



## DEVELOPMENT REGULATIONS CHECKLIST

A Technical Assistance Tool From Growth Management Services – update July 2014

Name of city or county:																											
Staff contact, phone, and e-mail address:																											
<p><b>Instructions:</b></p> <p>This checklist is intended to help local governments update their development regulations, as required by <a href="#">RCW 36.70A.130(4)</a>. We encourage but do not require jurisdictions to complete the checklist and return it to Growth Management Services (GMS). This checklist is for local governments with a full set of requirements under the Growth Management Act (GMA), not for those planning for resource lands and critical areas only. For general information on update requirements, refer to <i>Keeping your Comprehensive Plan and Development Regulations Current: A Guide to the Periodic Update Process under the Growth Management Act</i> and <a href="#">WAC 365-196-610</a>.</p> <p><b>Bold items are a GMA requirement.</b> Other items may be requirements of other state or federal laws, best practices, or other ideas to consider.</p> <p><b>Highlighted</b> items are links to Internet sites. If you have questions, call GMS at (360) 725-3066.</p>	<p><b>Index of Topics in Checklist</b></p> <table> <tr><td>Critical Areas</td><td>1</td></tr> <tr><td>Stormwater</td><td>4</td></tr> <tr><td>Shoreline Master Program</td><td>4</td></tr> <tr><td>Zoning Code</td><td>4</td></tr> <tr><td>Rural Zoning</td><td>6</td></tr> <tr><td>Resource Lands</td><td>6</td></tr> <tr><td>Subdivision Code</td><td>7</td></tr> <tr><td>Impact Fees</td><td>7</td></tr> <tr><td>Concurrency and TDM</td><td>8</td></tr> <tr><td>Essential Public Facilities</td><td>8</td></tr> <tr><td>Optional Regulations</td><td>9</td></tr> <tr><td>Permitting Procedures</td><td>9</td></tr> <tr><td>Plan and Regulation Amendments</td><td>1</td></tr> </table>	Critical Areas	1	Stormwater	4	Shoreline Master Program	4	Zoning Code	4	Rural Zoning	6	Resource Lands	6	Subdivision Code	7	Impact Fees	7	Concurrency and TDM	8	Essential Public Facilities	8	Optional Regulations	9	Permitting Procedures	9	Plan and Regulation Amendments	1
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<p><b>Critical Areas</b> Regulations protecting critical areas are required by <a href="#">RCW 36.70A.060(2)</a>, <a href="#">RCW 36.70A.172(1)</a> and <a href="#">WAC 365-195-900</a> through <a href="#">925</a>. Guidance can be found in CTED’s <i>Critical Areas Assistance Handbook</i> and <a href="#">WAC 365-190-080</a>.</p>		
<p>a. <b>The CAO uses best available science to clearly designate all critical areas that might be found within the jurisdiction.</b> <a href="#">WAC 365-190-080</a> provides guidance on defining or “designating” each of the five critical areas including wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. <a href="#">WAC 365-195-315</a>, <a href="#">RCW 36.70A.172</a>, <a href="#">RCW 36.70A.170(1)(d)</a> <a href="#">RCW 36.70A.030(5)</a> and <a href="#">WAC 365-196-830(2)</a></p>	<input type="checkbox"/> All critical areas designated using Best Available Science (BAS)	
<p>b. <b>The definition of wetlands is consistent with <a href="#">RCW 36.70A.030(21)</a>. Wetlands are delineated using the 1987 Wetland Delineation Manual and Regional Supplements in accordance with <a href="#">WAC 173-22-035</a>. See <a href="#">Wetland Delineation</a> page and <a href="#">WAC 365-190-090</a> for additional assistance .</b></p>	<input type="checkbox"/> Wetland definition  <input type="checkbox"/> Wetland Delineation Manual	



