

## DIRECTOR'S DECISION

### PROJECT DESIGN REVIEW & ADMINISTRATIVE AMENDMENT OF CONDITIONAL USE PERMIT

Edmonds School District Maintenance & Transportation Facility

PDR-009902-2021, ADM-009903-2021

Date of Decision: July 1, 2022

#### I. APPLICATION

|                              |                                  |
|------------------------------|----------------------------------|
| Applicant:                   | Edmonds School District No.15    |
| Property Address:            | 20601 52 <sup>nd</sup> Avenue W. |
| Tax Parcel Number:           | 00619500000102                   |
| Future Land Use:             | Industrial (I)                   |
| Zone:                        | Light Industrial (LI)            |
| Site Area:                   | 19.78 Acres                      |
| Applicable Design Guideline: | Citywide Design Guideline        |
| Related Permits:             | Associated Development Permits   |
| Staff Reviewer:              | Brian Lee, Senior Planner        |
| Decision:                    | <i>Approved with Conditions</i>  |

#### II. PROPOSAL

Edmonds School District No.15 seeks consolidated application review and approvals for Project Design Review (PDR) and Amendment to previously approved Conditional Use Permit (ADM) at the Maintenance & Transportation Facility (M&TF).

The original entitlements to locate the facility at this location, 2006CUP0002 and 2007PDR0005, were approved in 2007. In 2014, an amendment to the CUP and a new PDR

(CUP-002063-2014, PDR-002124-2014) (Exhibits 06 & 07) were both approved for the construction of a new two-story building, site utilities, and additional parking areas.

This CUP amendment and concurrent PDR are for the expansion of the existing parking lot on the western side of the project site that will include additional personal vehicle parking and short bus stalls, landscape planters, street lighting, a new water quality treatment, and an expanded detention pond for flow control.

Additional bus parking and associated personal vehicle parking is due to anticipated growth within the district. In addition, temporary changes were made to the site to accommodate construction by Sound Transit. These temporary changes will be restored to the conditions approved in the 2014 CUP amendment, except for the site changes described in this proposed amendment.

### **III. EXHIBITS**

01. Signed Land Use Application + Affidavit of Ownership, received January 18, 2022
02. Revised Plans, received May 26, 2022
03. Proposal Summary, including:
  - Civil narrative
  - Landscape narrative
  - Site photographs
  - Lighting calculations
  - Recorded documents
04. Notice of Complete Application, issued June 4, 2021
05. Notice of Application and Impending Decision, issued June 18, 2021
06. 2014 CUP
07. 2014 PDR
08. SEPA Threshold Determination, received May 26, 2022
09. Updated Noise Study, received January 18, 2022
10. Lighting Summary, received May 26, 2022
11. Recorded NGPA Easement, received January 18, 2022

### **IV. FINDINGS OF FACT**

#### **A. Proposal Details**

**Summary of Proposal** – This proposal is for the expansion of the existing west parking lot that will include additional personal vehicle parking and short bus stalls, landscape planters, street lighting, a new water quality treatment, and an expanded detention pond for flow control. Work will also include restoration of temporary changes that were made to accommodate construction of overhead guideway by Sound Transit through the eastern

portion of the site. The temporary changes will be restored to conditions previously approved in the 2014 CUP amendment.

**Design** – Aside from the new detention pond, no other structures are included in this proposal. Landscaping, lighting, and parking lot design will be reviewed for conformity to required design standards.

**Site Information** – The project site is located at 20601 52<sup>nd</sup> Ave. W.(Parcel number 00619500000102). The property is triangular-shaped and is bordered by the Interurban Trail and light industrial properties along the southern property line. Single-family uses are located across 52<sup>nd</sup> Avenue W. to the west, while a business park and undeveloped wooded properties that are mostly encumbered by critical areas exist to the north. The large 19+ acre school district property is fully developed and includes multiple structures and parking areas that serve as the school district’s maintenance and transportation facility.

**Future Land Use and Zoning** – The site is currently zoned Light Industrial (LI), and the Comprehensive Plan future land use designation of this site is Industrial (I). Adjacent properties to the north are zoned Business/Technical Park (BTP), properties to south are zoned Light Industrial (LI), and properties to the west are zoned Residential 8400 (RS-8).

## **B. Noticing**

**Notice of Complete Application** (Exhibit 04) – a letter acknowledging submittal of a complete application was issued February 16, 2022 with the application being deemed complete as of February 10, 2022.

