

Proposed Amendments to 17.40 WMC Zoning, District Use Chart

Chapter 17.40
DISTRICT USE CHART

Sections:

17.40.010 Purpose.

17.40.020 District use chart.

17.40.010 Purpose.

A district use chart is established and contained herein as a tool for the purpose of determining the specific uses allowed in each use district. No use shall be allowed in a zoning district that is not listed in the use chart as either permitted, accessory or conditional use, unless the administrator determines that an unlisted use is similar to one that is already enumerated in the use chart and may therefore be allowed, subject to the requirements associated with that use and all other applicable provisions of the WMC. (Ord. 635 § 1, 2003).

17.40.020 District use chart.

The use chart located on the following pages is made a part of this section. The following acronyms have the following meanings, as used in the use chart that is part of this section:

PRM = Permitted Use

ACC = Accessory Use

[AP = Administrative Permit](#)

CUP = Conditional Use

PD = Planned Development

District Use Chart							
	R-1	R-2	C-B	L-I	PUZ	C-T	C-H
RESIDENTIAL USES							
Accessory dwellings			ACC				
Single-family dwellings	PRM	PRM				PRM	
Duplex dwellings		PRM				PRM	
Multifamily dwellings		PRM				PRM	
Manufactured homes						PRM	

Proposed Amendments to 17.40 WMC Zoning Code

District Use Chart							
	R-1	R-2	C-B	L-I	PUZ	C-T	C-H
Manufactured homes, designated	PRM	PRM					
Accessory structures	ACC	ACC				ACC	
Mobile homes for the aged	CUP	CUP					
Modular home	PRM	PRM				PRM	
Day care home	PRM	PRM	PRM**				
Bed and breakfasts	CUP <u>AP</u>	CUP <u>AP</u>	<u>AP</u>			<u>CUP</u> <u>AP</u>	
Boarding/lodging houses		CUP					
Caretakers' residences			ACC	ACC	ACC	ACC	ACC
Planned unit developments	PD	PD					
Congregate care/assisted living facilities		<u>CUP</u> <u>AP</u>	<u>AP</u>			<u>AP</u>	
Convalescent homes/nursing homes		<u>AP</u> <u>CUP</u>	<u>AP</u>			<u>AP</u>	
Day care centers		CUP			ACC		
Home occupations	ACC	ACC					
Manufactured/ mobile home parks		PD					
Condominiums, residential							
Foster homes	PRM	PRM					
Existing residential structure			PRM				
PUBLIC/SEMI-PUBLIC USES							
Cemeteries, mausoleums					PRM		
Churches (parsonages)	<u>CUP</u> <u>AP</u>	<u>CUP</u> <u>AP</u>	<u>AP</u>	<u>AP</u>		<u>AP</u>	<u>AP</u>
Community clubs, granges, lodges			PRM		PRM		PRM
Convention, information and/or community centers			PRM		PRM		PRM
Courts of law			<u>CUP</u> <u>PRM</u>		PRM	PRM	

Proposed Amendments to 17.40 WMC Zoning Code

District Use Chart							
	R-1	R-2	C-B	L-I	PUZ	C-T	C-H
Educational services (define)	CUPA	CUPA	CUPPRM		CUPPRM		
Fire/police stations			CUPPRM	CUPPRM	CUPPRM		CUPPRM
Government uses and structures			CUPPRM		CUPPRM		
Hospitals			PRM	PRM	CUPPRM		
Instructional child care (preschools)		CUPA	PRM		ACC	PRM	PRM
Libraries, public			CUPPRM		PRM		
Municipal buildings			CUPPRM		CUPPRM		
Municipal shop/maintenance buildings				CUPPRM	CUPPRM		CUPPRM
Public/private corporate, regional headquarters, administrative offices for commercial, industrial, noncommercial uses			PRM	PRM			PRM
Recycling centers				PRM	CUPPRM		
Utility uses and structures				CUPPRM	CUPPRM		CUPPRM
Wastewater treatment facilities				CUP			
Clinics, medical, dental, etc.			PRM	ACC	CUPPRM		CUPPRM
Detention facilities/jails				CUP			
Animal shelters							
Post offices			CUPPRM	ACCPRM	CUPPRM		
Trade/vocational schools			AP	CUPPRM	CUPAP	AP	
Bus add-transfer stations/park and rides			AP	AP	AP	CUPAP	CUPAP
Transitional facilities				CUPAP	CUPAP		
Essential public facilities				CUP	CUP		
AGRICULTURAL USES							
Agricultural equipment and agricultural facilities			PRM	PRM	PRM	PRM	PRM