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<p>integrated with regulations for frequently flooded areas. See <a href="#">RCW 86.16</a>, <a href="#">Ecology’s floodplain management assistance</a> and <a href="#">WAC 365-190-110</a> for more information.</p>		
<p>f. <b>Geologically hazardous areas are designated, and their use is regulated or limited</b> consistent with public health and safety concerns. <a href="#">RCW 36.70A.030(9)</a> and <a href="#">WAC 365-190-120</a>.</p> <p>Geohazard areas defined in <a href="#">RCW 36.70A.030(9)</a> and include areas prone to erosion hazards, landslide hazards, seismic hazards, volcanic hazards, channel migration zones, and areas subject to differential settlement from coal mines or other subterranean voids.</p> <p>Critical facilities, such as hospitals and emergency response centers, hazardous materials storage, etc. should be restricted in hazard zones</p>	<input type="checkbox"/> Uses in geohazard areas regulated or limited	
<p>g. <b>Geologically hazardous areas:</b> Designate according to criteria in <a href="#">WAC 365-190-120</a>.</p> <ul style="list-style-type: none"> <li>Limit uses, especially facilities such as emergency response, hospitals, hazardous materials storage, etc.</li> </ul>	<input type="checkbox"/> Geohazard areas designated and risks managed	
<p>h. <b>The CAO allows for “reasonable use” if the CAO would otherwise deny all reasonable use of property.</b> Reasonable use should limit intrusions into critical areas to the greatest extent possible. <a href="#">RCW 36.70A.370</a>. Common exemptions include emergencies, remodels that do not further extend into critical areas, surveying, walking, and development that have already been completed and critical areas review under a previous permit. See <a href="#">Critical Areas Assistance Handbook, p. 37-38</a>.</p>	<input type="checkbox"/> Reasonable use provisions	
<p>i. <b>Non-regulatory measures</b> to protect or enhance functions and values of critical areas may be used. These may include public education, stewardship programs, pursuing grant opportunities, water conservation, farm planning, joint planning with other jurisdictions and non-profit organizations, stream and wetland restoration activities, etc. See <a href="#">Critical Areas Assistance Handbook</a> for more information.</p>		
<p>j. <b>If applicable, regulations for forest practices have been adopted.</b> <a href="#">RCW 36.70A.570</a> <a href="#">RCW 76.09.240</a>, amended in 2011, requires many counties over 100,000 in population, and the cities and towns within those counties to adopt regulations for forest practices. These are often included in clearing and grading ordinances.</p>	<input type="checkbox"/> Forest practices regulations	

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<b>Stormwater Drainage and Water Quality</b>		
<p><b>Regulations protect water quality</b> and implement actions to mitigate or cleanse drainage, flooding, and storm water run-off that pollute waters of the state, including Puget Sound or waters entering Puget Sound. <a href="#">RCW 36.70A.070(1)</a></p> <p>Regulations may include :</p> <p>Adoption of a stormwater manual consistent with Ecology’s latest manual for <a href="#">Eastern</a> or <a href="#">Western</a> Washington.</p> <p>Adoption of a clearing and grading ordinance – See Commerce’s 2005 <i>Technical Guidance Document for Clearing and Grading in Western Washington</i>.</p> <p>Adoption of a low impact development ordinance. See <i>Puget Sound Action Team’s</i> low impact development guidance.</p> <p>Provisions for corrective action for failing septic systems that pollute waters of the state. <a href="#">RCW 36.70A.070(1)</a></p>	<p><input checked="" type="checkbox"/> Water quality provisions</p> <p><i>Puget Sound is not relevant to Cle Elum.</i></p> <p><i>See CEMC 16.12.A.060(B) and 16.14.030(A)(9) – the city also plans to update our Construction Standards manual, which will include the Eastern Washington stormwater manual reference.</i></p> <p><i>See CEMC 15.30 for Clearing, Grading, and Land Filling.</i></p> <p><i>The current City Construction Standards include curb, gutter, sidewalk, catch basins, etc., but the future update to these Standards will include LID information along with an accompanying ordinance.</i></p> <p><i>The City is currently working with our City Engineers on a General Sewer Plan, which will address corrective action for failing septic systems that pollute waters of the state.</i></p>	

<b>Shoreline Master Program</b>		
<p>a. <b>Zoning designations are consistent with Shoreline Master Program (SMP) environmental designations.</b> <a href="#">RCW 36.70A.480 (2010)</a></p> <p>b. <b>If updated to meet <a href="#">RCW 36.70A.480 (2010)</a>, SMP regulations provide protection to critical areas in shorelines that is at least equal to the protection provided to critical areas by the critical areas ordinance.</b> <a href="#">RCW 36.70A.480(4)</a> and <a href="#">RCW 90.58.090(4)</a></p>	<p><input type="checkbox"/> SMP-consistent zoning</p> <p><input type="checkbox"/> SMP protects critical areas in shorelines</p>	<p><i>This will be updated based upon legal recommendations following the completion of the Yakama Nation Settlement Agreement.</i></p>