**Notice of Application and Impending Decision** (Exhibit 05) – in accordance with Chapter 1.35 Lynnwood Municipal Code (LMC), the Notice of Application for Project Design Review and Amendment to previously approved CUP were posted at City of Lynnwood official posting sites and onsite, as well as published in the Everett Herald on March 2, 2022. Owners of property and tenants within a 300-foot radius of the subject property were also mailed a copy. The comment period ended on March 16, 2022. No comments were received.

## **C. Environmental Review (SEPA)**

A SEPA Threshold Determination – third addendum to Mitigated Determination of Non-Significance (Exhibit 08), was issued by the school district on May 4, 2022, in accordance with WAC 197-11-340. As the lead agency, the Edmonds School District No. 15 determined that no changes to mitigating conditions result from this modified proposal and will not have a probable significant adverse impact on the environment.

## **D. Zoning Analysis**

### **Compliance with Industrial Zone Standards (Chapter 21.50 LMC)**

The purpose of the Light Industrial (LI) zone is established to provide an area where light manufacturing and wholesaling operations involving little retail contact may be carried on; provided the uses conform to the performance standards of LMC [21.50.150](#).

The character of development of this area will be such that it will be in keeping with the highest standards of industrial parks, promoting beauty, comfort, and generally improving the area.

**1. Uses Allowed in the Industrial Zone 21.50.100**

Municipal Services, Public Utility Facilities, as well as Automotive and Machinery Repairing and Storage are allowed uses in the LI zone. The existing use as a public maintenance facility is also consistent with the Industrial designation of the Comprehensive Plan given the public transportation facilities and maintenance uses.

***This standard is met.***

**2. Performance Standards 21.50.150:**

- a. Noise. The noise emanating from a premises used for industrial activities shall be muffled so as to not become objectionable due to intermittent beat, frequency or shrillness and shall not exceed those standards contained in Chapter [10.12](#) LMC.

Applicant's Response: The addition of short bus parking and personal vehicle parking to the western parking lot will have a non-significant increase to the on-site and off-site sound levels, even during the peak early morning activities between 6 and 7 AM, when a stricter noise limit applies. For the residences along 52nd Avenue West, anticipated noise levels generated on-site will remain below 50 dBA and anticipated noise levels generated off-site will remain below 65 dBA. No changes in noise levels due to building or maintenance vehicle operation is anticipated from the approved use in CUP-002063-2014. Reference Updated Noise Study, Exhibit 09.

***This standard is met.***

- b. Lighting. Industrial lighting and outdoor lighting shall not be used in such a manner that produces glare on public highways and neighboring highways and neighboring property. See Chapter [21.17](#) LMC, Outdoor Lighting Standards, for specific regulations pertaining to Light Industrial uses. Arc welding, acetylene torch cutting, or similar processes shall be performed so as not to be seen from any point beyond the outside of the property.

Applicant's Response: Additional luminaires proposed as part of this CUP amendment will match the existing lights. The luminaires will be 30 feet in height and of the cut-off variety to eliminate light spill and glare. The parking area is not adjacent to other developable properties and is visually buffered. These lights would be in use from dusk to dawn. Reference Lighting Summary, Exhibit 10.

***This standard is met.***

- c. Fire and Safety Hazards. The storage and handling of inflammable liquids, liquefied petroleum, gases, and explosives shall comply with rules and regulations falling under the jurisdiction of the fire chief, the laws of the state and other local ordinances.

Applicant's Response: The CUP amendment is not anticipated to significantly change the site's condition from the approved use in CUP-002063-2014.

**This standard is met.**

- d. Electrical Interference. Provisions must be made for necessary shielding or other preventive measures against interferences occasioned by mechanical, electrical, electronic, and nuclear equipment use, or processes with electrical apparatus in nearby buildings or land uses.

Applicant's Response: The CUP amendment is not anticipated to significantly change the site's condition from the approved use in CUP-002063-2014.

**This standard is met.**

- e. Odors. The emission of obnoxious odors of any kind shall not be permitted nor the emission of any toxic or corrosive fumes or gases. Dust created by an industrial operation shall not be exhausted or wasted directly into the atmosphere.

Applicant's Response: The CUP amendment is not anticipated to significantly change the site's condition from the approved use in CUP-002063-2014.

**This standard is met.**

- f. Smoke or Particulate Matter.

Applicant's Response: The CUP amendment is not anticipated to significantly change the site's condition from the approved use in CUP-002063-2014.