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District Use Chart							
	R-1	R-2	C-B	L-I	PUZ	C-T	C-H
Agriculture, irrigated							
Agriculture-related industries				PRM			
Agriculture-related industries, water dependent							
Feed stores			PRM	PRM			
Kennels, commercial							
Livestock/poultry for personal use only	PRM*	PRM*				PRM*	
Animal clinics, hospitals				CUPAP			
Commercial composting							
Farm equipment sales/service			CUPPRM	PRM			PRM
Feed lots							
Home fruit stands				PRM		PRM	PRM
Horse boarding/training, riding stables							
Kennels, hobby							
Livestock, commercial							
Poultry, commercial							
Slaughterhouses							
COMMERCIAL USES							
Accessory buildings, structures			ACC	ACC			
Arts and crafts, antique sales			PRM	PRM		PRM	PRM
Convenience stores, excluding fuel sales			PRM	PRM		PRM	PRM
Convenience stores, including fuel sales				CUP		PRM	CUPPRM
Cultural and/or historical facilities			PRM	PRM		PRM	PRM
Dry cleaners, laundromats			PRM		ACC	PRM	

Proposed Amendments to 17.40 WMC Zoning Code

District Use Chart							
	R-1	R-2	C-B	L-I	PUZ	C-T	C-H
Financial/lending institutions (banks, etc.)			PRM				
Food/beverage services			PRM	PRM		PRM	PRM
Guest ranches, lodging facilities						PRM	
Hardware/garden stores, lumber yards			PRM	PRM			PRM
Hotels/motels			PRM			PRM	PRM
Manufactured homes, sales				PRM			
Merchandise, furniture, home furnishings, department retail sales and service			PRM	PRM			
Museums, art galleries			PRM	PRM	PRM		
Parking lots, commercial or public			PRM				
Pharmacies			PRM				
Pet grooming	CUPAP	CUPAP	PRM	PRM		PRM	PRM
Pet services			PRM	PRM			
Personal services (barbers, salons, etc.)			PRM				
Professional services (lawyers, psychiatrists, etc.)			PRM				
Repair services, electronics/appliances			PRM				PRM
Restaurants			PRM	PRM		PRM	PRM
Retail stores (grocery, food, etc.)			PRM	PRM			PRM
Retail – textiles, sporting goods			PRM	PRM			PRM
Billboards							
Taverns, bars, cocktail lounges			PRM	PRM			
Tractor, trailer sales			CUPPRM	PRM			PRM
Vehicle repair and service shops				PRM			PRM
Winery, cottage	CUPAP	CUPAP	CUPPRM	CUPPRM	CUP	CUPPRM	CUPPRM

Proposed Amendments to 17.40 WMC Zoning Code

District Use Chart							
	R-1	R-2	C-B	L-I	PUZ	C-T	C-H
Mobile food services			PRM*	PRM		PRM	PRM
Drive-up food services			PRM	ACCPRM		PRM	PRM
Farmers' markets			PRM*	PRM	PRM*	PRM*	
RV sales and service			PRM	PRM		PRM	PRM
Auto/truck sales and service			PRM	PRM		PRM	PRM
Auto towing, secured				CUP			
Bakeries, retail			PRM	PRM		PRM	PRM
Boat sales and service			PRM	PRM		PRM	PRM
Car rentals			PRM	PRM		PRM	PRM
Car washes			CUP	CUP		CUP	CUP
Commercial copiers/printers							
Condominiums, time-share and similar resort operations		PD	PRM	PRM		PRM	PRM
Funeral homes/crematoriums	AP	AP	PRM	PRM		PRM	PRM
Gas/service stations			CUPPRM	PRM		PRM	PRM
Heating and plumbing sales and services			PRM	PRM		PRM	PRM
Microbreweries			AP			AP	AP
Mini-storage		CUP	PRM	CUPPRM		CUPPRM	CUPPRM
Newspaper publishing							
Truck stops			CUP	CUP		CUP	CUP
Home occupations, Group A	PRM	PRM	PRM	PRM		PRM	PRM
Home occupations, Group B	CUPAP	CUPAP	PRM	PRM		PRM	PRM
INDUSTRIAL USES							
Above/below-ground storage of critical hazardous materials				CUP			

