

l. Final unit lot subdivision with nonconforming structures or final unit lot short subdivision with nonconforming structures;

m. Minor amendment to land division;

13. Land uses in WRM zone which are consistent with adopted management plan and which are categorically exempt under SEPA;

14. Landscaping modification as provided by Section 19.35.070;

15. Nonconforming use – continuation, alteration, modification as provided by Section 19.38.030(A);

16. Nonconforming structure – alteration or expansion as provided by Section 19.38.040(A);

17. Outdoor use, activity, and storage for established use;

18. Parking reduction of up to ten percent in the B-3 zone as provided for by Section 19.34.030;

19. Planning director's promulgation of administrative rules, procedures and interpretation of the zoning code;

20. Public park development approved by park commission consistent with adopted park master plan which is categorically exempt under SEPA as provided for by Section 19.33A.030;

21. Reasonable use determinations, if no modification of zoning standards (under Section 19.33D.400(B) or 19.37.050(B));

22. Relocation of electric facilities, lines, equipment or appurtenances, natural gas, cable communications, pipes, mains, equipment or appurtenances, telephone facilities, lines related to environmentally sensitive areas as provided by Section 19.33D.400(A)(9)(b) and (c) or 19.37.050(A)(8)(b) and (c);

23. Remodels or additions to single-family residences in the historic overlay zone;

24. *Repealed*;

25. Sign permits;

26. Temporary use permits;

27. Use permits;

28. Zoning code compliance regarding building permits and application of development standards by the director;

29. Zoning determination concerning business license applications;

30. All other review processes listed in the zoning code as Review Process I. (Ord. 3379-14 § 2, 2014; Ord. 2973-07 § 9, 2007; Ord. 2530-01, Ch. 4 § 2(B), 2001)

15.16.060 Action taken.

A. For all Review Process I Applications. If proposed actions that fall into the category of Review Process I are subject to other regulations, including any regulations of other agencies, issuance of a permit by the city does not excuse the applicant of the requirement to obtain all other required permits and approvals prior

to initiating construction of the project. Action taken on the application shall be one of the following:

1. Permit issuance or approval, which may include conditions on the project;

2. Permit denial explaining the reasons the permit was not approved; or

3. A letter explaining what additional information is necessary or other approvals which are required before the permit can be issued.

An administrative appeal to the examiner is provided. Any appeals shall be in accordance with the appeals section of this title (see Chapter 15.24, Article IV).

B. Supplemental Considerations for Review of a Boundary Line Adjustment, Binding Site Plan with Previously Approved Site Plan, or Minor Amendment to a Land Division.

1. If the director, in consultation with the city engineer, determines that the application is consistent with the land division evaluation criteria and development standards in Title 18 and other applicable city ordinances and city standards, the application shall be approved. Written findings and conclusions are not required. The director and other city staff as required are authorized to execute the final land division map.

2. If the director determines that the application is not consistent with these standards, the director may disapprove the application stating reasons for disapproval, or return it to the applicant for modification or correction with specific conditions or revisions that must be met for approval.

3. A binding site plan with a previously approved site plan shall be approved, disapproved, or returned to the applicant within thirty days of the determination of completeness, unless the applicant consents in writing to an extension.

C. Supplemental Considerations for Review of Final Land Divisions under Review Process I (Including Final Short Subdivision, Cluster Short Subdivision, Binding Site Plan, and Residential Condominium Binding Site Plan).

1. If the director and city engineer find that the final land division conforms to all terms of preliminary approval and meets the requirements of Title 18, applicable state law, and applicable city ordinances and standards in effect at the time of preliminary approval, the final land division shall be approved. Written findings and conclusions are not required. The director and other city staff as required may execute the final land division map.

2. If the terms of the preliminary approval have not been met, or the application is not consistent with Title 18, applicable state law, or other applicable city ordinances or city standards, the city may disapprove the application, citing reasons for disapproval, or may return the application to the applicant for modification

or correction with specific conditions or revisions that must be met for approval.

3. Final short subdivisions shall be approved, disapproved, or returned to the applicant not later than thirty days after the determination of completeness. (Ord. 2530-01, Ch. 4 § 2(C), 2001)

Article III. Review Process II: Planning Director Review

15.16.070 Applicability.

Review Process II applies to permit applications that involve a greater exercise of administrative discretion by the director. Except as specified in this section, no public hearing is required for Review Process II applications. Public notice requirements are specified in Chapter 15.24.

