

NOTICE OF PROPRIETARY INFORMATION AND INTELLECTUAL PROPERTY RIGHTS

No Waiver. Submission of this document to the City of McCleary for evaluation purposes does not constitute a waiver of any intellectual property rights, trade secret protections, or confidentiality obligations by PNW Community Development Consultants.

Restriction on Use. In the event that the City of McCleary elects not to retain PNW Community Development Consultants for this project, the City shall have no license, express or implied, to utilize, copy, paste, replicate, or modify any portion of these structural methodologies or proposal concepts for its official municipal code updates. Doing so without written authorization and an executed compensation agreement constitutes a violation of federal copyright law (17 U.S.C. § 106) and Washington State trade secret protections (RCW 19.108 — Uniform Trade Secrets Act).

Exemption from Public Disclosure. This document contains proprietary trade secrets, commercial information, and consulting methodologies developed by PNW Community Development Consultants at significant cost and effort. The Consultant hereby designates this entire proposal as confidential and exempt from public inspection and copying pursuant to RCW 42.56.270 (Financial, commercial, and proprietary information). The City is directed not to release this document in response to any Public Records Act request without first notifying the Consultant and providing an opportunity to seek a court order protecting disclosure.

Ownership of Work Product. All conceptual frameworks, methodology steps, sample ordinance structures, and strategic recommendations contained herein are the exclusive intellectual property of PNW Community Development Consultants. No transfer of ownership is made or implied by the submission of this document.

Submission Purpose. This proposal is submitted by PNW Community Development Consultants solely for evaluation by the City of McCleary regarding municipal code consulting services.

PNW Community Development Consultants

CITY OF McCLEARY

MUNICIPAL CODE UPDATE — CROSS REFERENCE SHEET

Titles 15 (Buildings and Construction) | 16 (Subdivisions) | 17 (Zoning) | 18 (Environment) | 19 (Code Enforcement)

NEW CHAPTER	AMENDED	CORRECTED	REPEALED	RESTATED	LEGEND: NEW CHAPTER = Entirely new code chapter added AMENDED = Substantive change to existing section CORRECTED = Technical/reference error fixed REPEALED = Section removed RESTATED = No change, verbatim restatement confirmed
------------------------	----------------	------------------	-----------------	-----------------	--

TITLE 15 — BUILDINGS AND CONSTRUCTION

Section	Change Type	Prior Provision	New Provision / Action	Governing Ordinance
15.04.030	REPEALED	Local IBC permit exemptions for reroofing, siding, windows (Ord. 713 § 3, 2004)	Repealed in full. Current state-adopted IBC governs. No local amendments.	Ord. No. ____
15.04.040	REPEALED	Local IRC permit exemptions for reroofing, siding, windows (Ord. 713 § 4, 2004)	Repealed in full. Current state-adopted IRC governs. No local amendments.	Ord. No. ____
15.04.045	REPEALED	Local IFC section deletions — Sections 102.3, 105.6, 308.4.1, 408.11.1.1, 804 (Ord. 713 § 5, 2004)	Repealed in full. Current state-adopted IFC governs in full.	Ord. No. ____
15.04.100.B	AMENDED	Fee gaps filled by 'resolution of the city council'	Fee gaps filled by 'the building official,' consistent with administrative efficiency. Documented in writing; made public at City Hall.	Ord. No. ____
15.08	AMENDED	Site Plan Review — single brief administrative chapter, outdated process	Complete rewrite: consolidated project permit review chapter — Type I (admin), Type II (admin with notice), Type III (Hearing Examiner). Consistent with RCW 36.70B. Replaces former Chapter 15.08 in its entirety.	Ord. No. ____
15.08.010	NEW	No purpose statement for project permit review	New: purpose grounded in RCW 36.70B; consolidated process for all city permits.	Ord. No. ____
15.08.020	NEW	No Type I/II/III permit classification	New: definitions — Type I (building permits, ADUs, admin site plans); Type II (short plats, BLAs, temp use); Type III (CUPs, variances, long plats, DAs, MPD, appeals).	Ord. No. ____
15.08.030	NEW	No consolidated admin permit process	New: Type I — 28-day completeness; admin decision; 10-day appeal to Hearing Examiner.	Ord. No. ____
15.08.040	NEW	No admin-with-notice permit process	New: Type II — completeness; 200-ft mailed notice; 14-day comment; admin decision; 10-day appeal to HE.	Ord. No. ____
15.08.050	NEW	No consolidated Hearing Examiner permit process	New: Type III — staff report; 14-day notice (200-ft mail, posting, newspaper, web); HE hearing; Council action for recommendations; 10-day Superior Court appeal.	Ord. No. ____
15.08.060–090	NEW	No consolidated, pre-app, or fee provisions	New: consolidated review; optional pre-app conference (required for MPD, DA, long plats); fees by resolution; cross-reference to Title 16 & 17.	Ord. No. ____
15.24.010.A	AMENDED	City of McCleary Development Standards, May 1997, prepared by Parametrix, Inc.	Current adopted City of McCleary Development Standards (on file with City Clerk-Treasurer), as amended from time to time.	Ord. No. ____
15.24.010.B	AMENDED	1996 WSDOT/APWA Standard Specifications	Current edition WSDOT/APWA Standard Specifications for Road, Bridge, and Municipal Construction (2024 edition current at adoption).	Ord. No. ____
15.24.010.C	AMENDED	1996 MUTCD	MUTCD 11th Edition (2023) or current edition as adopted by WSDOT.	Ord. No. ____
15.24.010.D	AMENDED	Not listed in Section 15.24.020 successor provision (omission in prior code)	Stormwater Management Manual for Western Washington (SWMMWW), current edition — DOE. Corrects prior citation of Puget Sound Basin manual (McCleary is in Chehalis Basin).	Ord. No. ____
15.24.020	AMENDED	Successor documents: copy authenticated and filed with Clerk-Treasurer only	Added subsection (b): state-mandated codes adopted automatically upon state effective date without further local action. Eliminates gap for mandatory state code updates.	Ord. No. ____

