



## COMPREHENSIVE PLAN AMENDMENT

### PROCESS

***A Comprehensive Plan Amendment*** is a change to the plan adopted by the Town of Darrington that determines community goals and aspirations in terms of community development, which dictates public policy in terms of transportation, utilities, land use, recreation and housing.

#### **16.04.020 - Purpose**

The purpose of this title is to provide rules, regulations, requirements, and standards for subdividing land in the community, ensuring that the public health, safety, general welfare, and aesthetics of the community shall be promoted and protected; that orderly growth, development, conservation, protection and proper use of land shall be insured; that the character of the developing area is safeguarded and promoted; that proper provisions for all public facilities including circulation, utilities, open space, and services shall be made; and that the goals and policies of the Darrington comprehensive land use policy plan are furthered through the subdivision of land.

(Ord. 542 § 1 (part), 1999)

#### **Procedure**

A permit application is complete for purposes of this section when it meets the procedural submission requirements of the department and is sufficient for continued processing even though additional information may be required or project modifications may be subsequently undertaken. The determination of completeness shall not preclude the department from requesting additional information or studies either at the time of notice of completeness or subsequently if new or additional information is required or substantial changes in the proposed action occur, as determined by the department.

Within twenty-eight (28) days of receiving your application, Town staff shall determine if it is complete. If additional information and/or materials is needed to meet the approval criteria for a particular application, the Town will contact you and outline what is needed to complete the application. If the application is incomplete and the applicant submits the additional information requested by the department, the department shall mail or provide in person written notice to the applicant, within fourteen (14) days following the receipt of the additional information.

The department shall cancel an incomplete application if the applicant fails to submit the additional information required by DMC Sections 17.104.070(A) or (C) within ninety (90) days following notification from the department that the application is incomplete. The department may extend this cancellation date up to one hundred twenty (120) additional days if the applicant submits a written request for an extension prior to cancellation. The request must clearly demonstrate that the delay is due to circumstances beyond the applicant's control (such

as the need for seasonal wetland data) or unusual circumstances not typically faced by other applicants, and that a good faith effort has been made to provide the requested materials.

After the determination of a completed application, a decision from Town staff on a permit application is required within one hundred and twenty days (120).

The fact that an application is deemed complete pursuant to this section shall not, under any circumstances, prevent the Town from subsequently requesting additional information or studies regarding any aspect of a proposed project, which is deemed necessary to a complete review of the proposed project.

In order to receive preliminary approval, the applicant must submit to the Darrington Planning Department a complete application, in quantities specified by the Department, and meet the criteria for approval.

**A. Application.** A complete application consists of the following:

1. A completed application on a form provided by the Planning Department and fee as identified in Chapter 17.88 DMC;

***FEE: \$ 700.00 Non-Refundable***

**17.88.10 - Application fees.**

Any applicant shall pay the following fees for a land use permit at the same time that said application is filed with the Town

Applicant shall be required to bear any engineering and legal fees incurred by the Town in connection with the application, which are not covered by other fees. Impact fees for traffic, schools and parks shall be paid prior to building permit issuance. All fees must be paid prior to final Comprehensive Plan amendment approval.

### **17.80.010 – Application**

Any interested person (including applicants, citizens, Darrington Planning Commission, Town staff and officials, and staff of other agencies) may submit an application for an amendment to either the Comprehensive Plan or the development regulations to the Planning Department. Such applications are for legislative decisions and are not subject to the requirements or procedures set forth in DMC Chs. 17.104 to 17.116. In addition to the requirements of DMC Section 17.80.015, the application shall specify, in a format established by the department:

- A. A detailed statement of what is proposed and why;
- B. A statement of the anticipated impacts of the change, including the geographic area affected and the issues presented by the proposed change;
- C. An explanation of why the current Comprehensive Plan or development regulations are deficient or should not continue in effect;
- D. A statement of how the proposed amendment complies with and promotes the goals and specific requirement of the growth management act;

E. A statement of how the proposed amendment complies with applicable countywide planning policies;

F. A statement of what changes, if any, would be required in functional plans (i.e., the Towns water, sewer, storm water or shoreline plans) if the proposed amendment is adopted;

G. A statement of what capital improvements, if any, would be needed to support the proposed change, and how the proposed change will affect the Capital Facilities Plans of the Town; and

H. A statement of what other changes, if any, is required in other Town codes, plans or regulations to implement the proposed change.  
(Ord. 541 § 1 (part), 1999)

### **17.80.020 - Documents to be Submitted with Application**

A. Applications for amendments to the Comprehensive Plan or development regulations shall provide the following documents in such quantities as are specified by the department:

