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## CITY COUNCIL AGENDA BILL 20-34

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**TOTAL PAGES:** 77

**EXHIBITS:**

1. Proposed Amendment – Redlined
2. Proposed Ordinance and Amendment – Clean

**TITLE:** Ordinance for Complete Land Use Application Amendment

**ORIGINATING DEPT.:** Community Development

**ACTION PROPOSED:** Adopt Ordinance 2020-611.

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### SUMMARY

City code requires specific materials and information to be included in a land use application. In order to expedite the review of such applications, staff recently revised several application forms to require additional items required elsewhere in City code. The proposed ordinance will revise the standards in code to match those on application forms.

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### FISCAL IMPACT

No fiscal impact is anticipated.

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### BACKGROUND

The Washington Administrative Code (WAC) requires local jurisdictions to process land use applications within specified time frames, otherwise known as shot clocks. When the City receives an application, staff are required to determine if it is complete or not within 28 days. If the shot clock expires before staff issue a decision, then the application is considered complete by default. Once an application is deemed complete, it is vested to City codes in place on that date, regardless of later code updates.

### DISCUSSION

The standards for a complete application are unique to each application type and specified in the following code sections, modified per the attached ordinance (Exhibit 2):

- Boundary Line Adjustment, NMC 17.15.112
- Binding Site Plan, NMC 17.25.030
- Residential Condominium Binding Site Plan, NMC 17.30.040
- Site Plan Review, NMC 17.35.040
- Preliminary Planned Unit Development, NMC 17.40.100
- Final Planned Unit Development, NMC 17.40.120
- Preliminary Subdivision Plat, 17.45.045
- Final Subdivision Plat, NMC 17.45.140

- Preliminary Short Subdivision Plat, 17.50.050
- Final Short Subdivision Plat, 17.50.130
- Home Occupation Permit, NMC 18.30.090
- Temporary Use Permit, NMC 18.32.115 (new subsection for application completeness)
- Variance, NMC 18.44.040
- Reasonable Use Exception - Public, 18.44.047
- Reasonable Use Exception - Private, 18.44.048
- Conditional Use Permit, 18.44.050

Staff found the completeness requirements listed in the aforementioned code sections are insufficient. Additional information is required to demonstrate compliance with other requirements scattered throughout the City's development regulations. As a result, City staff are compelled to rule applications as "complete" despite a lack of essential information, and then request additional information needed to fully evaluate and process the application. This can frustrate applicants, because it extends technical review time and can delay approval of their projects.

To better serve customers, staff updated application forms in 2019 to require additional materials for each of the above-listed application types. Some examples of newly listed requirements include the following:

- Title report: To prove ownership of property.
- Sign plan: For shopping center site plans, to show how signage will be allocated between multiple tenants.
- Parking spaces shown on site plan: To ensure adequate spaces are provided to meet code.
- Critical areas shown on preliminary plat: To demonstrate compliance with city code.
- Fire hydrant locations: Bellevue Fire already requires this information, but it is not listed on our code requirements.

The new requirements do not place any additional restrictions on development. Rather, they require information that demonstrates compliance with various sections of City code. The anticipated result of the new submittal requirements is fewer requests by staff for more information from applicants, resulting in quicker approval of development projects.

The Planning Commission held a public hearing for the proposed ordinance on February 26, 2020, and recommend to Council approval.

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#### **ACTION RECOMMENDED**

I MOVE TO ADOPT ORDINANCE 2020-611 AS PRESENTED IN EXHIBIT 2.