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<b>3. Zoning Code Must be consistent with and implement the comprehensive plan.</b>		
<p><b>a. Family daycare providers are allowed in all residential dwellings located in areas zoned for residential or commercial.</b> <a href="#">RCW 36.70A.450</a></p> <p>Family daycare provider means a child daycare provider who regularly provides child daycare for not more than 12 children in the provider’s home in the family living quarters. Review <a href="#">WAC 365-196-865</a> for more information on family daycare providers.</p>	<input checked="" type="checkbox"/> Family daycares allowed in residential areas	<p><i>Added to or updated definition within CEMC 17.16 – Single-Family Residential, 17.20 – Multi-Family Residential, 17.24 – Downtown Commercial, 17.28 – Entry Commercial, 17.32 – General Commercial, 17.34 – Business Park,</i></p>
<p><b>b. Manufactured housing is regulated the same as site built housing.</b> <a href="#">RCW 35.21.684</a>, <a href="#">RCW 35.63.160</a>, <a href="#">RCW 35A.21.312</a> and <a href="#">RCW 36.01.225</a>. A local government may require that manufactured homes (1) are new, (2) are set on a permanent foundation, and (3) comply with local design standards applicable to other homes in the neighborhood; but may not discriminate against consumer choice in housing. <i>National Manufactured Housing Construction and Safety Standards Act of 1974</i>, new in 2004.</p>	<input checked="" type="checkbox"/> No discrimination against manufactured homes	<p><i>See CEMC 17.16.110 – Single-Family Residential. Note: Single-Family uses are permitted in Multi-Family Residential. CEMC 17.08.370 – Definitions.</i></p>
<p><b>c. If the city has a population of over 20,000, or the county has a population of over 125,000, accessory dwelling units (ADUs) are allowed in single-family residential areas.</b> <a href="#">RCW 43.63A.215(3)</a></p> <p>See <a href="#">Accessory Dwelling Unit Ordinance Study and Recommendations</a> (1994) available from Commerce. For counties, ADU provisions in rural areas should review decisions from the appropriate hearings board.</p>	<input checked="" type="checkbox"/> ADUs allowed	<p><i>The City of Cle Elum’s population is under 2,000. However, ADUs are allowed in all residential zones (17.16 and 17.20).</i></p>
<p><b>d. Residential structures occupied by</b></p> <ul style="list-style-type: none"> <li><i>a. persons with handicaps, and</i></li> <li><i>b. group care for children that meets the definition of “familial status”</i></li> </ul> <p><b>are regulated the same as a similar residential structure occupied by a family or other unrelated individuals.</b> No city or county planning under the GMA may enact or maintain ordinances, development regulations, or administrative practices which treat a residential structure occupied by persons with handicaps differently than a similar residential structure occupied by a family or other unrelated individuals. <a href="#">RCW 36.70A.410</a>, <a href="#">RCW 70.128.140</a>, <a href="#">RCW 49.60.222-225</a> and <a href="#">WAC 365-196-860</a>.</p>	<input checked="" type="checkbox"/> No discrimination against group homes	<p><i>The City does not regulate based upon demographic group and does not regulate differently based upon ability or familial status.</i></p>