A land use permit issued under Review Process II shall terminate if a permittee does not apply for a building permit within eighteen months (or, with an extension, twenty-four months), except where a time limit on the land use permit is otherwise established under federal or state law, city ordinance, or an executed development agreement (see Section 15.20.110). (Ord. 2530-01, Ch. 4 § 3(A), 2001)

15.16.080 Decisions included.

A. Review Process II applications include the following administrative decisions:*

1. Alteration of a designated significant feature within an historic overlay zone;
2. Alteration of category II and III streams as provided by Section 19.33D.500(B)(2);
3. Atrium appurtenance approval as provided by Section 19.39.040(B)(2);
4. Buffer width reduction for streams (Sections 19.33D.490(D) and 19.37.170(C)) or wetlands (Sections 19.33D.450(E) and 19.37.110(C)) or alteration of geologically hazardous areas or standard buffer (Section 19.37.080(C)) if proposal is not categorically exempt under SEPA;
5. Change or expansion of a nonconforming use (up to twenty-five percent) as provided by Sections 19.38.030(C) and (D);
6. Comprehensive design plan permits as provided by Section 19.36.210;
7. Design guideline approval, when proposal includes modification of development standards and design guidelines and for projects not categorically exempt under SEPA;
8. Determination of proportionality for correctional facilities;
9. Determination of prohibited heavy manufacturing uses with potentially noxious impacts in M-1 and M-M zones as provided by Sections 19.27.020(G)(19) and 19.28.020(D)(18);

10. Development of nonconforming lots which do not meet minimum lot area or building area requirements as provided by Section 19.38.080(C);

11. Development of previously altered ESAs when the proposal is not categorically exempt under SEPA as provided by Sections 19.33D.580(B)(1) and 19.37.250(B)(1);

12. Deviation from historic overlay zone standards and guidelines;

13. Driveway access from public street for multiple-family structures as provided by Section 19.15.080(B);

14. Extension of amateur radio tower or antenna beyond sixty-five feet (Section 19.39.040(A)(3));

15. Exterior finish for buildings in M-1 zone located within three hundred feet of residentially zoned properties (Section 19.27.020(A));

16. Final PDO development plan as provided by Section 19.29.110;

17. Floodplain development permit application when a shoreline permit is not required (Section 19.30.060(B));

18. Land divisions, as follows:

- a. Preliminary binding site plan;
- b. Preliminary binding site plan with site plan approval;
- c. Preliminary residential condominium binding site plan;
- d. Preliminary short subdivision alteration or vacation;
- e. Preliminary short subdivision of nine lots or less;
- f. Preliminary short subdivision with nonconforming structures;
- g. Preliminary subdivision of fifty lots or less;**
- h. Preliminary subdivision alteration or vacation;
- i. Subdivision or short subdivision variance as provided in Section 18.32.010;

19. Land uses in WRM zone consistent with adopted management plan when not categorically exempt under SEPA (Section 19.30A.020);

20. Minor expansion of an existing special property use;

21. Outdoor use, activity, and storage: modification of standards;

22. Parking modification of ten percent or less if supported by parking analysis and modification does not involve residential use parking standards as provided by Section 19.34.070(A);

23. Parking reduction with transportation management plan (Section 19.34.070(D));

24. Phase approval and development approval implementing an institutional overlay zone master plan or approval of minor revisions (cannot change use or character or allow increase in intensity of development) as provided by Section 19.33B.060;

25. Public park development not part of or in conformance with an adopted master plan or which exceeds the city's SEPA thresholds for categorical exemptions as provided by Section 19.33A.030;

26. Conceptual site plan review for projects that do not otherwise require a land use permit and are not categorically exempt under SEPA;

27. Project review for public projects that are not categorically exempt under SEPA;

28. Proposals required to be reviewed by the historic commission in the historic overlay zone per neighborhood conservation guidelines and historic zoning overlay standards (not including those listed under administrative review by staff, which is Review Process D);