Proposed Amendments to 17.40 WMC Zoning Code

District Use Chart							
	R-1	R-2	C-B	L-I	PUZ	C-T	C-H
Accessory buildings, structures				ACC	ACC		ACC
Asphalt paving plants							
Apparel manufacture			PRM	PRM		PRM	PRM
Bakeries, wholesale			PRM	PRM			PRM
Bulk fuel distributors				CUP			CUP
Chemicals, pharmaceuticals, cosmetics manufacture/processing/packaging				CUP			
Communications, TV/radio stations, telephone exchanges, cell towers				CUP			
Construction contractors' offices/yards				PRM			PRM
Electronic product manufacture/assembly				PRM			PRM
Excavation/mining for development site preparation only							
Fabricated metal products, sheet metal, welding				PRM			PRM
Furniture products manufacture/assembly				PRM			
Glass products manufacture/assembly				PRM			
Mineral extraction, crushing, screening, etc.							
Hardware products manufacture/assembly				PRM			
Hazardous waste storage, on-site				CUP	ACC		
Hazardous waste treatment, on-site				CUP	ACC		
Leather products manufacture/assembly				CUP			
Machinery/heavy equipment manufacture/assembly				PRM			
Manufactured homes, travel trailers, campers, manufacture/assembly/fabrication				CUPPRM			

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District Use Chart							
	R-1	R-2	C-B	L-I	PUZ	C-T	C-H
Medical/scientific research, product manufacture/assembly				CUP			
Paperboard containers manufacture				CUP			
Parcel delivery services, packaging, crating			PRM	PRM			PRM
Plastic products manufacture/assembly				PRM			
Prefabricated wood products				PRM			
Printing, publishing, binding			PRM	PRM			PRM
Storage, sales, distribution of hazardous materials				CUP			
Vehicle, boat building and repair				PRM			
Warehousing, storage				PRM			
Wholesale trade/storage of durable and nondurable goods (auto parts, tires, furniture, lumber)			PRM	PRM			CUP PRM
Wineries				CUP			
Building/construction materials, manufacture/assembly/fabrication, lumber yards				PRM			PRM
Heliports				PRM	PRM		
Airports and supporting aviation activities				PRM	PRM		
Beverage industry				CUP			
Canning/packing foods							
Cement/concrete plants				CUP			
Food processing							
Rendering plants							
Rubber products							

Proposed Amendments to 17.40 WMC Zoning Code

District Use Chart							
	R-1	R-2	C-B	L-I	PUZ	C-T	C-H
Wrecking/junk yards							
RECREATIONAL USES							
Arboretums and gardens	CUPAP	CUPAP	PRM		PRM	PRM	
Boat launches, water-related activities							
Bowling alleys			PRM			PRM	PRM
Drive-in theaters							
Gun/sportsmen’s clubs							
Exercise facilities			PRM		PRM	PRM	PRM
Golf courses, driving range				CUP	CUP		
Playfields	CUP	CUP			PRM	PRM	
Fish/wildlife habitat areas					PRM		
Publicly owned/operated parks and recreation facilities	CUP	CUP	PRM	ACCPRM	PRM	PRM	
Recreational vehicle park or tent campground (stay up to 14 days)					PRM	CUPPRM	PRM
Theaters			PRM			PRM	PRM
Trail systems			PRM	PRM	PRM	PRM	PRM
Uses such as driving ranges, pro shops, club houses, restaurants, lodging, storage associated with permitted uses							
Video rentals			PRM			PRM	PRM
Mini-casinos, game/card rooms			ACC			ACC	
Miniature golf						PRM	PRM
Racetracks/speedways (horse, mini-sprint, etc.)				PRM	PRM		
Rollerskating rinks							

Proposed Amendments to 17.40 WMC Zoning Code

Note: Blank rows indicate prohibited uses.