**This standard is met.**

- g. Liquid and Solid Wastes. Storage of animal or vegetable waste which attracts insects or rodents or otherwise create a health hazard shall be prohibited. No waste products shall be exposed to view from eye level from any property line.

Applicant's Response: The CUP amendment is not anticipated to significantly change the site's condition from the approved use in CUP-002063-2014.

**This standard is met.**

- h. Open Storage. All storage shall be located within an area no closer to the street right-of-way line than designated in LMC [21.50.200](#) and shall be enclosed with a heavy wire fence or of a similar type, with the top of the fence not to be less than six feet above the adjoining street level, or by an attractive hedge or board fence at least six feet high.

Applicant's Response: The CUP amendment is not anticipated to significantly change the site's condition from the approved use in CUP-002063-2014.

**This standard is met.**

**3. Development Standards 21.50.200**

Dimensional Standards. Not applicable – this proposal does not impact development standards as no new buildings are proposed and the changes to the parking configuration occurs within existing or previously approved parking areas.

**4. Additional Development Standards 21.50.210**

- a. Building Height. LI Zone. The development and business services director may authorize an increase in maximum building height not to exceed eight feet in height from the floor of the roof when the applicant demonstrates conformance with the general intent of the chapter.

Applicant’s Response: The CUP amendment is not anticipated to significantly change the site’s condition from the approved use in CUP-002063-2014 because no new structures or modifications to the existing structure are proposed.

**This standard is met.**

- b. Setbacks for Fences. Fences, walls and hedges up to six feet in height may be located in any portion of an industrial-zoned lot as long as the fence is not located within intersection and driveway sight distance triangles, does not obstruct driver and pedestrian visibility, and complies with applicable Lynnwood Citywide Design Guidelines, as adopted by reference in LMC [21.25.145\(B\)\(3\)](#).

Applicant’s Response: Any relocated fences will be placed per the LMC.

**This standard is met.**

- c. Parking Requirements. Required Number of Stalls. Requirements for parking are provided in Chapter 21.18 LMC.

Applicant’s Response: The total project site after the proposed CUP amendment would include 267 parking spaces for personal vehicles, parking for up to 229 buses, and 59 District maintenance vehicles. The number and allocation of parking was determined based on a detailed review of the District’s needs and operational requirements. The total number of parking stalls is less than what was approved in the site’s original 2007 CUP.

Approved vs. Proposed Parking Counts

|                           | Buses      | Maintenance Vehicles | Personal Vehicles | Total      |
|---------------------------|------------|----------------------|-------------------|------------|
| 2007 CUP                  | 152        | 116                  | 488               | 756        |
| 2014 CUP Amendment        | 158        | 59                   | 262               | 479        |
| <b>2021 CUP Amendment</b> | <b>229</b> | <b>59</b>            | <b>267</b>        | <b>555</b> |

**This standard is met.**

- d. Surface Water Management. Each industrial area shall have adequate facilities for management of surface water.

Applicant’s Response: The existing property consists of three stormwater basins. Only stormwater basin 1 will be affected by this proposed CUP amendment. Stormwater basin 1 flow control will be upgraded to meet the current City of Lynnwood standards by enlarging the existing detention vault and installing a new flow control standpipe structure. Water quality will be provided for the pollution-

generating surfaces in stormwater basin 1 by a treatment train consisting of a wetpond and cartridge vault.

**This standard is met.**

#### **5. Other Regulations 21.50.900**

Refuse and Recycling Collection Areas and Enclosures. On-site paved and enclosed refuse and recycling collection areas shall be provided on sites where new buildings are being constructed or existing buildings are being remodeled or expanded and shall comply with the requirements of this section. One-family dwelling units, two-family dwelling units, and public parks are exempt from the requirements of this section.

Not applicable. No changes are proposed for the existing refuse and recycling collection areas and enclosures.

#### **6. Landscaping 21.08**

The applicant has provided a landscape plan (Exhibit 02) that is consistent with the requirements of Chapter 21.08 LMC and the Citywide Design Standards.

Pursuant to the Conditions of Approval, Hearing Examiner's Decisions CUP-002063-2014, relaxation of the following code requirements is approved: Section 21.50.220(C)(1)(b) LMC to eliminate perimeter landscaping on the western portion of the southern property line (with code-required landscaping from 300 feet west of 48<sup>th</sup> Avenue W. to the east end of the site) with the code-required fence along the property line (site-obscuring fence not required); Section 21.50.220(C)(1)(b) LMC to allow perimeter landscaping on the northeastern property line to be of decreased density and different species (evergreen hedge not required) with the code-required fence along the property line (site-obscuring fence not required); and Section 21.50210(D)(2)(c) to eliminate parking lot landscaping in the fleet vehicle and bus parking areas.