29. Reasonable use determinations with modification of zoning standards (under Chapter 19.37);

30. Reestablishment or change in use of nonconforming grocery store as provided by Section 19.38.100(B);

31. Shoreline permits (less than one acre of the project footprint area is within shoreline jurisdiction);

32. Stream and wetland filling, modification, and mitigation as provided for in Chapter 19.37;

33. Transfer of development rights under Section 19.33D.400(D) or 19.37.050(B)(3);

34. Wetland alteration for category I, category II and Silver Lake watershed as provided by Sections 19.33D.460(B)(1), (2), and (5) and 19.37.120(B)(1), (2), and (3);

35. Wetland mitigation banking approval as provided by Sections 19.33D.460(C)(10) and 19.37.120(C)(12);

36. Clinic- and medical-related activities as provided by Section 19.16.040(C);

37. All other review processes listed in the zoning code as Review Process II;

38. All Review Process I and project permit applications that are not categorically exempt under SEPA;

39. Alternative best available science decisions as provided by Section 19.37.050(E);

40. Accessory buildings over two hundred square feet which have metal siding or corrugated roofing as provided by Section 19.07.020(K);

41. Accessory buildings which exceed one thousand square feet in area as provided by Section 19.07.020(M);

42. Accessory buildings which exceed fifteen feet in height as provided by Section 19.07.020(J);

43. Rockeries and retaining walls retaining soil (fill) four feet or greater in height in required building setback areas, as provided by Section 19.39.150(C)(5)(d);

44. Use of basement or other building spaces for uses not specifically listed as permitted use in the B-3 as provided by Section 19.22.030;

45. Buffer management as provided by Section 19.37.060(B)(2);

46. Removal of nonhazardous trees as provided by Section 19.37.060(B)(3)(c);

47. Adaptive reuse of nonresidential buildings in residential zones as provided by Section 19.41.150(E);

48. Supportive housing development as provided in Section 19.39.155.

* SEPA threshold determinations frequently include mitigation requirements as provided for in the SEPA ordinance (Chapter 20.04). Any SEPA condition based on SEPA substantive authority as provided for in the SEPA ordinance (Chapter 20.04) shall be identified in the land use permit decision, as provided in this integrated local project review process.

** An open public hearing may be required under the following circumstances, in which case the application shall be processed under Review Process III: (i) a public hearing is required by Title 18; (ii) any affected person files a written request for a hearing with the planning department within twenty-one days of the notice of application (public comment period); or (iii) either prior to or within the public comment period, the director or the city engineer and/or their designees require an open public hearing.

(Ord. 3500-16 § 9, 2016; Ord. 3484-16 § 3, 2016; Ord. 3323-13 § 3, 2013; Ord. 3185-10 § 1, 2010; Ord. 3167-09 § 4, 2009; Ord. 3097-08 § 1, 2008; Ord. 3003-07 § 2, 2007; Ord. 2973-07 § 10, 2007; Ord. 2909-06 § 66, 2006; Ord. 2719-03 § 1, 2003; Ord. 2530-01, Ch. 4 § 3(B), 2001)

15.16.090 Action taken.

A. For All Review Process II Applications. All Review Process II administrative decisions shall be issued in writing and shall state the final SEPA determination on the proposed project. The director or his designee shall review the application for consistency and compliance with the applicable evaluation criteria and development standards. The director may attach to any permit approval such conditions as may be necessary to assure compliance with this title, other applicable city ordinances and regulations, or any regulations administered by local or other agencies. Action taken on the application shall be one of the following:

1. Permit issuance or approval, which may include any conditions or requirements on the project deemed necessary by the director; or

2. Permit denial explaining the reasons the permit was not approved.

Issuance of a permit by the city does not excuse the applicant of a requirement to obtain all required permits and approvals from local or other agencies prior to proceeding with construction.

An administrative appeal to the examiner is provided. Any appeals shall be in accordance with the appeals section of this title (see Chapter 15.24, Article IV).

B. Supplemental Considerations for Land Divisions. For land division decisions under Review Process II:

1. If the director and city engineer find that the proposed land division is consistent with the land division evaluation criteria and development standards in Title 18 and other applicable city ordinances and city standards, the application shall be approved.

2. If the director and city engineer find that the proposed land division is not consistent with these standards, the director and city engineer may disapprove the application stating reasons for disapproval, or return it to the applicant for modification or correction with specific conditions or revisions that must be met for approval.