* Other administrative permits may be required.

** Day care homes shall be allowed within existing residential structures.

Proposed Chapter 17.62 – Amendment to Title 17 WMC - Zoning

17.62.120 Impact assessment.

(1) The impacts of a proposed use shall be considered in determining whether the use is to be allowed, and shall be considered in determining the conditions under which a land use permit or building permit will be granted. This process is not intended to permit uses that are prohibited within a given zoning district or for developments that are required to complete a SEPA checklist. Nothing in this section shall be construed to give any property owner a right to use any property in any manner that requires a land use permit unless such permit has first been granted and is in full force and effect pursuant to all conditions attached thereto.

(2) All administrative permits (Chapter 17.50 WMC), will require an impact assessment. Applicants will be required to submit a completed impact assessment checklist as part of the application process. The Town shall use the impact assessment checklist as one means of notifying applicants of performance standards that may pertain to a given development proposal or permit application and providing guidance in meeting those standards.

(3) In making a determination regarding impacts, the administrator or designated decision-making body shall consider the performance standards specified in Title 19 WMC. Decisions will be based on the information provided in the applicant's completed impact assessment checklist; the administrator or designated decision-making body may require additional information considered necessary to fully and fairly evaluate the impacts of the proposed use.

(5) The applicant for a proposed use may use design features or other measures to mitigate impacts, where feasible. Examples of mitigation include buffering and limitations on hours of operation. Any mitigating measures required by the town shall be considered conditions of approval, and shall be reduced to writing and recorded, or entered on the face of a recorded plat or site plan map.

Proposed Amendments to Chapter 17.44.040 Fences and Hedges:

17.44.040 Fences and hedges.

Fences in all zoning districts shall meet the following requirements except as may be provided in a specific district:~~A. Natural evergreen screening is encouraged. Temporary fencing may be approved if erected simultaneously with permanent plantings.~~

A. Fence Heights. In any use district, except as otherwise provided in that district or subsections B and/or F of this section, no fence shall exceed the following height standards:

1. Front yard: 48 inches maximum height as measured from the finished grade of the lot within 10 feet of the front lot line. On corner lots and when located within a sight distance triangle as defined in subsection F or this section, no fence or other physical obstruction shall be higher than 48 inches as measure from the established road grade.

2. Side yard: a maximum of 48 inches in height as measured from the established road grade within 10 feet of the front lot line, at which point it may be a maximum of six feet in height as measured from the finished grade of the lot.

3. Rear yard: six feet maximum height from the finished grade of the lot.

B. Double Frontage Lots within Residential Districts. Double frontage lots within a residential district and located on a collector or arterial road may construct a fence six feet in height on the front lot line adjacent to the arterial or collector. The fence height shall be measured from the established road grade. The following criteria shall be met:

1. Vehicular access is prohibited from the arterial or collector roadway for the affected lot;

2. If a got is located for each affected lot that it be designed for pedestrian access only;

3. The fence complies with the minimum standards set for in subsection F or this section for sight distance triangles; and,

4. The fence shall be maintained and kept in good repair.

C. Fences Enclosing Soecial Public or Private Buildings. A fence enclosing public or private school grounds, playfields, municipal buildings, cemeteries, or utilities may be a maximum height of eight feet as measured from

Proposed amendments to Chapter 17.44.040 WMC Zoning Fences and Hedges

the established road grade provided the requirements in subsection F or this section for sight distance triangles is observed.

D. Fence posts and decorative features may exceed the maximum fence height by no more than 18 inches provided the features are spaced as least six feet apart.

