

[Notice that there are not any changes proposed to Subsection 130, it is only provided as context for the proposed code addition, which is provided as Subsection 140 and underlined.]

18.55.130 - Letter of completeness Type II, Type III or SMP.

- A. Upon submission of a Type II, Type III, or SMP application, the director should date stamp the application form, and verify that the appropriate application fee has been submitted. The director will then review the application and evaluate whether the application is complete. Within twenty-eight days of receipt of the application, the director shall complete this initial review and issue a letter to the applicant indicating whether or not the application is complete. If not complete, the director shall advise the applicant what information must be submitted to make the application complete.
- B. If the director does not issue a letter of completeness or incompleteness within twenty-eight days, the application will be presumed complete on the twenty-eighth day after submittal.
- C. Upon receipt of a letter indicating the application is incomplete, the applicant has one hundred eighty days from the original application submittal date within which to submit the missing information or the application shall be rejected and all materials returned to the applicant. If the applicant submits the requested information within the one hundred eighty day period, the director shall again verify whether the application, as augmented, is complete. Each such review and verification should generally be completed within fourteen days.
- D. Once the director determines the application is complete, or the applicant refuses in writing to submit any additional information, the city shall declare the application complete and generally take final action on the application within one hundred twenty days of the date of the completeness letter. The timeframe for a final decision may vary due to requests by the city to correct plans, perform required studies, provide additional required information, extensions of time agreed to by the applicant and the city, or delays related to simultaneous processing of shoreline or SEPA reviews.
- E. The approval criteria and standards which control the city's review and decision on a complete application are those which were in effect on the date the application was first submitted, or as prescribed by a development agreement.

18.55.140 – Expiration of Complete Land Use Applications

- A. Any land use application type described in CMC§18.55.130(D) that has been inactive and a decision has not been made shall become null and void 120 days after a certified notice is mailed to the applicant and property owner.
- B. A one-time, one year extension may be granted if a written extension request is submitted prior to the expiration date identified in the certified notice and the applicant or property owner(s) has demonstrated due diligence and reasonable reliance towards project completion. In consideration of due diligence the Director may consider the following:
 - 1. Date of initial application;
 - 2. Time period the applicant had to submit required studies;
 - 3. That there have been no major modifications to the application or to the site conditions;
 - 4. That there has not been significant changes in applicable regulations;
 - 5. Potential to provide necessary information within one (1) year; and
 - 6. Applicant's rationale or purpose for delay.