Parking lot landscaping that satisfies the requirements of 21.08.350 LMC have been incorporated for the areas being converted from bus parking to personal vehicle areas.

**This standard is met.**

#### **7. Outdoor Lighting Standards 21.17**

This project site is located within Lighting Zone 3 (LZ-3) pursuant to Tables 21.17.01 and 02. Included in the Lighting Summary (Exhibit 07), the applicant has provided a site lighting plan and lighting narrative demonstrating compliance with the requirements of Chapter 21.17 LMC. The lighting plan utilizes the Prescriptive Method for determining lighting compliance according to Table 21.17.04. A maximum of 5.0 lumens per square feet of hardscape is allowed. The project scope site includes 168,337 square feet of hardscape, allowing a base of 841,685 lumens. No additional allowances have been included in the analysis. The proposal includes 28 light standards with a total of 631,351 lumens, which is less than the total lumen allowed. The lighting summary indicates compliance with the performance requirements for off-site impacts (LMC 21.17.080.A) – all lighting shall be shielded from adjacent residential properties. (See condition below.)

*This standard is met.*

**8. Compliance with Parking Standards (21.18)**

As referenced in the previously approved CUP Amendment (CUP002063-2014), the City Zoning Code does not specifically address the parking requirements for this project’s type and mix of uses. The code was reviewed for comparison of uses that closely matched and it was determined that “Manufacturing and Assembly business, and Other Light Industry...” was the most appropriate use for calculating parking stall quantity. This use prescribes a minimum of one stall per 600 square feet. Based on a total building coverage area of 74,185 SF, 124-parking stalls would be required.

Further, the original CUP (2006CUP0002) included approval of 756-stalls. The latest proposal includes 555-stalls, which is a reduction from the 2007 proposal, but an increase from the 2014 amendment to accommodate anticipated future growth of the district. All passenger vehicle parking stalls meet minimum stall dimensions, except for maintenance and bus stalls which are larger.

Table 21.18.10

| <b>Standard</b>           | <b>Required</b>                      | <b>Proposal</b>   |
|---------------------------|--------------------------------------|-------------------|
| 1 per 600 SF of GFA       | 124-stalls<br>(74,185 ÷ 600 = 123.6) | 555-stalls        |
| <i>2007 CUP</i>           |                                      | <i>756-stalls</i> |
| <i>2014 CUP Amendment</i> |                                      | <i>479-stalls</i> |
| <i>Current Proposal</i>   |                                      | <i>555-stalls</i> |

*This standard is met.*

**9. Compliance with other applicable code requirements (Title 17)**

*State Environmental Policy Act – SEPA (17.02)*

As the lead agency<sup>1</sup>, Edmonds School District No. 15, determined that the proposal does not have a probable significant adverse impact on the environment and an environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). The School District has determined that no changes to mitigating conditions result from this latest proposal and a Third Addendum of Mitigated Determination of Non-Significance (MDNS) has been issued. (Exhibit 08)

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<sup>1</sup> WAC 197-11-050 Lead Agency. (1) A lead agency shall be designated when an agency is developing or is presented with a proposal, following the rules beginning at WAC 197-11-922. (2) The lead agency shall be the agency with main responsibility for complying with SEPA's procedural requirements and shall be the only agency responsible for: (a) The threshold determination; and (b) Preparation and content of environmental impact statements.



## V. DECISION CRITERIA

### A. Amendment of an approved project or permit (LMC 1.35.180)

Administrative Amendment of Conditional Use Permits, Shoreline Conditional Use Permits, Special Use Permits, and Planned Unit Developments. The following additions and activities to an approved project or decision are exempt from conditional use permits, special use permits, and planned unit development review, unless otherwise required by city code or by the terms of a concomitant agreement:

1. Repair without a change in the dimensions or configuration of the structure or sign; or
2. The addition of minor structural elements such as fences, carports and mechanical equipment; or
3. Restriping of parking or circulation areas, minor adjustments to parking area layout; provided, the total number of stalls does not fall below the requirements of the zoning code; or
4. Minor adjustments in building height not to exceed 10 percent in height, or minor adjustments in building location not to exceed 10 feet in any direction; provided, the structures do not vary from zoning code requirements to any greater degree than as approved with the original application.