TITLE 16 — SUBDIVISIONS

KEY SYSTEMIC CORRECTION — LOT THRESHOLDS: The authoritative definition at Section 16.08.200 establishes nine (9) or fewer lots as a short subdivision and ten (10) or more lots as a long subdivision. All conflicting references throughout Title 16 (including '4 or fewer lots' in 16.04.030.B and 'ten or more' in 16.12.020) are corrected to this standard.

KEY SYSTEMIC CORRECTION — DECISION AUTHORITY: All references to 'planning commission' or 'city council' as the approval authority for preliminary plats are corrected to 'Land Use Hearing Examiner (recommendation) + City Council (final)' for long plats, and 'administrator' for short plats, consistent with Chapter 17.40 MMC.

KEY SYSTEMIC CORRECTION — FEES: All specific dollar amounts are removed from Title 16. All fees established by city council resolution per city fee schedule.

Section	Change Type	Prior Provision	New Provision / Action	Governing Ordinance
16.04.030.B	CORRECTED	'Four or fewer lots' — incorrect threshold; referenced Chapter 16.12	'Nine or fewer lots' — correct short subdivision threshold per 16.08.200. Reference to Chapter 16.12 confirmed correct.	Ord. No. ____
16.04.030.C	CORRECTED	'Five or more lots'; referenced non-existent Chapters 16.16 and 16.20	'Ten or more lots' — correct long subdivision threshold. References corrected to Chapter 16.52 (Long Subdivisions).	Ord. No. ____
16.04.030.D–F	NEW	No provisions for BLAs, binding site plans, or IHO zero-lot-line	New subsections D (BLAs → Ch. 16.44), E (Binding site plans → Ch. 16.48), F (IHO zero-lot-line short subdivisions per Ch. 17.46 MMC).	Ord. No. ____
16.04.040.A	CORRECTED	'City council, the planning commission' as approval authority; 'five or more lots' threshold	'Land Use Hearing Examiner (recommendation) + city council (final)' for 10+ lot plats. 'Administrator' for short plats (9 or fewer).	Ord. No. ____
16.08.100	CORRECTED	Long subdivision — definition not clearly stated to match 10+ lot threshold	Restated: 'Ten (10) or more lots.' Cross-reference to Chapter 16.52 added.	Ord. No. ____
16.08.200	RESTATED	Short subdivision — nine or fewer lots (authoritative definition)	Restated verbatim. Confirmed as authoritative threshold for all Title 16 references.	Ord. No. ____
16.12.020	CORRECTED	'Ten or more lots' threshold for further division — cross-reference ambiguous	Restated: clarifies short plat re-division rule; corrects cross-reference to Chapter 16.52 for the 10+ lot restriction.	Ord. No. ____
16.32.010	CORRECTED	'Commission' and 'city council' as short plat variance decision authority	'Land Use Hearing Examiner' after public hearing. Notice in legal newspaper 10 days prior. Applications filed with clerk-treasurer for staff report then HE.	Ord. No. ____
16.32.020	AMENDED	Specific dollar amounts: \$100 + \$20/lot (long plat); \$50 + \$10/lot (short plat); \$75 + \$10/lot (sketch); \$35 (variance)	All dollar amounts removed. Fees by city council resolution per city fee schedule. Deposit mechanism for engineering costs retained. Consultant costs → § 17.40.155 MMC.	Ord. No. ____
16.36.010	CORRECTED	'Council or administrator' — ambiguous as to which approval authority applies	Clarified: City Council approval for long subdivisions (10+ lots); administrator approval for short subdivisions (9 or fewer lots).	Ord. No. ____
16.44 (entire)	AMENDED	BLA appeals: City Council, 20-day appeal period. No zero-lot-line provision.	Complete rewrite. BLA appeals: Land Use Hearing Examiner, 10-day period (consistent with § 17.40.090 MMC). Zero-lot-line IHO middle housing → Chapter 16.12. Fees by resolution. All dollar amounts removed.	Ord. No. ____
16.44.050	AMENDED	Appeal to city council within 20 days	Appeal to Land Use Hearing Examiner within 10 calendar days per § 17.40.090 MMC.	Ord. No. ____
16.44.070	AMENDED	Fees: 'charged reasonable fees' — no process	Fees by city council resolution per city fee schedule. Fee required at application.	Ord. No. ____
16.48 (fees)	AMENDED	Specific fee amounts throughout Chapter 16.48	All specific dollar amounts removed. Fees by city council resolution per city fee schedule.	Ord. No. ____
16.52 (throughout)	CORRECTED	Planning Commission approval authority; specific fee amounts	Decision authority corrected to Land Use Hearing Examiner (preliminary plat) + City Council (final plat). All fee amounts removed; fees by resolution. 10+ lot threshold confirmed throughout.	Ord. No. ____