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<p>f. Affordable housing programs enacted or expanded under <a href="#">RCW 36.70A.540</a>(2006) comply with the requirements of this section. Examples of such programs may include density bonuses within urban growth areas, height and bulk bonuses, fee waivers or exemptions, parking reductions, expedited permitting conditioned on provision of low-income housing units, or mixed-use projects. <a href="#">WAC 365-196-300</a></p> <p>Affordable housing is defined as when the total housing costs, including basic utilities, does not exceed 30% of the income limit (for renters, 50% or less of the county median family income, adjusted for family-size, and for owners, 80% or less of the county median family income, adjusted for family size). <a href="#">RCW 36.70A.540</a>, and <a href="#">WAC 365-196-410(2)(e)(i)</a> defines affordable housing.</p>		<p><i>The City of Cle Elum's Housing Element sets forth several goals and policies to encourage affordable housing program development. At this time, the City has removed existing restrictions on ADUs (CEMC 17.16), has added allowances for additional duplexes per block, and for the development of three and four unit multiple dwelling units within Single-Family Residential.</i></p> <p><i>The City plans to dedicate time in 2019 and 2020 developing a more comprehensive affordable housing code and development and incentive program.</i></p>
<p>g. <b>Regulations discourage incompatible uses around general aviation airports.</b> <a href="#">RCW 36.70.547</a> and <a href="#">WAC 365-196-455</a>. Incompatible uses include high population intensity uses such as schools, community centers, tall structures, and hazardous wildlife attractants such as solid waste disposal sites, wastewater or stormwater treatment facilities, or stockyards. For more guidance, see WSDOT's <a href="#">Aviation Land Use Compatibility Program</a>.</p>	<input checked="" type="checkbox"/> Incompatible uses discouraged around airports.	<p><i>This code update will be facilitated by the Building and Public Works Departments and coordinated through the Airport Committee of the City Council</i></p>
<p>h. If a U.S. Department of Defense (DoD) military base employing 100 or more personnel is within or adjacent to the jurisdiction, <b>zoning should discourage the siting of incompatible uses adjacent to military base.</b> <a href="#">RCW 36.70A.530(3)</a> and <a href="#">WAC 365-196-475</a></p> <p>See <a href="#">Map of U.S. bases</a> to help make determination of applicability. <b>If applicable, inform the commander of the base regarding amendments to the comprehensive plan and development regulations on lands adjacent to the base.</b></p>	<input checked="" type="checkbox"/> No incompatible uses near US DoD bases  <input type="checkbox"/> Base commander notified	<p><i>There are no DoD military bases within the Cle Elum vicinity.</i></p>
<p><b>Rural Zoning (Counties Only)</b> <a href="#">RCW 36.70A.070</a> (5)</p>		
<p>a. <b>Regulations include a variety of rural densities.</b> <a href="#">RCW 36.70A.070(5)(b)</a>.</p>	<input type="checkbox"/> Variety of rural densities	
<p>b. Rural regulations allow innovative techniques such as clustering, density transfer, design guidelines, and conservation easements to support rural character. <a href="#">RCW 36.70A.070(5)(b)</a> and <a href="#">WAC 365-196-425(5)</a>.</p>	<p><i>Not applicable to the City of Cle Elum.</i></p>	

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<b>Resource Lands</b> defined in <a href="#">RCW 36.70A.030(2),(8), (10)</a>		
<p>a. <b>Zoning is consistent with natural resource lands designations in the comprehensive plan and conserves natural resource lands.</b> <a href="#">RCW 36.70A.060(3)</a> and <a href="#">WAC 365-196-815</a> and <a href="#">WAC 365-190(020)(6)</a>. Consider innovative zoning techniques to conserve agricultural lands of long-term significance. <a href="#">RCW 36.70A.177(2)</a>. See <a href="#">WAC 365-196-815(3)</a> for examples of innovative zoning techniques.</p>	<input type="checkbox"/> Zoning designates and conserves natural resource lands	
<p>b. <b>Regulations assure that use of lands adjacent to natural resource lands does not interfere with natural resource production.</b> <a href="#">RCW 36.70A.060(1)(a)</a>. and <a href="#">WAC 365-190 R</a> <b>Regulations require notice on all development permits and plats within 500 feet</b> of designated natural resource lands that the property is within or near a designated natural resource land on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration or that an application might be made for mining-related activities. <a href="#">RCW 36.70A.060(1)(b)</a>, amended from 300 to 500 feet in 1998.</p>	<input type="checkbox"/> Adjacent uses don't interfere with natural resource production  <input type="checkbox"/> Notification on plat of Ag uses	
<p>c. <b>For designated agricultural land, regulations encourage nonagricultural uses to be limited to lands with poor soils or otherwise not suitable for agricultural purposes.</b> Accessory uses should be located, designed and operated to support the continuation of agricultural uses. <a href="#">RCW 36.70A.177(3)(b)</a></p>	<input type="checkbox"/> Nonagricultural uses limited on agricultural land  <input type="checkbox"/> Accessory uses regulated on agricultural land	
<p>d. <b>Designated mineral lands and associated regulations reviewed as required by <a href="#">RCW 36.70A.131</a> and <a href="#">WAC 365-190-040(5)</a>.</b> For more information, contact DNR's Geology Division at (360) 902-1439 or review publications at <a href="#">DNR Geology Publications</a>.</p>	<input type="checkbox"/> Mineral land regulations	