~~B. Fences, Front Yard. Forty-two inches maximum height. On corner lots both sides and adjacent to the streets shall be considered front yards. On corner lots no things, fences, or other physical obstruction shall be allowed within a minimum distance of 15 feet in each direction from the corner where the street side property lines intersect, then the 42 inches maximum height from ground level will be permissible.~~

~~C. Side Yard. Maximum height 42 inches from the front back to the setback limitation, then it can be the maximum of 72 inches.~~

~~D. Rear Yard. Maximum height of 72 inches.~~

EA. Natural evergreen screening is encouraged. Temporary fencing may be approved if erected simultaneously with permanent plantings.

EF. Vision Clearance at Intersections.

1. All corner lots at street, alley and/or driveway intersections shall maintain, for safety vision purposes, a vision clearance triangle. Nothing within the vision clearance triangle shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision of the street;
2. For street intersections the vision clearance triangle shall consist of the area bounded by the centerlines of the adjacent intersecting streets extending along the centerlines 80 feet from the point of intersection, and a straight line connecting said latter points; provided, that when either of the intersecting streets has or will have 80 feet of right-of-way, the vision clearance triangle shall be the area bounded by the centerlines of the adjacent intersecting streets extending along the centerlines 100 feet from the point of intersection, and a straight line connecting said latter points;
3. Within the central business district, the vision clearance triangle at street intersections shall consist of the area bounded by the centerlines of the adjacent intersecting streets extending along the centerlines 50 feet from the point of intersection and a straight line connecting said latter points;
4. For all alley and driveway intersections, the vision clearance triangle shall consist of the area bounded by the centerline of either the platted alley or the established and/or anticipated driveway location and the front property

Proposed amendments to Chapter 17.44.040 WMC Zoning Fences and Hedges

line, extending along each of these lines a distance of 15 feet from the point of intersection, and a straight line connecting said points. (Ord. 635 § 1, 2003).

Proposed amendment and addition to Chapter 17.10 WMC Definitions:

17.10.798 Automobile Wrecking/Junk Yard.

"Automobile Wrecking/junk yard" means an area in which is conducted the dismantling and/or wrecking of used motor vehicles, machinery or trailers, or the storage or sale of dismantled, obsolete or wrecked vehicles or parts, or the storage of motor vehicles unable to be moved under the power of the vehicle and which are held for the purpose of dismantling, sale, or wrecking. This definition shall not apply to junk vehicles or public nuisance vehicles as enumerated in WMC Title 8 and WMC Title 10. (Ord. 635 § 1, 2003).

Add new definition for junkyard:

17.10.XXX Junkyard

"Junkyard means any lot, parcel, tract of land, building, structure, or part thereof used for the storage, collection, processing, purchase, sale, abandonment, exchange, baling, packaging, handling, or sorting of wastepaper, rags, scrap metal, vehicular parts, glass, used building materials, household appliances, brush, wood, bones, used cloth, tarpaulins, used rubber, used rope, used construction materials, used pipe or pipe fittings, used tires, other scrap or discarded goods, materials, or other manufactured goods and any type of junk. This definition shall not include designated recycling or garbage service drop-off stations. This definition shall not apply to junk vehicles or public nuisance vehicles as enumerated in WMC Title 8 and WMC Title 10.

TOWN OF WATERVILLE IMPACT ASSESSMENT CHECKLIST

This checklist is to accompany all Administrative Permits.

This checklist is to be used to aid the administrator in determining the nature and extent of impacts of a proposed administrative permit within the Town of Waterville based on performance and development standards adopted in Titles 17 and 19 WMC.

For developments requiring an Administrative Permit (AP), this checklist must be completed and recorded along with a SEPA checklist (if required) prior to the Town making any determination.

To be completed by applicant

Project Title: _____
Development Location: _____
Applicant Name: _____
Mailing Address: _____
Phone number: () - _____ Email Address: _____

Section 1. General Performance Standards

Please answer the following questions to the best of your ability with *Y* for yes and *N* or No. If Yes is answered, please provide a description as to how the impact will be mitigated on a separate sheet of paper. Please use “*N/A*” for items that are not applicable to your proposal.

