiner shall conduct an open record hearing and prepare a record thereof, and make recommendations to the county council for approval or disapproval of:

- (1) Major project permits;
- (2) Planned unit developments;

(3) The rezone and master plan for the Custer Provisional Urban Growth Area. Site specific rezones, including those processed as major project permits, PUDs and/or contract rezones.

(4) Such other permits as may be required from the county along with subsections (1) or (2) of this section for a given project. Applications where a major project permit is required, it shall be processed as set forth in Chapter 20.88 WCC. Where the hearing examiner would normally make a final decision to approve or deny an accompanying permit, the decision shall instead be in the form of a recommendation and accompany the hearing examiner's recommendation on the major project permit or planned unit development to the county council for final approval.

(5) Proposed rates and charges or special assessments for lake management districts.

**20.92.245 Limited jurisdiction.**

The hearing examiner shall, with the exception of site-specific rezones as provided for in WCC 20.90.030, have no jurisdiction over any project that requires a legislative action, such as but not limited to an area-wide rezone, a comprehensive plan map change or a shoreline management program amendment. All such projects shall be considered and processed concurrent with and in the same manner as applications for legislative action. The approval or denial of such projects shall be solely within the discretion of the county council.

3) Chapter 20.90 (Amendments) is amended as follows:

Sections:

- 20.90.010 Purpose
- 20.90.020 Types of zoning amendments
- 20.90.030 Site specific rezones
- ~~20.90.040~~ 040 Initiation of amendments.
- ~~20.90.020~~ 050 Initiation of emergency amendments.
- ~~20.90.030~~ 060 Suggested revisions and suggested revisions docket.
- ~~20.90.040~~ 070 Processing of initiated amendments.
- ~~20.90.050~~ 080 Mid-year processing cycle schedule and application deadline.
- ~~20.90.060~~ 090 Review and evaluation of initiated amendments - Planning and development services.
- ~~20.90.070~~ 100 Review and recommendation by the planning commission.
- ~~20.90.080~~ 110 Review and approval by county council.
- ~~20.90.090~~ 120 Review schedule.
- ~~20.90.400~~ 130 Transmittal of amendments to the state.
- ~~20.90.440~~ 140 Maintenance of dockets and public review.

**20.90.010 Purpose.**

The purpose of this chapter is to define the types of zoning amendments and establish time lines and procedures to be followed when proposals are made for amending or revising the county zoning ordinance.

### **20.90.020 Types of zoning amendments defined.**

(1) "Area-wide rezone" means a proposed change or revision to the official county zoning map that affects a number of properties under various ownerships. An area-wide reclassification is generally comprehensive in nature, deals with homogeneous communities, is geographically distinctive, or has unified interest within the county, such as subarea plans.

(a) Rezone agreements may be required if, from the facts presented, and the findings, report and recommendations of the planning commission as required by Chapter 20.90 hereof, the council determines that the public health, safety and general welfare will be best served by a proposed change of zone. The council may indicate its general approval, in principle, of the proposed rezoning by the adoption of a "resolution of intent to rezone" the area involved. This resolution shall include any conditions, stipulations or limitations which the council may feel necessary to require in the public interest as a prerequisite to final action. The fulfillment of all conditions, stipulations and limitations contained in said resolution, on the part of the applicant(s), shall make such a resolution a binding commitment on the council. Such a resolution shall not be used to justify spot zoning, to create unauthorized zoning categories by excluding uses otherwise permitted in the proposed zoning, or by imposing setback, area coverage restrictions not specified in the code for the zoning classification, or as a substitute for a variance. Upon completion of compliance action by the applicant, the council shall, by ordinance, adopt such rezoning. The failure of the applicant to meet any or all conditions, stipulations or limitations contained in the resolution, including the time limit placed in the resolution, shall render the resolution of intent to rezone null and void, unless an extension is granted by the council upon recommendation of the planning commission. The time limitations shall be one (1) year. The council may grant up to five (5) one (1) year extensions, based on demonstration of hardship or significant progress toward completion, after which the resolution becomes null and void if all conditions, stipulations and limitations have not been met by the applicant.

(2) "Site specific rezone" means a proposed change or revision to the official county zoning map. Site specific rezones affect a limited number of acres and must be composed of contiguous parcels that are under one or a limited number of ownerships and are requested to allow a specific project not allowed under the current zoning designation.