<b>Subdivision Code</b>		
<p>a. <b>Subdivision regulations are consistent with and implement comprehensive plan policies.</b> <a href="#">RCW 36.70A.030(7)</a> and <a href="#">36.70A.040(4)(d)</a>. Reference <a href="#">CEMC Title 16</a></p>	<input type="checkbox"/> Consistent subdivision regulations	
<p>b. <b>Written findings to approve subdivisions establish adequacy of public facilities.</b> <a href="#">RCW 58.17.110(2)</a></p> <p>i. Streets or roads, sidewalks, alleys, other public ways, transit stops, and other features that assure safe walking conditions for students Reference <a href="#">CEMC 16.12A.050</a> item F. And</p>	<input type="checkbox"/> Written findings of adequacy required for i-iv	

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<p>16.12A.060(C). Reference Complete Streets Ordinance CEMC 10.40. Construction Standards includes provision for Traffic Studies</p> <p>ii. Potable water supplies, sanitary wastes, and drainage ways Water - reference Water System Plan. Sewer - will be included in future General Sewer Plan. Stormwater – reference CEMC 16.12A.060(B) and Construction Standards</p> <p>iii. Open spaces, parks and recreation, and playgrounds Reference CEMC 16.12A.050 item F.</p> <p>iv. Schools and school grounds Reference CEMC 16.12A.050 item F.</p> <p>Other items related to the public health, safety and general welfare <a href="#">WAC 365-196-820(1)</a>.</p>		
<p>c. Commerce recommends that clear standards exist for streets, stormwater, landscaping etc. Development permits require properties with failing septic systems to connect to sewer when available. Reference Construction Standards</p>		

<b>Impact Fees</b>		
<p>a. If adopted, <b>impact fees are applied consistent with RCW 82.02.050 through 100 WAC 365-196-850</b> provides guidance on how impact fees should be implemented and spent. Did the City's recent fee schedule consideration include impact fees?</p>	<p><input type="checkbox"/> Impact fees consistent with statute</p>	<p><i>Cle Elum has adopted this RCW by reference: <a href="https://cleelum.municipal.codes/CEMC/SR">https://cleelum.municipal.codes/CEMC/SR</a></i></p>

<b>Concurrency And Transportation Demand Management</b>		
<p>a. <b>The transportation concurrency requirement includes specific language that prohibits development when level of service standards for transportation facilities cannot be met. RCW 36.70A.070(6)(b) and WAC 365-196-840.</b> [Concurrency is required for transportation, but may also be applied to park facilities, etc.] Traffic Study conclusions address mitigation and/or prohibiting development, as required by Construction Standards. Consider Transportation Concurrency Review ordinance – Examples <a href="http://www.cityofzillah.us/Zillah%20Document%20Files/PlanningBuilding%20Zoning%20Code/Zoning%20Code/17.10%20Transportation%20Concurrency%20Review.pdf">http://www.cityofzillah.us/Zillah%20Document%20Files/PlanningBuilding%20Zoning%20Code/Zoning%20Code/17.10%20Transportation%20Concurrency%20Review.pdf</a></p>	<p><input type="checkbox"/> Concurrency ordinance</p>	

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<p><a href="https://www.codepublishing.com/WA/Tumwater/html/Tumwater15/Tumwater1548.html#15.48">https://www.codepublishing.com/WA/Tumwater/html/Tumwater15/Tumwater1548.html#15.48</a></p>		
<p><b>b. Measures exist to bring into compliance locally owned transportation facilities or services that are below the levels of service established in the comprehensive plan.</b> <a href="#">RCW 36.70A.070(6)(a)(iii)(B)and (D)</a>. Levels of service can be established for automobiles, pedestrians and bicycles. See <a href="#">WAC 365-196-840(3)</a> on establishing an appropriate level of service. GMA Comp Plan includes LOS standards. City’s Six Year TIP is measure to address existing LOS deficiencies. Additionally, developer mitigation is another measure for compliance.</p>	<input type="checkbox"/> Measures to maintain LOS	
<p><b>c. Highways of statewide significance (HSS) are exempt from the concurrency ordinance.</b> <a href="#">RCW 36.70A.070(6)(a)(iii)(C)</a>. <i>Not currently exempt by any adopted ordinance</i></p>	<input type="checkbox"/> HSS exempt from the concurrency ordinance	
<p><b>d. Traffic demand management (TDM) requirements are consistent with the comprehensive plan.</b> <a href="#">RCW 36.70A.070(6)(a)(vi)</a>.</p> <p>Examples may include requiring new development to be oriented towards transit streets, pedestrian-oriented site and building design, and requiring bicycle and pedestrian connections to street and trail networks. <a href="#">WAC 365-196-840(4)</a> recommends adopting methodologies that analyze the transportation system from a comprehensive, multimodal perspective. CEMC 17.20 and 17.56 generally state accesses should front lower classified streets. Consider updating Traffic Study requirements to utilize Kittitas County’s traffic model if over certain number of peak trips.</p>	<input type="checkbox"/> TDM consistent with comprehensive plan	
<p><b>e.</b> If required by <a href="#">RCW 70.94.527</a>, a commute trip reduction (CTR) ordinance to achieve reductions in the proportion of single-occupant vehicle commute trips has been adopted. The ordinance should be consistent with comprehensive plan policies for CTR and Department of Transportation rules. <a href="#">RCW 70.94.521-551</a>, amended in 2006. Required when person hours delay exceeds 100 hours (daily person hours of delay per mile in the peak period of 6:00 a.m. to 9:00 a.m.), population exceeds 70,000</p>		