3. Decisions on all Review Process II land divisions shall include findings of fact and conclusions that include the following, as applicable:

a. Appropriate provisions, consistent with city development standards, are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads; alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and

b. The public use and interest will be served by the platting of such subdivision and dedication.

4. Approval of a proposed land division shall constitute authorization for the applicant to develop the land division as required in the approved application. Development shall be in accordance with the plans and specifications as approved by the city subject to compliance with all conditions and requirements of the preliminary approval. A preliminary land division approval under Review Process II requires a final land division approval under Review Process I or VI, as required by this chapter. (Ord. 3460-15 § 2, 2015; Ord. 2530-01, Ch. 4 § 3(C), 2001)

Article IV. Review Process III: Hearing Examiner Review

15.16.100 Review Process III.

Review Process III is a discretionary review process in which the land use hearing examiner may approve, approve with conditions, modify, or disapprove an application based upon the requirements of the city's comprehensive plan, land use regulations, other applicable city ordinances or regulations, or any other applicable regulations administered by federal, state, regional, or local, or other agencies. Specific criteria may apply to certain of the listed Review Process III applications.

The criteria which the examiner shall use in evaluating such requests are specified in the applicable land use ordinance (including the zoning code, land division ordinance, etc.) for each underlying land use action that the examiner has the authority to review. Review Process III applies to all permit applications that require an open public hearing before the examiner.

Public notice is specified in Chapter 15.24. An administrative SEPA procedural appeal is provided to the examiner for Review Process III decisions, which shall be heard at the open public hearing on the permit. A SEPA procedural appeal is also provided to the examiner for certain other city proposals (see Section 15.24.310). Any other appeal shall be to superior court following the examiner's final decision under Review Process IIIA or the city council's final decision under Review Process IIIB. Any appeals shall be in accordance with the appeals section of this title (see Chapter 15.24, Article IV).

A land use permit issued under Review Process III shall terminate if a permittee does not apply for a building permit within eighteen months (or, with an extension, twenty-four months), except where a time limit on the land use permit is otherwise established under federal or state law, city ordinance, or an executed development agreement (see Section 15.20.110). (Ord. 2530-01, Ch. 4 § 4(A), 2001)

15.16.110 Review Process IIIA.

A. Review Process IIIA applies to the following actions for which the examiner issues a final decision on the application after an open public hearing:

1. Appeals of Review Process I and II planning director decisions, including appeals of the application of development standards by the director;

2. Clinic and medical related activities overlay and office overlay as provided by Section 19.16.020(B) and 19.16.040(B);

3. Change in manufacturing activities which do not comply with M-1 zone uses and standards as provided by Section 19.27.040(C);

4. Commercial daycare in all residential zones and A-1 and B-1 zones;

5. Conditional use permits;

6. Detached accessory building which exceeds fifteen feet in height or one thousand square feet in area as provided by Sections 19.07.020(J) and (M);

7. Expansion of a nonconforming use (greater than twenty-five percent);

8. Jails and correctional facilities siting in the B-3 and C-1 zones as provided by Section 19.39.105;

9. Land divisions, as follows:

a. Preliminary cluster subdivision or cluster short subdivision;

b. Preliminary subdivision of more than fifty lots;

c. Preliminary subdivision of fifty lots or less if an open public hearing is required (see footnote on Review Process II, Section 15.16.080);

d. Subdivision or short subdivision alteration or vacation if an open public hearing is required (see footnote on Review Process II, Section 15.16.080);

10. Land uses in WRM zone consistent with adopted management plan located in areas subject to a city shoreline substantial development permit as provided by Section 19.30A.020;

11. Parking modification requests for Review Process III projects (Section 19.34.070(A)(1)) and quantity and location of parking for Review Process III projects as provided by Section 19.34.060(F);

12. Public utility and infrastructure exception under Sections 19.33D.400(E) and 19.37.050(C);

13. Shoreline permits (one acre or more of the project footprint is within shoreline jurisdiction);

14. Shoreline permits requiring a shoreline variance or shoreline conditional use permit;

15. Special property use permits listed as Review Process III in city ordinance;

16. Time extension for nonconforming adult use business as provided by Section 19.39.025(B)(3);

17. Variances in accordance with Section 19.30.080, 19.34.070(A)(2), 19.41.130, or 20.08.150;

18. Adaptive reuse of nonresidential buildings in residential zones as provided by Section 19.41.150(E);

19. Waivers, exceptions, variances, and appeals from the city's street and sidewalk codes and commute trip reduction ordinance;