(3) "Concomitant rezone" is a site specific rezone which uses a concomitant agreement to impose conditions on, or limitations on uses and may also require performance by the applicant(s) which is/are directly related to mitigation of probable on and offsite impacts to adjacent uses, public services and the environment. The agreement shall generally be in the form of a covenant running with the land. The provisions of the agreement will be in addition to all other pertinent Whatcom County Code requirements.

(4) "Text amendments" means a proposed change or revision in the text of Title 20, the zoning ordinance.

### **20.90.030 Site specific rezones – special provisions**

Site specific rezones are processed as "development applications" as prescribed by WCC 2.33 (Permit Review Procedures) and are reviewed by the hearing examiner in accordance with 20.92.205. The final decisions regarding a site specific rezone is made by county council. All site specific rezones are processed within the timelines as required by WCC 2.33 except for projects that are exempted by WCC 2.33.020(B-D).

(1) Site specific rezones are initiated by making application on forms provided by the department of planning and development services. Site specific rezone applications must satisfy the following criteria to be accepted for review:

- (a) does not require a comprehensive plan amendment,
- (b) requires a discretionary development permit or building permit,
- (c) includes concurrent submittal of the discretionary development permit or, if a discretionary development permit is not required, a narrative statement shall be included with the conceptual site plan which provides a detailed description of the project proposal and includes a project completion date.
- (d) includes evidence that all property owners included within the proposed rezone boundary concur with the rezone and project proposal as submitted for county review.
- (e) includes a completed Environmental Checklist,
- (f) includes payment of all permit and zoning related fees.

(2) Approval of site specific rezone proposals must be supported by written findings and conclusions showing specifically that all of the following conditions exist:

- (a) That the proposed amendment to the zoning map is consistent with the comprehensive plan;
- (b) That the proposed amendment to the zoning will not have a significant negative impact on public health, safety, morals, general welfare or community needs, and will not adversely affect the surrounding properties or neighborhood.
- (c) That there are changed conditions or new information since the previous zoning became effective to warrant the proposed amendment to the zoning map.
- (d) That the proposed amendment is consistent and compatible with the current uses and zoning of the surrounding land. Proposed uses shall:
  - i) be serviced adequately by essential public facilities such as highways, streets, public safety and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services, and
  - ii) not create significant additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community
  - iii) if located within a non-industrial Urban Growth Area, the site shall:
    - a) be serviced by full urban services or be capable of receiving urban services in time to serve the development;
    - b) shall be developed in a manner which will not preclude development at urban levels of density when the area is annexed into a city, and
    - c) must be of five (5) acres or more in size.

(3) The proposed project is provisionally approved, and will revert to the original zoning designation if project completion is not in compliance with schedules as included with the discretionary development permit, or if no discretionary development permit is needed, within a reasonable time to be set by the hearing examiner. Bonds may be required as a condition of approval if deemed appropriate by the hearing examiner.

(4) Notwithstanding other language to the contrary, irregular boundaries that would result from a site specific rezone proposal would not preclude the adoption of an otherwise satisfactory site specific rezone.

(5) Site specific rezones may be processed as concomitant rezones and may be processed concurrent with other land use approvals.

(6) Concomitant rezone is not generally necessary for a rezone to agriculture, commercial forestry, and rural forestry zoning districts. It may, however, be used for any situation where extraordinary potential adverse impacts from a proposed rezone may be mitigated by the agreement. The concomitant rezone process may be employed for rezones in sensitive geographic areas such as critical transportation corridors. Concomitant rezones shall generally be used when normal review and approval procedures are not adequate to resolve the specific issues involved in the rezone proposal.

(7) The concomitant rezone agreement may include mitigation measures such as: access control, landscaping, screening, buffering, improvements to public services including drainage, sewer, water and roads, lot coverage restrictions and phasing of development.

(8) A conceptual site plan shall be required. The conceptual site plan shall be drawn at not less than one (1) inch to one-hundred (100)(unless mutually agreed to by the proponent and administrative official) and shall also include, but not be limited to:

- (a) General location of structures.
- (b) Location and number of access points.
- (c) Approximate gross floor area of structures.
- (d) Name of the proposal.
- (e) Identification of areas requiring special treatment due to their sensitive nature.
- (f) North directional arrow.
- (g) Names and location of all public streets or roads bordering the site.
- (h) General legal description(s) for the site.