Do you foresee any of the following impacts from your proposed project?	Y, N N/A
1. Artificial glare or lighting that might interfere with street traffic or trespass into residential area, including but not limited to strobe lights, arc welding, overhead lighting, or security lights.	
2. Electrical interferences or electromagnetic radiation	
3. Flammable or explosive material	
4. Hazardous substances or waste (storage, emission or manufacture)	
5. Noise	
6. Odor	
7. Please indicate your proposed hours of operation:	
8. Emissions (including dust, ash, or airborne particulates)	
9. Vibration or concussion detectable beyond property lines	
10. Outdoor storage of materials	

Section 2. Specific Performance Standards

Please provide a description that adequately addresses the following elements.
1. Aesthetics: How does your proposal provide aesthetic consistency with the surrounding neighborhood character?
2. Traffic: Will your project generate traffic or affect current traffic patterns? If so, a traffic impact analysis may be required.
3. Parking: Does your project provide adequate off-street parking consistent with the Town of Waterville parking requirements? If you intend to create parking, please describe your proposed surfacing materials, stormwater management plans, how many vehicles and what type of business equipment.
4. Roads and Drives: Does your project propose new roads, driveways or alleys? If so, please provide a description of road dimensions, surfacing materials and stormwater management.
5. Buffers and screening: Do you propose to plant vegetative buffers or screens? If so, please provide site plan with plant list and design.
6. Open Space: Do you propose to leave open space in your project? If so, please provide site plan with location of open space and landscape plan.
7. Utilities: Please list the necessary utility hook-ups required for your project.

Section 3. Development Standards

Please provide information regarding the following elements (if applicable to your project) in the form of writing and/or a site plan where applicable to your project:

- Stormwater plan: A storm water management plan must be submitted with all administrative permit applications.
- Dog-control measures: Dog control measures are mandatory for all uses.
- SEPA checklist: If minimum threshold is determined.
- Roof Drainage Easements: If your project results in roof drainage onto neighboring properties, drainage easements are required.
- Water and Sewer: All new uses must connect to town water and sewer.
- Heating Ventilation and Air Conditioning Units: Screening of HVAC is required on all commercial uses.
- Commercial Access: Access to commercial enterprises must be via public right of ways or adjacent commercial properties.
- Nuisances: Any nuisance shall be subject to Chapter 8.08 of the Waterville Municipal Code.

Section 4: Critical Areas

To the best of your knowledge, is your project located in or adjacent to the following natural features? Please answer yes or no, or not sure. The Town of Waterville will make a determination if a Critical Areas Review may be required prior to granting an administrative permit.

- Steep slopes (geologically hazardous)
- Aquifer recharge
- Wetlands (including seasonally wet areas)
- Frequently flooded areas
- Wildlife habitat (including upland and/or riparian habitat)
- Is there a well on or near your property?
- Is there surface water on or near your property?

What is your property currently being used for? _____

Please provide a description of historical uses of your property if you know them: _____

To the best of my knowledge, the information provided and any site plan presented depicts accurate information, structure placement, distances, roads, driveways, land features, and other pertinent development information for my proposal.

Applicant Signature

Date

Owner Signature (if other than applicant)

Date

Proposed Chapter 17.50 – Amendment to Title 17 WMC - Zoning

17.50.080 Administrative permits.

An administrative permit (AP) is a means of allowing certain uses that require some review in order to ensure that the uses are consistent and compatible with other existing and permitted uses within the zone and do not create undue demands on public facilities, and to prevent and abate public nuisances.

(1) Intent. It is the intent of this section to detail the procedures required and the responsibilities of the administrator, and the Town council upon appeal, in the processing, consideration, and issuance of administrative permits whenever such permits are applied for pursuant to provisions of this title. Only those uses listed as requiring an administrative permit, within a particular zone, qualify for this process, except as otherwise provided in Chapter [17.40](#) WMC. The administrator may determine that other similar uses, which are not listed, may qualify for this process. This process is not to replace the variance procedure or to permit uses that are prohibited within the zone.