20. All other review processes listed in the zoning code as Review Process III;

21. Any other action not explicitly listed herein which the examiner is given jurisdiction over and for which a review process is not identified shall be processed using Review Process III;

22. Supportive housing development as provided in Section 19.39.155. (Ord. 3500-16 § 10, 2016; Ord. 3484-16 § 4, 2016; Ord. 2975-07 § 1, 2007; Ord. 2719-03 § 2, 2003; Ord. 2530-01, Ch. 4 § 4(B), 2001)

15.16.120 Review Process IIIB.

Review Process IIIB applies to hearing examiner and city council quasi-judicial decisions. The examiner's action on Review Process IIIB applications shall constitute a recommendation to city council. Following an open public hearing, the examiner shall make a recommendation to city council on the following:

A. Rezones and planned residential developments that are consistent with the comprehensive plan;

B. Public park development located in areas subject to the shoreline substantial development permit requirements of the city's shoreline master program as provided by Section 19.33A.030(C); and

C. All other review processes listed in the zoning code as Review Process IIIB.

The city council may accept the findings or conclusions of the examiner, remand the recommendation to the examiner, or reverse the decision of the examiner. The city council's action shall be based upon the examiner's record. No new information or evidence may be presented to the city council. (Ord. 2530-01, Ch. 4 § 4(C), 2001)

15.16.130 Hearing examiner—Duties.

The duties of the examiner regarding the applications and decisions listed in this article shall be as set forth in Sections 15.16.140 through 15.16.270. (Ord. 2530-01, Ch. 4 § 4(D), 2001)

15.16.140 Jurisdiction.

The examiner shall render decisions and recommendations on all applications and appeals required by ordinance to be heard by the examiner. (Ord. 2530-01, Ch. 4 § 4(D)(1), 2001)

15.16.150 Project review.

The examiner shall receive and examine available information including environmental checklists and environmental impact statements, conduct public hearings, prepare a record thereof, enter findings of fact and conclusions based upon those facts, and enter decisions as provided herein. (Ord. 2530-01, Ch. 4 § 4(D)(2), 2001)

15.16.160 Time period for decisions and appeals.

The time period for a decision by the city should not exceed one hundred twenty calendar days following notification of application's completeness, as specified in Chapter 15.20, Article III. The time period for consideration and decision on an appeal should not exceed ninety calendar days for an open record appeal hearing. (Ord. 2530-01, Ch. 4 § 4(D)(3), 2001)

15.16.170 Final action.

The decisions of the examiner shall represent the final action on the applications and decisions specified in Review Process IIIA above, including consolidated SEPA appeals on these actions. The recommendations of the examiner shall not represent final action on the applications and decisions specified in Review Process IIIB; the city council decision following any remand shall represent final action. (Ord. 2530-01, Ch. 4 § 4(D)(4), 2001)

15.16.180 Reports by city staff and applicant/appellant.

When an application has been set for public hearing, the planning department or other appropriate city

departments shall coordinate and assemble the comments and recommendations of other city departments and governmental agencies having an interest in the subject application and shall prepare a report summarizing the factors involved and the proposed findings and recommendations. At least five working days prior to the scheduled hearing, the report shall be filed with the examiner and copies thereof shall be mailed to the applicant and made available for use by any interested party for the cost of reproduction; provided, however, any appeal heard by the examiner under this title shall be subject to the procedures in the appeals section of this title (see Chapter 15.24, Article IV). (Ord. 2530-01, Ch. 4 § 4(D)(5), 2001)

15.16.190 Open public hearing.

Before rendering a decision on any application or appeal or making a recommendation, the examiner shall hold one open public hearing thereon. Notice of the time and place of the public hearing and hearing procedures are specified in Chapter 15.24. The examiner may continue or reconvene the hearing in order to implement the purposes and provisions of this title. (Ord. 2530-01, Ch. 4 § 4(D)(6), 2001)