#### **20.90.040-040 Initiation of area-wide and text amendments.**

Amendments to this title and/or to the official Whatcom County zoning map may be initiated as follows:

(1) The department of planning and development services may initiate an amendment(s) by placing the proposed amendment(s) on the WCC Title 20 and official zoning map initiated amendment docket.

(2) The Whatcom County planning commission may initiate an amendment(s) by majority vote of its members to place an amendment proposal on the WCC Title 20 and official zoning map initiated amendment docket.

(3) The county council may initiate an amendment by approving a resolution to place a proposed amendment(s) on the WCC Title 20 and official zoning map initiated amendment docket.

(4) A citizen may initiate an amendment(s) to this title and/or to the official Whatcom County zoning map by making application on forms provided by the department of planning and development services and paying a processing fee. Upon the filing of a complete application and the payment of the processing fee, the department of planning and development services shall place the amendment proposal on the WCC Title 20 and official zoning map initiated amendment docket, except in the case of site specific rezones which are processed as described in WCC 20.90.030(1-5) of this section. The date on the docket shall be the date the completed application was received by the department of planning and development services. Notwithstanding any other provisions of this title, no application to initiate an amendment shall be deemed complete until the required processing fee has been paid.

(5) Amendments to this title or the official county zoning map that also require an amendment to the comprehensive plan shall be initiated only if the accompanying comprehensive plan amendment is initiated as provided in Chapter 20.10 WCC. The payment of the processing fee for the zoning amendment as required by this section shall occur within 15 days of the approval of the resolution initiating the comprehensive plan amendment or the zoning amendment will be withdrawn. (Ord. 98-010 1, 1998).

**20.90.020 050 Initiation of emergency amendments.**

For the purposes of this chapter, an "emergency amendment" means a proposed change or revision to this title or the official Whatcom County zoning map that arises from a situation that necessitates expeditious action to preserve the health, safety or welfare of the public; or to support the social, economic or environmental well being of the county or region. Emergency amendments may be reviewed and acted upon outside the amendment review cycle. Emergency amendments may be adopted by emergency ordinance pursuant to Section 2.40 of the Whatcom County Charter when immediate rather than expeditious action is required.

(1) Emergency amendments shall be initiated by resolution approved by a two-thirds majority vote of the council upon a finding that a situation exists that necessitates expeditious action to preserve the health, safety or welfare of the public; or to support the social, economic or environmental well being of the county or region.

(2) Emergency amendments so initiated shall be forwarded to the department of planning and development services who shall immediately begin processing the initiated amendment in the manner set forth for the processing of WCC Title 20 and official county zoning map amendment; provided, that the time lines set forth in WCC 20.90.090 120 shall not apply.

(3) In conducting their review and evaluation, the department of planning and development services and the planning commission shall each endeavor to perform their responsibilities expeditiously while assuring adequate opportunity for public review and comment.

(4) Nothing in this section shall be construed to limit the authority of the council to adopt an emergency amendment to the comprehensive plan by emergency ordinance as provided in Section 2.40 of the Whatcom County Charter. (Ord. 98-010 1, 1998).

**20.90.030 060 Suggested revisions and suggested revisions docket.**

(1) Notwithstanding the provisions of WCC 20.90.040 040, interested persons, including applicants, citizens, hearing examiners, and staff of other agencies, may suggest revisions to this title and to the official Whatcom County zoning map by completing and submitting a suggestion form provided for that purpose by the department of planning and development services.

(2) The department of planning and development services shall docket each suggested revision on the WCC Title 20 suggested revisions docket. There is no processing fee for the placement of suggested revisions on the suggested revision docket.

(3) Items on the suggested revisions docket are suggested revisions only and are not initiated amendments. No item on the suggested revisions docket will be processed as an amendment unless it has first been initiated in the manner provided under WCC 20.90.040 040. None of the parties with authority to initiate amendments under WCC 20.90.040 040 are under any obligation to initiate suggested revisions as amendments.

(4) At least once a year, the department of planning and development services shall review and evaluate items on the suggested revisions docket for possible initiation as amendments. Those suggested revisions that the department considers further the public interest or further the goals, policies or objectives of the comprehensive plan may be initiated by the department as amendment(s) by placing them on the WCC Title 20 and official zoning map initiated amendment docket as provided in WCC 20.90.040-040. (Ord. 98-010 1, 1998).