(2) Authority. The administrator shall have the authority, subject to provisions of this section (and specifically subsection (4) of this section), to grant, upon such conditions as may be determined necessary in order to realize the intent of this title, an administrative permit for a use found to be in harmony with the scope and purpose of this title, the intent of the zoning district in which the use is to be located, and the goals, objectives, and policies of the Town of Waterville Comprehensive Plan and in accordance with subsection (4) of this section.

(3) Process.

(a) Applications for administrative permits shall be filed with the administrator on forms provided by the administrator with all information as required in said form, including a completed impact assessment checklist or a completed SEPA environmental checklist, where required, and with payment of all applicable fees. The administrator shall determine if the application is complete, and if not complete shall return the same to the applicant with additional required information noted.

(b) The administrator shall review all administrative permit requests. Upon receipt of a complete application the administrator shall within 15 business days complete an impact assessment (see Chapter 17.62 WMC) and issue an initial determination to grant or deny the permit. Each determination to grant or deny an administrative permit shall be supported by written findings of fact showing specifically wherein all of the following conditions exist:

(i) That the use for which the administrative permit is requested is specified by this title as being administratively permitted within the zoning district in which the property is located, or that said use is not listed in the district use chart in Chapter 17.40 of this title and is similar to a use that is specified by this title as being administratively permitted within the zoning district in which the property is located;

(ii) That the use for which the administrative permit is requested is consistent with the description and purpose of the zoning district in which the property is located;

(iii) That said use complies with all requirements of this title, including the specific performance standards in Chapter 19.02 WMC;

(iv) That the site for which the use is proposed is of sufficient size to accommodate the proposed use and that all yards, open spaces, walls and fences, parking, loading, landscaping and other such features as are required by this title, or as are needed in the opinion of the administrator to ensure that the proposed use will be compatible and harmonious with adjacent and nearby uses, will be properly provided.

(c) The administrator's initial determination, along with any permit conditions, shall be forwarded to the applicant and to all adjacent property owners and any relevant resource agencies and posted upon the subject property.

(d) Any affected party may appeal the administrator's initial determination to the Town council pursuant to Chapter 14.10 WMC. If no appeal of the initial determination of impending administrative permit issuance is filed within five regular Town business days from issuance of the administrator's initial determination, the administrator shall render a final decision on the permit in accord with the initial determination within five regular Town business days.

(4) Conditions of Approval. In order to mitigate anticipated impacts of a proposed use or support a finding of fact or prevent and abate public nuisances associated with any project for which an administrative permit is requested, the administrator shall have the authority to require compliance with conditions and safeguards deemed necessary to mitigate the anticipated impacts of a proposed use, based on the findings of fact (per subsection (3)(b) of this section). Such conditions may be imposed that could increase requirements in the standards, criteria, or regulations of this title or other Town legislation or adopted policies. Project proponents may submit plans for proposed alternative means of mitigation impacts for review by the Town. No administrative permit shall require, as a condition, the dedication of land for any purpose not reasonably related to the use of property for which the administrative permit is requested, nor posting of a bond to guarantee installation of public improvements not reasonably related to the use of property for which the administrative permit is requested.

(a) The following conditions must be met prior to approval of an administrative permit for overnight accommodations and overnight rentals. Compliance with said conditions is required on an annual basis. Noncompliance may result in revocation of permit.

(i) Town business license.

(ii) Transient accommodation permit.

(iii) County health district permits as appropriate for food service, if any.

(iv) Parking will be as required in underlying zone.

(5) Time Limitations. Any administrative permit granted by the administrator, or by the Town council on appeal, shall be null and void if not exercised within the time specified in such permit or, if no time is specified, within two years of the date of approval of such permit. An administrative permit shall be deemed exercised and remain in full force and effect when a building permit has been issued and substantial construction accomplished, or when substantial investment has been made to establish the use for which the administrative permit has been granted in reliance upon said administrative permit, with the exception of renewable administrative permits granted to mobile vendors and temporary markets. If such permit is abandoned or is discontinued for a continuous period of two years, it may not thereafter be reestablished unless authorized in accordance with the procedure prescribed herein for the establishment of an administratively permitted use.

