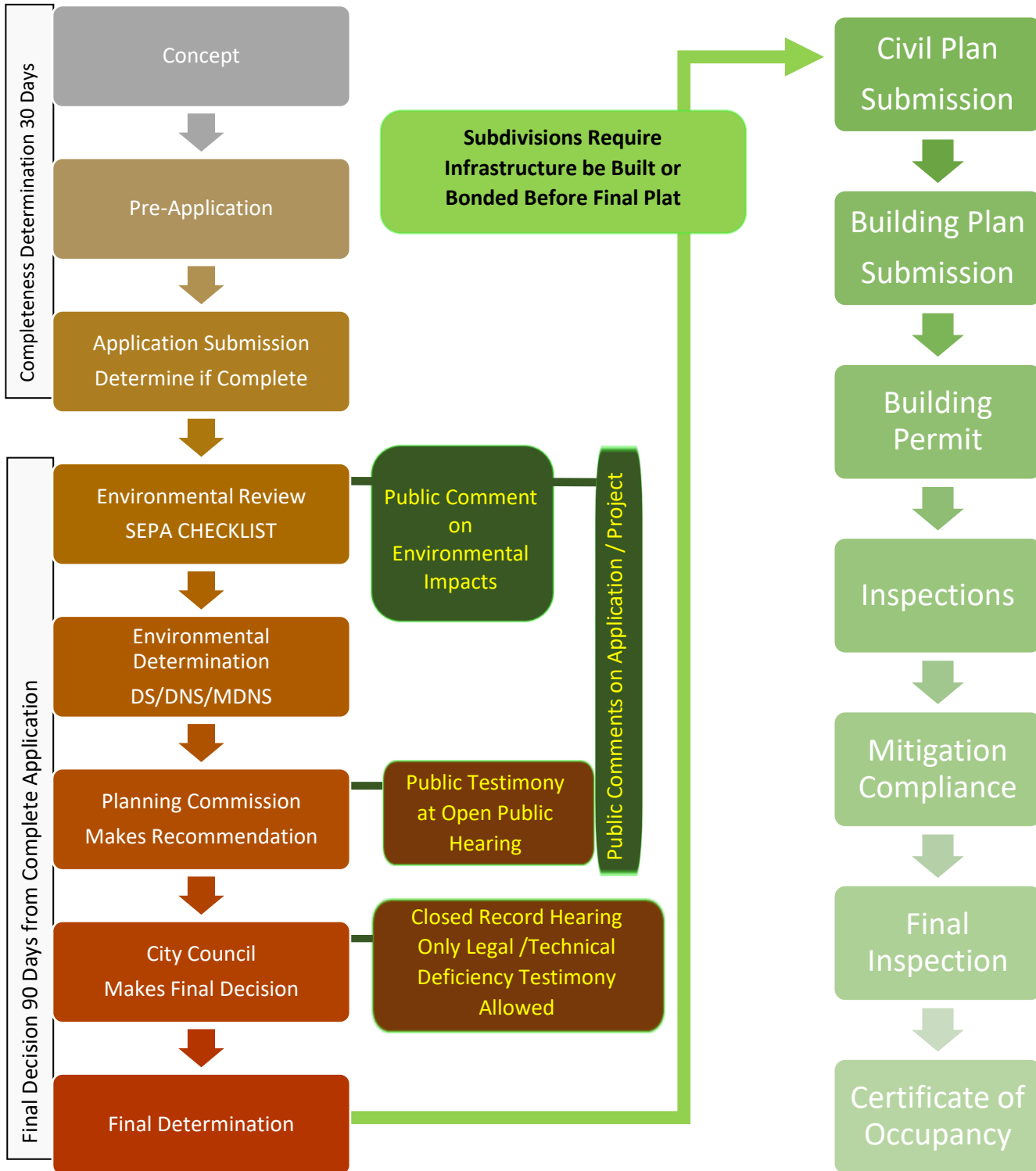


DEVELOPMENT OVERVIEW

While each development project is unique, the process for approval typically follows the same format. It is important to know exactly what goals you have for your development and relay that information to the City of Prosser Development Review Team. Below is a summary of the development process.



ENVIRONMENTAL REVIEW - A CLOSER LOOK

After an application is determined to be complete, it is routed for comments depending on the application type. The City of Prosser will work with developers to determine any necessary requirements for their specific project. One requirement may be an **Environmental Review**. Some projects may be exempt from this review under Washington State Administrative Code (WAC) 197. Here are a few examples of projects that require an environmental review:

- Commercial structures that are 4,000 square feet or larger
- Parking lots greater than 20 spaces are subject to review regardless of building size
- Residential homes located in sensitive environmental areas

An Environmental Review IS Required, What Happens Next?

The applicant will need to submit a **State Environmental Policy Act (SEPA) Checklist**. This checklist is designed to help the applicant answer questions about their project and the impacts it is likely to have on the surrounding properties, as well as proposals on how to mitigate those impacts if necessary.

The City will route the completed SEPA Checklist to various state and local agencies, and in most cases, property owners within 300' of the parcel boundary of a proposed project. All persons/agencies receiving the environmental checklist are given a timeframe (typically 15 days) for **Public Comment** on the proposed project and its environmental impacts.

Can I Participate in the Public Comment Process? Anyone may participate in the public comment process regardless of where they live or how they might be impacted. Comments regarding environmental review must be submitted in writing. Please Note: *General Comments/Testimony (not including environmental) on a development may be submitted in writing at any time up until the close of the Planning Commission's Public Hearing for the project.*

The City SEPA Official (Community Development Director) will review and provide submitted comments to the applicant, giving applicant an opportunity to address the comments and propose mitigation measures. Let's consider a scenario:

Example: *Jane is proposing to open a 5,000 square restaurant in a commercial zone. Her application and SEPA checklist are routed to surrounding neighbors. One neighbor is concerned about the additional parking lot lights shining into their back yard. The applicant reviews the comment and proposes to mitigate the identified impact by pointing the lights away from the house.*

Land Use is a complex and ever changing mixture of Local, State, and Federal regulations, in addition to previous court cases that issued applicable decisions, this is known as "case law".

Time for a Determination

The environmental review has ended, now an **Environmental Determination** is issued. There are three types of determinations:

- **Determination of Non-Significance (DNS)**-Proposal has no impacts that require mitigation.
- **Mitigated Determination of Non-Significance**-Requires developer mitigate certain impacts. Mitigation measures must be proportionate to the impact. Comments that identify an impact or request mitigation in violation of regulations or previous decisions made by Courts are not considered when issuing a determination. As this is perhaps the most common type of determination, let's see how that could play out in the scenario above:
Example: *The Community Development Director reviewed Jane's project and proposed mitigation regarding the parking lot lights. Community Development Director believes that additional mitigation is required for Jane's project, so the Jane will be required to put in some site obscuring landscaping in addition to pointing the lights away from the backyard.*
- **Determination of Significance (DS)**-There are unanswered questions and/or disagreements with how to mitigate certain impacts. A DS requires developer to pay for a third party environmental review consisting of an Environmental Impact Statement (EIS).

Now that an **Environmental Determination** has been issued, the project is brought before the City's applicable advisory board (i.e. Planning Commission or Board of Adjustment) where they will conduct an open Public Hearing and receive testimony. The Board/Commission will then make a recommendation to the Prosser City Council for consideration and final decision.

Please Note: A "Closed Record Hearing" is different than a typical Public Hearing. A Closed Record Hearing may only take new testimony that identifies a technical or legal issue with the application or process and typically occurs during a City Council meeting.