



Town of Twisp

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Dear Applicant:

The Town of Twisp is required to process certain land use applications under Section 406 of ESHB 1724 passed by the Washington state legislature.

Attached is information designed to help you understand the process and the time involved in processing your application. Your attention is called to the table included with this packet for a clear understanding of the type of permit you are requesting and the decision making and appeal authorities.

If your application requires two or more procedures, they can be processed collectively under the highest numbered procedure. This can save you time. Also, if other governmental agencies with jurisdiction over your application require a public hearing, this can be accomplished by a joint hearing with the Town of Twisp, again saving you time.

Certain legislative land use procedures are exempt from the requirements of ESHB 1724. They are:

1. Adoption or amendment of the comprehensive plan.
2. Adoption of development regulations and amendments thereto.
3. Area-wide rezones to implement new Town policies.
4. Adoption of the Shoreline Master Program and amendments thereto.
5. Annexations.

Decisions regarding the above can be appealed to superior court.

Also exempt are the following procedures:

1. Street vacations.
2. Street use permits.

Building permits, other construction permits or similar administrative approvals which are categorically exempt from environmental review under the State Environmental Policy Act (SEPA) or permits/approvals for which environmental review has been completed in connection with other project permits are excluded from certain procedures. The permit administrator will define these for you if they apply to your application.

TYPE II, TYPE III and TYPE IV PROCEDURES (An abbreviated version of the application process)

1. Applicant requests a pre-application conference, if required. Long plats and planned developments require a one hour pre-application meeting at scheduled fee cost. Short plat are pre-application meetings are optional but advised.

2. Within 15 days, the permit administrator schedules a pre-application conference.
3. At the conference or within 5 working days following the conference, the applicant may request the following:
 - a. A form which lists the requirements for a completed application.
 - b. A general summary of the procedures to be used to process the application.
 - c. References to the relevant code provisions or development standards which may apply to the approval of the application.
4. The application, at a minimum, shall include the following:
 - a. A completed project permit application form(s).
 - b. A verified statement of property ownership.
 - c. A property and legal description.
 - d. Other information as required by applicable development regulations, i.e., SEPA checklist, names and addresses of all land owners within 300 feet of the property, etc.
5. With 28 days from receiving a project permit application, the Town must
 - a. Notify the applicant that the application is complete, or
 - b. Notify the applicant that the application is incomplete and list the items needed to complete the application.
 - i. The applicant has 90 days to submit the items needed to complete the application or the application shall lapse.
 1. Within 14 days after receiving the items needed to complete the application the Town shall:
 - a. Issue a Determination of completeness, or
 - b. Let the applicant know that the application remains incomplete and provide a list of items needed to complete the application.
6. Within 10 days of accepting a completed application, the administrator shall:
 - a. Transmit a copy of the application to each affected agency and Town department for comment. The comment period is 15 days and can be extended for 3 days if there are unusual circumstances.
7. A public hearing is scheduled by the hearing body.
 - a. Notice of hearing and posting of property:
 - i. The applicant posts the property in a manner specified by the Town, and
 - ii. Submits an affidavit of posting to the administrator.
 - iii. Town publishes a notice of hearing in the official newspaper.
 - iv. A notice of hearing is mailed to all owners of property within 300 feet of subject property and to any persons or organizations with a known interest in the proposal or who have requested such notice.
8. Staff report is prepared and is available for public inspection at least 7 days prior to the hearing.

9. Hearing is conducted by hearing body.

10. Notice of Decision

- a. Type III permits shall be issued within 10 days after the hearing and
- b. Within 14 days after the hearing for Type IV permits.

11. In all cases, the Notice of Decision, which shall include a statement of any threshold determination made under SEPA, shall be issued within 120 days after the Town notifies the applicant that the application is complete. The Notice of Decision shall also include the procedure for an administrative appeal.

- a. Time periods for completion of administrative appeals, which can be extended upon written agreement of both parties, are:
 - i. 90 days for an open record appeal hearing, and
 - ii. 60 days for a closed appeal.

APPEAL PROCEDURES

An appeal must be in writing and filed within 14 calendar days following issuance of the hearing body's written decisions. Appeals are to be delivered to the Town Clerk's Office by mail, personal delivery or by FAX before 5:00 p.m. on the last business day of the appeal period.

Table 1 at the beginning of this packet will identify the appeal body for Type 1-IV procedures. All appeals of project permit applications decisions, other than an appeal of a Determination of Significance, shall be considered together in a consolidated appeal. Appeals of environmental determinations under SEPA shall proceed as provided in Twisp Municipal Code 16.05.

Only parties of record can initiate an administrative appeal. Parties of record are the applicant, anyone who testifies at the open record public hearing, anyone who submitted written comments at the open record public hearing (**other than persons who signed petitions or mechanically produced from letters**), or anyone who registers in writing at the open record public hearing or with the administrator their desire to be notified of any action on the application.

The timely filing of an appeal prevents implementation of the decision of the hearing body until such time as the appeal is ruled on the Council or is withdrawn.

Appeals must be in writing, be accompanied by an appeal fee and contain the following information:

1. Appellant's name, address and phone number.
2. Appellant's statement describing his or her standing to appeal.
3. Identification of the application which is the subject of the appeal.
4. Appellant's statement of grounds for appeal and the facts upon which the appeal is abased.
5. The relief sought, including the specific nature and extent.
6. A statement that the appellant has read the appeal and believes the contents to be true, followed by the appellant's signature.

No new evidence may be presented at a closed record appeal hearing.

The Town's final decision on a land use permit application may be appealed by a party of record with standing to the appropriate appeal body listed in Table 1.0. Timeframes for appeals may vary.

A copy of the Twisp Municipal Code including: Title 14 – Development Permits, Title 16 - Environment, Title 17- Subdivisions, and Title18- Land Use Regulations in their entirety are available in the Town Clerk's Office or online at <http://www.codepublishing.com/wa/twisp/>.