15.16.200 Decision, recommendation, conditions.

A. Applicable to All Actions. The examiner's decision or recommendation may be to grant or deny the applications, or the examiner may recommend or require of the applicant such conditions, modifications and restrictions as the examiner finds necessary to make the project compatible with its environment and carry out the objectives and goals of the city's environmental policy ordinance, comprehensive plan, shoreline management master program, housing assistance plan, other applicable plans and programs adopted by the city council, the zoning code (Title 19), the Land Division Ordinance (Title 18), other applicable codes and ordinances of the city and regulations of other agencies. The scope of the examiner's review for any hearing, recommendation, or decision on a proposed permit or appeal is further specified in Section 15.24.290. Conditions, modifications and restrictions which may be imposed are, but are not limited to:

1. Exact location and nature of development, including additional building and parking area setbacks, screening in the form of landscaped berms, landscaping or fencing;
2. Measures to avoid or otherwise mitigate the adverse environmental impacts of the development;
3. Hours of use or operation or type and intensity of activities;
4. Sequence and scheduling of the development;
5. Maintenance of the development;

6. Duration of use and subsequent removal of structures;

7. Granting of easements and dedications of roads, walkways, utilities or other purposes and dedication of land or other provisions for public facilities, the need for which the examiner finds would be generated in whole or in significant part by the proposed development;

8. Provisions which would bring the proposal into compliance with the comprehensive plan;

9. Posting of assurance devices as required to insure compliance with any conditions, modifications and/or restrictions imposed on the proposal.

B. Additional Considerations for Land Divisions. A decision on a Review Process III land division shall be based upon the following:

1. If the examiner finds that the proposed land division is consistent with the land division evaluation criteria and development standards of Title 18, all other applicable city ordinances and city standards, the application shall be approved.

2. If the examiner finds that the proposed land division is not consistent with Title 18 or other applicable city ordinances or city standards, the examiner may disapprove the application, stating reasons for disapproval, or may continue the hearing and return the application to the applicant for modification or correction with specific conditions or revisions that must be met for approval.

3. Approval of the preliminary subdivision or other land division subject to Review Process III shall constitute authorization for the applicant to develop the subdivision facilities and improvements as required in the approved preliminary land division. Development shall be in accordance with the plans and specifications as approved by the city subject to compliance with all conditions and requirements of the preliminary approval.

C. For the purposes of this section, the examiner shall have all the powers of the director (except for that of the SEPA responsible official), and those powers necessary to fulfill his/her function as land use hearing examiner, including recommendations for docketing revisions to plans and development regulations (see Section 15.12.030). (Ord. 2975-07 § 4, 2007; Ord. 2530-01, Ch. 4 § 4(D)(7), 2001)

15.16.205 Variances to the requirements of the zoning code (EMC Title 19).

A. Criteria. The criteria to be used for evaluating variance requests are specified in Section 19.41.130(C).

B. Denial of a Variance. Denial of a variance or a minor change of an approved site plan shall become effective as of the date set forth in the order. No person shall be allowed to apply for the same variance or minor change on the same site within one year following the

effective date of the order denying the variance or minor change. (Ord. 2975-07 § 2, 2007)

15.16.210 Examiner's decision and recommendation—Findings required.

When the examiner renders a decision or recommendation, the examiner shall make and enter written findings and conclusions from the record on all issues presented to the examiner, which support such recommendation or decision. Unless the applicant agrees to an extension or the examiner is hearing an appeal, the examiner shall render a decision or recommendation, as applicable, within ten working days of the conclusion of a hearing.

For land division applications, findings and conclusions required herein shall address the following, as applicable:

A. Appropriate provisions, consistent with city development standards, are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and

B. The public use and interest will be served by the platting of such subdivision and dedication. (Ord. 3460-15 § 3, 2015; Ord. 2530-01, Ch. 4 § 4(D)(8), 2001)

15.16.220 Notice of examiner's decision.

Not later than three working days following the rendering of a written decision or recommendation, copies shall be mailed to the applicant and to other persons who have requested notice of the decision by signing a register provided at the hearing. Alternatively, the city may transmit the decision electronically to any person who so indicates on the register at the hearing. The city shall retain the right to charge a reasonable fee to recover costs associated with providing such copies. The person mailing such decision shall prepare an affidavit of mailing, in standard form, and such affidavit shall become a part of the record of such proceedings. If the examiner is making a recommendation to the city council, the recommendation and a copy of the examiner's record shall be transmitted to the city council. (Ord. 2530-01, Ch. 4 § 4(D)(9), 2001)