(6) Renewable Administrative Permits. Renewable administrative permits granted to mobile vendors and temporary markets shall be valid for a period of one year from the date of approval, and shall be renewable annually as long as the permit holder is in compliance with all conditions of the permit.

(7) Extension of Time. Upon written request by a property owner or his/her authorized representative prior to the date of administrative permit expiration, the administrator may grant an extension of time up to but not exceeding one year. Such extension of time shall be based upon a finding that there has been no material change of circumstances applicable to the property since the granting of said permit that would be injurious to the neighborhood or otherwise detrimental to the public health, safety and general welfare.

(8) Additions and Modifications to Sites and Structures.

(a) Minor Additions or Modifications.

(i) Minor adjustments are those that may affect the precise dimensions or siting of buildings, but that do not affect the basic character or arrangement of buildings approved, nor the development coverage of the development or the open space requirements. Such dimensional adjustments shall not vary more than 10 percent from the original. Minor adjustments to sites and structures permitted under existing valid administrative permits may be administratively approved by the administrator, subject to the following findings:

(A) The proposed addition or modification is determined to be in substantial conformity with any and all previous valid administrative permits for existing uses on the site.

(B) The proposed addition or modification directly relates to a use or structure established under a previous valid administrative permit.

(C) No more than one administrative approval for any such minor addition or modification shall be granted on a single property within any two-year period.

(D) The proposed addition or modification shall still be subject to all other applicable Town ordinances and development standards, including setback, screening, or buffering requirements.

(E) The proposed addition or modification will be served by existing streets, driveways and utilities, and will not require relocation of any existing structures or other site modifications.

(ii) Upon approval of any such minor addition or modification, notice shall be provided to all parties of record with the opportunity to comment on the administrator's decision within 10 business days. If a written objection is filed within 10 business days, the administrator shall reconsider the determination in light of the objection(s) raised and render a final decision. Any party aggrieved by the administrator's final decision may file an appeal of that decision to the Town council pursuant to Chapter 14.10 WMC.

(b) Major Adjustments. Major adjustments are those that, when determined by the administrator, substantially change the basic design, coverage, open space or other requirements of the permit. When the administrator determines that a change constitutes a major adjustment, no building or other permit shall be issued without prior review and approval by the Town council of such adjustment.

(9) Cancellation of an Administrative Permit. A valid administrative permit granted by the administrator, or the Town council upon appeal, may be canceled at any time. Cancellation must be initiated by the owner of the property covered by an administrative permit by means of a written request to the administrator. Said permit shall then become null and void within 30 days thereafter.

(10) Revocation of Permit. The administrator may revoke, suspend, or add additional conditions to any administrative permit granted under the provisions of this section on any one or more of the following grounds:

(a) That the approval was obtained by fraud;

(b) That any material fact was concealed or misrepresented on the administrative permit application or on any subsequent applications or reports;

(c) That the use for which such approval is granted is not being exercised;

(d) That the use for which such approval is granted has ceased to exist or has been suspended for one year or more;

(e) That the administrative permit granted is being, or recently has been, exercised contrary to the terms or conditions of such approval, or in violation of any statute, ordinance, law or regulation;

(f) That the use for which the approval was granted is being so exercised as to be detrimental to the public health, safety or general welfare, or so as to constitute a nuisance.

(11) Posting of Performance Bonds. Notwithstanding the provisions of subsection (4) of this section, whenever an administrative permit is granted upon any condition or limitation requiring development of a right-of-way, installation of utilities, or other public improvements, the person seeking the administrative

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permit may be required to furnish security in the form of money or a surety bond in an amount fixed by the administrator, or the Town council on appeal, to ensure compliance with the conditions and limitations related to public improvements upon which said permit is granted. Every such bond shall be a performance bond and shall be in a form approved by the Town attorney, shall be payable to the Town, and shall be conditioned upon compliance with the conditions and limitations upon which said permit is granted.