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<p><b>Siting Essential Public Facilities (EPFs)</b> Regulations for siting essential public facilities should be consistent with <a href="#">RCW 36.70A.200</a> and consider <a href="#">WAC 365-196-550</a>. Essential public facilities include those facilities that are typically difficult to site, such as airports, state education facilities, state or regional transportation facilities, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities. Regulations may be specific to a local jurisdiction, but may be part of county-wide planning policies (CWPPs).</p>		
<p>a. <b>Regulations or CWPPs include a process for siting EPFs and ensure EPFs facilities are not precluded</b> <a href="#">RCW 36.70A.200(2)and(3)</a>. <a href="#">WAC 365-196-550(6)</a> lists process for siting EPFs. <a href="#">RCW 36.70A.200(5)</a>. <a href="#">WAC 365-196-550(3)</a> details preclusions. Essential public facilities should be located outside of known hazardous areas. Recommend contacting the County for CWPP.</p>	<input type="checkbox"/> EPF siting process  <input type="checkbox"/> No preclusion of EPFs.	

<b>Regulations to Implement Optional Plan Elements</b>		
<p>a. New fully contained communities are consistent with comprehensive plan policies and <a href="#">RCW 36.70A.350</a>. <a href="#">WAC 365-196-345</a></p>	<p><i>Cle Elum does not have any existing or planned fully contained communities.</i></p>	
<p>b. If applicable, master planned resorts are consistent with comprehensive plan policies and <a href="#">RCW 36.70A.360</a> and <a href="#">RCW 36.70A.362</a>. <a href="#">WAC 365-196-460</a></p>	<p><i>Cle Elum does not have any master planned resorts.</i></p>	
<p>c. If applicable, major industrial developments and master planned locations outside of UGAs are consistent with comprehensive plan policies and <a href="#">RCW 36.70A.365</a>, <a href="#">RCW 36.70A.367</a> and <a href="#">WAC 365-196-465</a></p>	<p><i>The City and County have not yet collaborated in this manner.</i></p>	
<p>d. Regulations include procedures to identify, preserve, and/or monitor historical or archaeological resources. <a href="#">RCW 36.70A.020(13)</a>. <a href="#">WAC 365-196-450</a></p>	<p><i>Please see CEMC 15.22 – Historic Preservation for historic preservation and monitoring standards. CEMC 18.02 – Shoreline Master Program contains policies related to cultural and archaeological resources.</i></p>	
<p>e. Other development regulations needed to implement comprehensive plan policies, such as regulations related to energy, sustainability, design, are adopted. <a href="#">WAC 365-196-445</a></p>	<p><i>Design standards are found within individual zoning or permit section of the CEMC. Energy and sustainability ordinances will be developed over time.</i></p>	
<p>f. Design guidelines for new development are clear and easy to understand. Administration procedures are clear and defensible.</p>	<p><i>Design standards are found within CEMC 15.04.040, 17.20.090, 17.24.010, 17.24.090, 17.28.010, 17.28.090, 17.32.090, 17.34.110, 17.36.050, 17.56.050, 17.76.040, and are covered by CEMC 17.76 – Site &amp; Design Review.</i></p>	