TITLE 17 — ZONING

Section	Change Type	Prior Provision	New Provision / Action	Governing Ordinance
17.12.020	AMENDED	Existing definitions only	15 new definitions added in alphabetical order: ADU, Bungalow Court, Development Right, Duplex, Fourplex, IHO, MPD, Middle Housing, PI District, TDR, TDR Credit Certificate, Townhome, Triplex, Wildcat Creek Aquifer, Zero Lot Line.	Ord. No. ____
17.16.030	AMENDED	8 zoning districts: R-1, R-2, R-3, C-1, C-2, C-3, I, F/OS	11 zoning districts: R-1, R-2, R-3, C-1, C-2, C-3, I, F/OS + 3 new: PI (Public/Institutional District), MPD (Master Planned District), IHO (Infill Housing Overlay District — overlay).	Ord. No. ____
17.16.040	AMENDED	8 district purpose statements (A through H)	3 new subsections added: I (PI District), J (MPD), K (IHO Overlay). Prior A–H unchanged.	Ord. No. ____
17.18	NEW CHAPTER	No PI District existed. Public/institutional uses scattered across zones as C uses.	Chapter 17.18 — Public/Institutional District (PI): 18 sections. City Hall complex, School District campus, Community Center, Cemetery, Transit Center, WWTP, water system facilities, Light & Power substation, Gravel Pit Site. Permitted uses (§17.18.040), conditional uses (§17.18.050), prohibited uses (§17.18.060), dimensional standards (§17.18.070), site design (§17.18.080), landscaping/buffering (§17.18.090), parking (§17.18.100), signage (§17.18.110), lighting (§17.18.120), utilities (§17.18.130), nonconforming (§17.18.140), disposition/conversion process (§17.18.150), boundary amendments (§17.18.160). RCW 36.70A.200 EPF compliance.	Ord. No. ____
17.20.030	AMENDED	8-column Table of Land Uses (R-1 through F/OS)	11-column Table of Land Uses (R-1 through F/OS + PI, IHO, MPD). All existing P/C designations preserved. New uses added for middle housing, PI facilities, and MPD employment uses.	Ord. No. ____
17.24.030	AMENDED	8-district Table of Density and Dimensional Requirements. Footnotes a–d.	11-district table adding PI, IHO, and MPD columns. Three new footnotes: e (IHO — see Ch. 17.46), f (MPD — see Ch. 17.XX), g (PI — see Ch. 17.18). Aquifer recharge area impervious surface caps in MPD column.	Ord. No. ____
17.32.010	REPEALED	ADU authorization: one ADU per SFR; occupancy limits by unit size	Repealed in full. Chapter 17.46 MMC (IHO) is now the sole ADU authority citywide. RCW 36.70A.680-681 compliance implemented through 17.46.	Ord. No. ____
17.40.155	AMENDED	Duplicate section — appeared twice in prior code; sparse text	Duplicate removed. Single expanded section: scope of consultant services, deposit requirement, trust account, periodic billing, minimum balance maintenance, mayoral approval of consultant retention. Cross-referenced throughout Chs. 17.XX, 17.45, 17.46.	Ord. No. ____