**20.90.040 070 Processing of initiated amendments.**

(1) Initiated amendments that do not also require a comprehensive plan amendment shall be processed in the mid-year processing cycle.

(2) Initiated amendments that require a comprehensive plan amendment shall be processed simultaneously with the comprehensive plan amendment they accompany (including emergency comprehensive plan amendments if applicable) and pursuant to the comprehensive plan amendment processing schedule set forth in Chapter 20.10 WCC. (Ord. 98-010 1, 1998).

**20.90.050 080 Mid-year processing cycle schedule and application deadline.**

(1) The mid-year processing cycle for initiated amendments begins on July 1st and follows the schedule set out in WCC 20.90.090-120.

(2) June 30th is the docketing deadline for initiated amendments that do not require a comprehensive plan amendment. With the exception of emergency amendments, initiated amendments docketed after June 30th that do not also require a comprehensive plan amendment will be scheduled for review in the next mid-year processing cycle.

(3) Once the docket is final, the department of planning and development services shall publish a list of the area-wide rezones to be considered and notify the appropriate city of any proposed rezones which are within a city urban growth area. (Ord. 98-010 1, 1998).

**20.90.060090 Review and evaluation of initiated amendments - Planning and development services.**

(1) The department of planning and development services shall conduct environmental review under SEPA and prepare a report including recommendations on all initiated amendments to this title and the official county zoning map and forward both the report and the result of the environmental review to the planning commission.

(2) The report shall evaluate each initiated amendment in relationship to the goals objectives and policies of the Whatcom County comprehensive plan. The department shall prepare a report and a recommendation on each amendment and shall forward the report and recommendation to the planning commission for their consideration. (Ord. 98-010 1, 1998).

**20.90.070100 Review and recommendation by the planning commission.**

(1) The planning commission shall receive the staff's findings and recommendations for the initiated amendments and shall establish a public comment period during which a public hearing(s) on the amendments will be scheduled. All amendments shall be considered concurrently, however, separate hearings may be conducted on one or more of the amendments at a time at the discretion of the commission.

(2) At the conclusion of the public comment period, the commission shall evaluate the merits of each amendment in relationship to the goals, policies and objectives of the comprehensive plan and shall make a recommendation as to whether the amendment should be approved, approved with modifications or denied. The planning commission shall then cause written findings and a recommendation to the county council to be prepared for each amendment. The written findings and recommendation shall be forwarded to the county council in the form of an agency report which shall include a draft ordinance to implement the planning commissions recommendation, if applicable. No draft ordinance is required if the recommendation is to not approve the initiated amendment proposal. (Ord. 98-010 1, 1998).

**20.90.090110 Review and approval by county council.**

(1) The county council shall receive the planning commission's findings and recommendations on the initiated amendments. The council shall consider the planning commissions recommendations concurrently and may schedule such additional public hearings as the council deems necessary to serve the public interest.

(2) If after deliberating the council believes the public interest may be better served by departing from the recommendation of the planning commission on an initiated amendment, the council shall conduct a public hearing on that amendment. (Ord. 98-010 1, 1998).

**20.90.090120 Review schedule.**

The following schedule for the review of initiated amendments to this title and the official Whatcom County zoning map not also requiring an amendment to the comprehensive plan is established:

(1) Docketing deadline for initiated amendments: June 30th;

(2) Staff report and recommendation to planning commission: On or about October 1st;

(3) Planning commission action on initiated amendments: On or about November 30th;

(4) Planning commission findings and recommendations submitted to county council: On or about February 1st;

(5) County council final action on initiated amendments: On or about May 31st. (Ord. 98-010 1, 1998).

**20.90.400130 Transmittal of amendments to the state.**

Pursuant to RCW 36.70A.106(3) the department of planning and development services shall notify and transmit copies of initiated amendments to this title and the official Whatcom County zoning map to the Washington State Department of Community, Trade and Economic Development at least 60 days prior to anticipated action on the initiated amendments. For the purposes of this chapter, planning and development services shall transmit copies of the initiated amendments at the time planning and development services issues their staff report to the planning commission. Planning and development services shall send a second transmittal with the planning commission's recommended amendments at the time the planning commission issues its recommendation to the county council if it differs substantially from the staff recommendation. (Ord. 98-010 1, 1998).