**Staff Analysis:** This proposal is for minor adjustments to the west parking area layout because of site changes made to accommodate construction of Sound Transit's overhead guideway through the east portion of this site, and to accommodate anticipated future growth of the district. The total amount of parking currently proposed is greater than what is required by the zoning code. No changes to building height is proposed.

Decision Criteria for Administrative Amendment. The development and business services director shall act on a proposed amendment to an approved project or permit, including signs and sign programs, if:

1. The amendment maintains the design intent or purpose of the original approval, and does not modify zoning code requirements to any greater extent than any modification with the original application; and
2. The amendment maintains the quality of design or product established by the original approval; and
3. The amendment does not add more than the following:
  - More than 1,000 square feet for an existing or approved building; or
  - An addition of 1,000 square feet maximum for new structures; or
  - An increase of 20 percent of total existing sign for freestanding signs, and/or 20 percent increase of total existing sign area for wall signs not to exceed maximum allowed by code; and
4. An addition of up to 1,000 square feet per existing or approved building is automatically treated as an administrative amendment unless the addition is exempt under subsection (B) of this section; and
5. The amendment does not cause a significant adverse environmental impact beyond the site; and

6. The amendment is not precluded by the terms of the city code or by state law from being decided administratively; and
7. The applicant has carried the burden of proof and produced evidence sufficient to support the conclusion that the application merits approval or approval with modifications; and
8. The applicant has demonstrated that the proposal complies with the applicable criteria of the city code.

**Staff Analysis:** This proposal maintains the design intent and quality of design established by the original proposal and does not require additional modifications to zoning code requirements that were previously approved by the hearing examiner in 2007.

No changes to building size or height is requested, nor any changes to signs. The applicant has demonstrated that the proposal complies with the applicable criteria of the city code.

## **B. Project Design Review (LMC 21.25.145)**

Decision Criteria:

1. It is consistent with the comprehensive plan.

The proposed project is within the Industrial land use plan category. The following is a description of the land use category and a description of the purpose of the category, the uses permitted, and other considerations.

**Purpose:** This Comprehensive Plan category is intended to provide areas for industrial uses.

**Principal Uses:** Light manufacturing and fabrication; warehouses, public facilities and retail uses that may locate only in limited portions of retail areas due to potential off-4 site or secondary adverse effects (with controls to reduce and mitigate adverse secondary impacts).

**Locational Criteria:** This plan category is best located within the southwestern sector of the city.

**Site Design:** Buildings will typically cover up to 30 percent of the site. Most of the rest of the site will be developed for parking, although substantial landscaping shall be planted along street frontages and within parking areas. Landscaping shall also be planted at other property lines and near buildings (as part of an integrated design plan). Parking for customers and employees may be located in either open parking lots or well-designed parking garages.

**Building Design:** Buildings in this category will generally be low-rise structures. Access to interior space will be through a combination of doors designed for persons and roll-up doors for vehicles.

**Performance Standards:** On-site activities shall not significantly affect adjoining properties.

**Staff Analysis:** The maintenance and transportation facility is a use consistent with light industrial uses, such as light manufacturing and public facility uses. Although not located in the southwestern portion of the city, the site is an appropriate location for this type of use, being adjacent to other industrial related businesses (manufacturing and warehouse) and adjacent to arterial streets and Interstate 5.

The existing buildings take up approximately nine percent of the project site and is located more than 200 feet from 52nd Avenue W. and the residentially zoned area. No changes to existing structures are included in this proposal.

Appropriate landscaping has been installed as identified in the original CUP. The parking area impacted by the current proposal will include all required landscaping pursuant to Chapter 21.08 LMC. The remainder of the site is designed for surface parking, walkways, and buffer landscaping.

On-site activities will limit impacts to adjoining properties as demonstrated by the provided Lighting Summary and Noise Study, and appropriate impact fees relevant to traffic and parks will be assessed.

2. It is consistent with all applicable provisions of this chapter.

**Staff Analysis:** The proposal is subject to the Citywide Design Guidelines for all districts for the construction of a nonresidential structure or building over 1,000 square feet. Project design review is intended to:

- Review the proposal for compliance with design guidelines;
- Help ensure that the proposal is coordinated, as is reasonable and appropriate, with other known or anticipated development on private properties in the area and with known or anticipated right-of-way and other public improvement projects within the area; and
- Encourage proposals that embody good design principles that will result in high quality development on the subject property.

The applicant has provided materials (see Exhibits) to demonstrate consistency with chapter 21.25 LMC.

3. It is consistent with the applicable design guidelines found in the Lynnwood Citywide Design Guidelines, adopted by this reference and incorporated in the provisions of the LMC and this chapter as fully as if herein set forth.

