

Subdivisions and Planned Unit Developments

Subdivisions

- Subdivisions are divisions of land into 10 or greater lots.
- Zoning Code and Subdivision Ordinance establish standards for lot size (how many lots & how big), street improvements & access, utilities, tree retention, etc.
- Two stages:
 - Preliminary = design, engineering, public process. **Process IIA*** (Hearing Examiner decision, appeals to City Council)
 - Decisional Criteria:
 - Consistent with development regulations
 - Consistent with public health, safety and welfare.
 - Final = verify conformance with conditions of preliminary approval. Administrative review, City Council signs off

Planned Unit Developments (PUD)

- PUD's allow for innovative projects that don't fully comply with Code but result in a project that is more beneficial to the City
- Applicant asks to deviate from codes and proposes offsetting public benefits
- Can request 10% increase in density
- **Process IIB** (Hearing Examiner recommendation, City Council decision).
- Decision Criteria (summary):
 - Any adverse impacts or undesirable effects of the proposed PUD are clearly outweighed by specifically identified benefits to the residents of the City.
 - Applicant providing one or more of the following benefits to the City as part of the proposed PUD:
 - Public facilities that could not be required by the City for development without a PUD.
 - Preserve, enhance or rehabilitate natural features of the subject property that the City could not require the applicant to preserve enhance or rehabilitate
 - Active or passive solar energy systems
 - The design is superior in one or more of the following ways to the design that would result from development of the subject property without a PUD:
 - Increased provision of open space or recreational facilities
 - Superior circulation patterns or location or screening of parking facilities
 - Superior landscaping, buffering, or screening
 - Superior architectural design, placement, relationship or orientation of structure
 - Minimum use of impervious surfacing materials

*Note: review process gets bumped up if higher review process (e.g. – IIA bumps up to IIB)

Summary of Process IIB Review Process

1. **Application submitted** staff reviews for completeness. Hold until complete
2. **Notice of application and comment period** is distributed once the application is complete (to property owners within 300' of site, residents adjacent to or across the street, published in newspaper, posted on public notice signs and city's website). Public comment period is 18 days
3. **SEPA and Concurrency Review** by staff to determine the level of environmental impacts such as traffic. Traffic impact analysis technical data is reviewed by City's traffic engineer.
4. **SEPA Determination issued by Planning Director** (DNS, MDNS, and DS (rare)) Determination distributed (to property owners within 300' of site, residents adjacent to or across the street, published in newspaper, posted on public notice signs and city's website). Allows **for public comment or appeal** within 14 days of issuance
5. **SEPA appeals** combined with public hearing on the project
6. **Notice of public hearing** is distributed (to property owners within 300' of site, residents adjacent to or across the street, published in newspaper, posted on public notice signs and city's website). **Public comments** may be submitted to the Planning Department any time prior to or at the public hearing
7. **Staff prepares recommendation** to Hearing Examiner, includes all written comments. Report is available 7 days prior to hearing
8. **Hearing Examiner** conducts the public hearing
9. **Hearing Examiner makes a recommendation** to City Council. Sent to everybody who submitted written or oral testimony
10. **Hearing Examiner's recommendation may be challenged** (within 7 days of distribution) only by those people who commented on the application
11. **City Council considers request and makes final decision** on proposal and any challenges
12. **Notice of decision is distributed** to the applicant and any person who commented on project (within 4 days)
13. **Judicial review in King County Superior Court**

Tips:

- Initial comment period important because it precedes a staff recommendation
- Public comment can occur up to the Hearing Examiner hearing
- Traffic impact review happens at SEPA