**20.90.110-140 Maintenance of docket and public review.**

The WCC Title 20 and official zoning map initiated amendment docket and the suggested revisions docket together with their supporting application files shall be maintained by the department of planning and development services and made available for public review during normal business hours. (Ord. 98-010 1, 1998).

4) Chapter 20.88 MAJOR PROJECT PERMITS is amended as follows:

**20.88.200 Procedure.**

.205 If a major project permit is determined to be required, an application shall be completed and filed along with the appropriate fees with the land use division of planning and development services. A master plan is required as part of the application for a Major Project Permit. The master plan shall include at a minimum the following elements:

(a) General statement – a narrative description that in general terms identifies the purpose and intended use(s) for the site.

(b) Conceptual site development plan – showing to the appropriate level of detail, buildings and other structures, existing mature trees and landscaping, the pedestrian and vehicle circulation system, parking areas, open space and critical areas, buffers, and other required items. This information must cover the following:

(i) All existing improvements that will remain after the development of the proposed site;

(ii) All improvements planned in conjunction with the proposed use;

(iii) Conceptual plans for possible future uses; and

(iv) General locations of usable open space, any land proposed to be dedicated for open space; pedestrian and transit connection between the site and public or private streets serving the development and connecting to off-site open space; internal circulation (both auto and pedestrian), location of proposed gates and fencing.

(c) Land use – the master plan must include proposed functions, uses and boundaries of uses by phase. The description must include information as to the general amount and type of functions of the use, hours of operation and the approximate number of members, employees, visitors and special events. For projects which include residential units, proposed minimum and maximum floor area densities, number of units and building heights must be indicated. For office/commercial and light impact industrial projects, minimum and maximum floor area ratios must be indicated.

(d) Phasing Plan – The master plan must include the proposed development phases, probable sequence for proposed developments, estimated dates, and interim uses of the property awaiting development. In addition the plan should address any proposed temporary uses or locations of uses during construction periods.

(e) Circulation, transportation and parking– the master plan must include but not limited to: projections by phase of traffic impacts, probable safety concerns, internal circulation layout, parking requirements, ingress/egress locations and proposed road standards for each phase. Specific requirements for transportation and parking include:

(i) The expected number of trips (peak daily), an analysis of the impact of those trips on the adjacent street system, and proposed mitigation measures to limit any projected negative impacts. Mitigation measures may include improvements to the street system or specific programs to reduce traffic impacts such as encouraging the use of public transit, carpools, vanpools, and other alternatives to single occupancy vehicles;

(ii) Projected peak parking demand, an analysis of this demand compared to proposed on-site and off-site supply, potential impacts to the no-street parking system and adjacent land uses, and mitigation measures.

(f) Utilities – the master plan must include evidence of service availability from primary service providers – (water, sewer, power, cable, natural gas, telephone) and address stormwater drainage management both on and off-site.

(g) Environment- the master plan must identify critical areas as defined in WCC 16.16 and areas of special concern as defined by WCC 24.05.230. Mitigating measures for all environmental impacts identified by the applicant through a SEPA checklist, or EIS process and/or identified by agency staff, including but not limited to special development standards, modification of site layout, dedicated open space and mitigation replacement areas must be identified. Identification of any hazardous wastes anticipated, special handling techniques and or site designs required for containment must also be addressed. If an EIS is required, the EIS and master plan may, upon approval of the Director, be combined into a joint document.

(h) Development standards – the master plan may propose standards that will control development of the possible future uses that are in addition to, or substitute for, requirements of this Chapter. These may be such things as height limits, setbacks, frontage, landscaping requirements, parking requirements, signage, view corridors or facade treatments. Proposed standards that do not meet the minimum county standards, must obtain the appropriate variance prior to county approval of the proposed standards. If the proposed design standards will apply to property located partially or totally within an Urban Growth Area, concurrence of the affected city will be required.

(i) Procedures – master plan review shall be conducted under current review procedures. Other land use reviews may be conducted concurrently with the master plan review.

(i) Any modifications, additions or changes to an approved master plan are subject to the following:

(a) Minor changes shall be reviewed for compliance and compatibility with the approved master plan. A determination is made by the Director.

(b) Major changes shall be subject to the original procedural application type, subject to the fees as contained in the unified fee schedule.

(c) Master plans may include, as a condition of their approval, a requirement for a periodic progress reports and mandatory updates on a per determined interval.