**Staff Analysis:** This project is consistent with the purpose of design review as defined in Chapter 21.60 LMC. Though provided site plans (Exhibit 02) show no changes to existing buildings, necessary parking, lighting, and landscaping provisions have been incorporated.

4. For development applications for remodeling or expansion of an existing development, it is consistent with those provisions in the Lynnwood Citywide Design Guidelines identified by the director as being applicable.

**Staff Analysis:** This provision does not apply as the proposal is for reconfiguration of the existing west parking area.

## VI. PUBLIC AND AGENCY COMMENTS

A 14-day public comment period on the proposal ended on March 16, 2022. Referrals were sent to all applicable City Departments and outside agencies. No public or agency comments were received during this period.

## VII. CONCLUSION AND CONDITIONS OF APPROVAL

### Conclusion

Based on the application materials (Exhibits) and the analysis contained in this staff report, staff concludes that the applicant has met all decision criteria for approval of the Project Design Review (PDR) and Amendment to previously approved Conditional Use Permit (ADM).

Staff recommends approval of the Edmonds School District Maintenance & Transportation Facility PDR-009902-2021 and ADM-009903-2021, subject to the following conditions:

### Conditions of Approval

1. All conditions of previously approved 2006CUP0002 and 2006PDR0013, and CUP-002063-2014 and PDR-002124-2014 shall be adhered to unless expressly amended by this approval.
2. All landscaping shall comply with LMC 21.08.250 Landscape Applications, Installation and Maintenance Standards, and LMC 21.08.300 General Landscape Standards.
3. A landscape irrigation and maintenance plan, identifying maintenance tasks and schedules, shall be submitted to the City for review and approval at the time of building permit.
4. Pursuant to LMC 21.17.080.A.3, all parking lot lighting shall meet performance requirements for off-site impacts – all lighting shall be shielded from adjacent residential properties and have no light emitted above 90 degrees.
5. An approved Spill Prevention Control and Countermeasures plan (SPCC) is required prior to scheduling a preconstruction meeting. Submit a Spill Prevention Control and Countermeasures plan (SPCC) for review and approval. Use the template provided by the Lynnwood Public Works Department. Request the template by email from lmoore@lynnwoodwa.gov
6. An approved Stormwater Pollution and Prevention Plan (SWPPP) is required prior to scheduling a preconstruction meeting. Submit a Stormwater Pollution and Prevention Plan (SWPPP) for review and approval. Use the template provided by the Lynnwood Public Works Department. Request the template by email from lmoore@lynnwoodwa.gov
7. All park impact fees shall be paid prior issuance of Building Permit.
8. All traffic impact and concurrency fees shall be paid prior to issuance of Building Permit.

### REVIEWED BY:



7/1/2022

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**Ben Wolters, Interim Community Planning Manager**

**Date**

## DIRECTOR'S DECISION

I concur with the above conclusions and *grant approval with conditions* of the Project Design Review and Amendment to previously approved Conditional Use Permit applications for the Edmonds School District Maintenance & Transportation Facility proposal (PDR-009902-2021 and ADM-009903-2021).



**David Kleitsch, Development and Business Services Director**

7/1/22

**Date**

## NOTICE OF DECISION AND RIGHT TO APPEAL

Administrative decisions of the director may be appealed by filing a written request for appeal with the Development and Business Services Department within 14 calendar days. The appeal deadline shall be **August 3, 2022**. An appeal filed within this time limit shall be processed pursuant to Process II, as identified in LMC Section 1.35.200.

## LAPSE OF APPROVAL

The applicant under this process must begin construction or submit to the city a complete building permit application for the proposal **within two years** after the final decision on the matter, or the decision becomes void. The applicant must substantially complete construction for the proposal approved under this process and complete the applicable conditions listed in the decision within five years after the final decision of the city on the matter, or the decision becomes void per LMC 21.25.165. No later than two weeks prior to the lapse of approval, the applicant may submit a written request with supporting documentation to the Development and Business Services Department requesting a one-time extension of those time limits of up to one year per LMC 21.25.170(A).

## REVISIONS AFTER APPROVAL

The determination that the proposal meets the criteria for a subsequent modification exception is based on all plans, details, catalogue cuts, specifications, renderings, notes, materials, and color samples submitted for design review. Any changes to the design of the project as indicated by the above submitted materials will require additional review and may delay issuance of subsequent development permits for the proposal and/or inspections during construction.