Regulations to implement comprehensive plan	Location in code	Update action needed
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<b>Project Review Procedures</b>		
<p>a. <b>Project review processes integrate permit and environmental review</b> <a href="#">RCW 36.70A.470</a>, <a href="#">RCW 36.70B</a> and <a href="#">RCW 43.21C</a>. Resources include <a href="#">WAC 365-196-845</a>, <a href="#">WAC 197-11</a> (SEPA Rules), <a href="#">WAC 365-197</a> (<i>Project Consistency Rule</i>, Commerce, 2001), and Ecology <i>SEPA Handbook</i>.</p>	<p>Integrated permit and environmental review procedures for:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Notice of application</li> <li><input checked="" type="checkbox"/> Notice of complete application</li> <li><input checked="" type="checkbox"/> One open-record public hearing</li> <li><input checked="" type="checkbox"/> combining public hearings and decisions for multiple permits</li> <li><input checked="" type="checkbox"/> Notice of decision</li> <li><input checked="" type="checkbox"/> One closed-record appeal</li> </ul>	<p><i>See Cle Elum's Project Permit Procedures: CEMC 17.100</i></p>
<p>b. Other items to consider when putting together project permit review procedures are:</p> <ul style="list-style-type: none"> <li>• Developing a unified development code that would integrate all permit processes into one chapter as opposed to throughout the zoning chapters.</li> <li>• Using a hearing examiner to hold public hearings for quasi-judicial actions.</li> <li>• Clarifying the review for permit types (limited administrative, administrative, quasi-judicial, legislative).</li> <li>• Clarifying appeal procedures for the different permit types.</li> <li>• Adopting SEPA substantive policies.</li> </ul>	<p><i>Cle Elum consolidates permit review where possible. Permit types are listed in the Zoning Code sections for each permit and appeals processes are generally in each permit section of the Zoning chapter (Title 17). The City has also adopted CEMC 15.28 – Environmental Policy, which includes the SEPA process and substantive policies.</i></p>	
<b>Plan and Regulation Amendments</b>		
<p>If procedures governing comprehensive plan amendments are part of the code, then assure the following is true:</p>		
<p>a. <b>Regulations limit amendments to the comprehensive plan to once a year (with statutory exceptions).</b> <a href="#">RCW 36.70A.130(2)</a> and <a href="#">WAC 365-196-640(3)</a></p>	<p><input checked="" type="checkbox"/> Comprehensive plan amendments only once a year</p>	<p><i>See CEMC 17.122.020 – Application Period</i></p>
<p>b. <b>Regulations define emergency for an emergency plan amendment.</b> <a href="#">RCW 36.70A.130(2)(b)</a> and <a href="#">WAC 365-196-640(4)</a>.</p>	<p><input checked="" type="checkbox"/> Definition of emergency</p>	<p><i>See CEMC 17.122.060(3) – Initiation of Text and Map Amendments and</i></p>

Regulations required to implement comprehensive plan	Page #, and how addressed in code	Update action, if needed
		<i>17.122.070 – Emergency Comprehensive Plan Amendments</i>
c. <b>Regulations include a docketing process for requesting and considering plan amendments.</b> <a href="#">RCW 36.70A.130(2)</a> , <a href="#">RCW 36.70A.470</a> , and <a href="#">WAC 365-196-640(6)</a>	<input checked="" type="checkbox"/> Docketing process	<i>See CEMC 17.122.090 - Procedures</i>
d. <b>A process has been established for early and continuous public notification and participation in the planning process.</b> <a href="#">RCW 36.70A.020(11)</a> , <a href="#">RCW 36.70A.035</a> and <a href="#">RCW 36.70A.140</a> . See <a href="#">WAC 365-196-600</a> regarding public participation and <a href="#">WAC 365-196-610(2)</a> listing recommendations for meeting requirements.	<input checked="" type="checkbox"/> Public participation processes	<i>See CEMC 17.122.080</i>
e. <b>A process exists to assure that proposed regulatory or administrative actions do not result in an unconstitutional taking of private property.</b> <a href="#">RCW 36.70A.370</a> See <a href="#">Attorney General’s Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property</a> for guidance.	<input type="checkbox"/> Process to avoid takings	
f. Provisions ensure adequate enforcement of regulations, such as zoning and critical area ordinances (civil or criminal penalties). See implementation strategy in <a href="#">WAC 365-196-650(1)</a> .		