1. An application form provided by the department;
2. Snohomish County assessor's map(s) which show the location of each property within five hundred feet of the property which is the subject of the proposed amendment;
3. Two sets of mailing labels and stamped envelopes for all property owners and occupants (business and residents), including tenants in multiple occupancy structures, within five hundred feet of the property; Applicant will provide to the Town of Darrington staff, a complete mailing list and envelopes that must be size #10 (regular business size) **with** first class postage and with a Town of Darrington return address.
4. A vicinity map showing the location of the site;
5. A surrounding area map showing zoning designations, shoreline designations, if applicable, and existing land uses within a one thousand feet radius from the site's property lines;
6. A Site Plan, including such details as may be required by the department;
7. A Landscaping Plan, including such details as may be required by the department;
8. Building elevations of proposed structures, including such details as may be required by the department;
9. Such photo material transfer or photostat of the maps, Site Plan and building elevation, including such details as may be required by the department;

10. Such other information as the applicant determines may be helpful in evaluating the proposal, including color renderings, economic analyses, photos, or material sample boards.

B. The department shall have the authority to waive any of the requirements of this section for proposed amendments which are not site specific or when, in the department's discretion, such information is not relevant or would not be useful to consideration of the proposed amendment.

(Ord. 541 § 1 (part), 1999)

### **17.80.030 - Docket**

The department shall maintain a docket of all proposed changes to the Comprehensive Plan and development regulations, which are submitted. The department shall provide a copy of the docket to the Town Council on a monthly basis. If either the department or the Council determines that a proposed change may be an emergency, the department shall prepare the staff report described below and forward the proposed change to the council for immediate consideration, subject to the procedural requirements for consideration of amendments.

Nonemergency changes shall be compiled and submitted to the Council for review on an annual basis in March so that cumulative effects of the proposals can be determined.

Proposed changes received by the department after January 1st of any year shall be held over for the following year's review, unless the council or the department determines the proposed change may be an emergency.

(Ord. 541 § 1 (part), 1999)

### **17.80.040 - Notice and Comment**

The docket of proposed changes shall be posted in the offices of the department and made available to any interested person. At least four weeks prior to the Council's annual consideration of the changes proposed on the docket, the Town shall publish a notice in a newspaper of general circulation in the town, generally describing the proposed changes including areas affected, soliciting written public input to the Planning Department on the proposed changes and identifying the date on which the Council will consider the proposed changes.

(Ord. 541 § 1 (part), 1999)

### **17.80.050 - Staff Report**

A. At least two weeks prior to Council consideration of any proposed amendment to either the Comprehensive Plan or development regulations, the department shall prepare and submit to the Council a staff report which addresses the following:

1. The issues set forth in this chapter;
2. Impact upon the Darrington Comprehensive Plan and zoning code;
3. Impact upon surrounding properties, if applicable;
4. Alternatives to the proposed amendment; and

5. Appropriate code citations and other relevant documents.

B. The department's report shall transmit a copy of the application for each proposed amendment; any written comments on the proposals received by the Planning Department, and shall contain the department's recommendation and adoption, rejection or deferral of each proposed change.

(Ord. 541 § 1 (part), 1999)

### **17.80.060 - Council Consideration**

A. The Town Council shall consider each request for an amendment to either the Comprehensive Plan or development regulations at a public meeting, at which the applicant will be allowed to make a presentation. Any person submitting a written comment on the proposed change shall also be allowed an opportunity to make a responsive oral presentation. Such opportunities for oral presentation shall be subject to reasonable time limitations established by the Council.

B. Following Town Council consideration as provided by subsection A of this section, the Town Council shall take action as follows:

1. If the Council determines a proposed amendment will have significant impact on the policies or goals of the Comprehensive Plan, it shall:

- a. Reject the proposed amendment; or
- b. Defer further Council consideration to a reoccurring five-year comprehensive plan amendment process.

2. If the Council determines the proposed amendment will not have significant impact on the policies or goals of the Comprehensive Plan, it shall:

- a. Reject the proposed amendment;
- b. Defer further Council consideration for one or more years to allow the Town further time to evaluate the application of the existing plan or regulations; or
- c. Refer the proposed amendment to the Planning Commission for further review and a recommendation to the Town Council. Notice of the Planning Commission hearing on such amendment shall be published in a newspaper of general circulation at least ten days prior to the Planning Commission's hearing.

(Ord. 541 § 1 (part), 1999)

### **17.80.070 - Council Decision**

Following receipt of the Planning Commission's recommendation on a proposed amendment referred to the commission, the Town Council shall hold a public hearing on the proposal, for which public notice has been provided as required under the public notice of hearing chapter of this title. Following the public hearing, the Town Council may:

1. Reject the proposed amendment;
2. Modify and adopt the proposed amendment; or
3. Adopt the amendment as proposed.

(Ord. 541 § 1 (part), 1999)