

# Ordinance No. 00094

[Council Minutes 9/6/10/07](#)

## ORDINANCE NO. 94

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AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Section 18.85.020(E)(1) of the Lakewood Municipal Code regarding the City=s administrative public notice procedures

WHEREAS, at the time the City of Lakewood adopted its interim zoning codes, it incorporated procedures for review of projects and for public comment in connection therewith; and,

WHEREAS, some of the initial public notice processes and requirements were more cumbersome than necessary, depending upon the types of projects that were involved; and

WHEREAS, it would be advantageous to the City and beneficial to the citizens of the City of Lakewood for the review process and public notification process for projects in the City to be simplified and clarified to void and delete some of the more burdensome provisions; and,

WHEREAS, after having had some opportunity, during the last number of months, to try to see what processes would be appropriate to meet the needs of the City and its citizens and not to provide over burdensome processes, yet still meeting the needs for necessary public notification.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That Section 18.85.020, paragraph E, subparagraph 1 of the Lakewood Municipal Code, relating to the zoning review process and the public notification process be, and the same hereby is, amended to read as follows:

Section 18.45.020(E) (1)

E. Review Process.

1. Administrative Review. Administrative Review is utilized when processing applications for Administrative Permits including, but not limited to: Administrative Variance, Administrative ~~Nonconforming Use~~ Permits, Short Plats, Large Lot Subdivisions, Lot Combinations, Boundary Line Adjustments, Minor Amendments, Home Occupation Permits, and Binding Site Plans. Administrative Review shall be subject to the following provisions:

a. Content of Public Notice Documents. ~~At a minimum, public~~ Public notice documents, where required, shall contain the following information:

(1) subject property location;

- (2) name of the applicant;
- (3) nature of the request;
- (4) time periods for submitting comments and the date on which the CDD Director will issue the decision;
- (5) right to appeal statement; and
- (6) Department contact and telephone number.

~~b. Department Public Notice Provisions:~~ Courtesy Notice to Surrounding Property Owners. ~~Once an application has been deemed complete;~~ When required by this section, the Department shall provide public courtesy notices (not required by State or Federal Law) for the project. The Department shall send a written notice, addressed through the United States mail, to all property owners of record within a radius of 300 feet, but not less than 2 parcels deep, around the exterior boundaries of the subject property. ~~Such notice shall be mailed not more than 3 working days from the submittal of a complete application.~~ Parties receiving notice shall be given 14 calendar days, from the mailing date, to provide any comments to the Community Development Department.

~~c. Applicant On-Site Public Notice Provisions:~~ ~~Once an application has been deemed complete;~~ When required by this section, ~~the applicant shall provide posted~~ public notice shall be posted on the subject property in accordance with specifications provided by the CDD Department.

d. Optional Neighbor Consent Process. The Community Development Director shall have the option of waiving the public notice requirements for certain non-controversial minor administrative permits, as indicated in Table 18.85.020(E)(1)(f), if the following conditions are met:

- 1) The administrative permit is the only discretionary land use permit required for the project; and,2)
- 2) The project is consistent with the goals and policies of the Comprehensive Plan; and,
- 3) The project meets all other standards and requirements of the Zoning Ordinance; and,4)

The project meets all other standards and requirements of the Zoning Ordinance; and,4) All contiguous and/or affected property owners and tenants (within 100 feet of the project) have indicated in writing, to the satisfaction of the Community Development Director, that they have no objection to the granting of the proposed entitlement or permit.

e. The Community Development Director is authorized to make decisions in the implementation of the above review process and is granted sole discretion in making such decisions, with the intention and purpose of providing reasonable and appropriate access to and exchange of information in a way that allows persons interested in giving input on a proposed project to do so. The Community Development Director may issue building permits during the appeal period required by Section 18.85.050.C for projects processed under this subsection. however, the appeal period itself and the right of aggrieved persons to appeal the administrative decision shall not be affected.

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f. For the purposes of illustration of the Review/Public Notice Process, the following matrix shall provide guidance:

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f. For the purposes of illustration of the Review/Public Notice Process, the following matrix shall provide guidance:

TABLE 18.85.020(E)(1)(f) --- PUBLIC NOTIFICATION PROCESS -

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APPLICATION TYPE	ON-SITE PUBLIC NOTICE	NEWS-PAPER	300 FT MAILING	OPTIONAL NEIGHBOR CONSENT PROCESS ALLOWED	ABUTTING PROPERTY OWNERS AFTER PRELIM REVIEW	NO NOTICE REQ=D =D
Administrative Variance	X	-	-	YES	-	-
Administrative Use Permit	X	-	-	YES	-	-
Short Plat	X	X	X	NO	-	-
Large Lot Subdivision	X	X	X	NO	-	-
Lot Combination	-	-	-	-	-	X
Boundary Line Adjustment	-	-	-	-	-	X
Binding Site Plan Review	X	X	X	NO	-	-
Minor Amendment	X	-	-	YES	-	-
Home Occupation, Type	-	-	-	-	-	X

type

Home Occupation, Type 2	X	-	-	YES	X	-
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Section 2. If any portion of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 7th day of October, 1996.

CITY OF LAKEWOOD

/S/

Bill Harrison, Mayor

Attest:

/S/

Alice M. Bush, CMC, City Clerk

Approved as to Form:

/S/

Daniel B. Heid, City Attorney

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