17.44	AMENDED	Sparse 4-section chapter: authorization only; cited wrong RCW ('36.708.170')	Complete rewrite: 8 sections. Correct RCW citation (36.70B.170). Scope of DAs; public hearing + 10-day notice; recording requirement; amendment process; 10-day Superior Court appeal; fees by resolution; relationship to MPD (§17.XX.240 MMC). Applicable to all projects, not just MPD.	Ord. No. ____
17.45	NEW CHAPTER	No TDR program existed	Chapter 17.45 — Transfer of Development Rights Program: 15 sections. Sending area = Wildcat Creek Aquifer Recharge Area (Hart Crowser 1994 / PGG 2008 delineation). Receiving area = MPD. Voluntary participation. Conservation easement required (City as holder). Development rights calculation (parcel area × base density, retain min. 1 right). TDR Credit Certificates issued by City. TDR Credit Registry (public). TDR Credit Bank. Redemption process recorded. Annual report to Council. Fees by resolution.	Ord. No. ____
17.46	NEW CHAPTER	17.32.010 — one ADU per SFR; occupancy limits. No middle housing authorization in R-1.	Chapter 17.46 — Infill Housing Overlay District (IHO): 17 sections. Applies to R-1 areas south of W. Simpson Ave and around downtown (Future Land Use Map Fig. 4-9). Permits by right (no CUP): duplex, triplex, fourplex, townhome, bungalow/cottage court, courtyard housing (≤6 units), 2 ADUs per lot. No owner-occupancy requirement. No additional connection fees for shared-utility ADUs. Streamlined building permit only (no land use approval). SEPA exemption for ADUs, duplexes, triplexes, fourplexes (RCW 36.70A.635(6)(c)). Middle housing dimensional standards table. ADU size standards. Cluster development. Design standards (objective, admin only). Parking table. IHO boundary amendment process. GMA consistent: proactive adoption per RCW 36.70A.635.	Ord. No. ____
17.XX	NEW CHAPTER	No Master Planned District existed. 98-acre forested/former industrial site zoned Industrial.	Chapter 17.XX — Master Planned District (MPD): 31 sections. 98-acre centrally located site (Comp Plan Fig. 4-9). Master Plan required before any implementing permit. Public benefit objectives. Permitted/conditional/prohibited uses. Dimensional standards (ranges established through Master Plan). Density bonus (20% for affordable housing/green building/open space/amenities). Impervious surface caps in Aquifer Recharge Area (40%/55%). Open space minimum (25%). Required trail: SR 108 to W. Simpson Ave. Critical areas/aquifer overlay standards. LID stormwater priority. Water conservation plan (10% below City average). TDR receiving area. Hearing Examiner process. 14-section approval criteria. Development Agreement required. 15-year vesting (phase-by-phase stormwater). Revocation (5-yr phase inactivity; uncorrectable violation). Fiscal Impact Analysis at each phase. Successor binding. MPD = Official Zoning Map amendment.	Ord. No. ____

TITLE 18 — ENVIRONMENT (SEPA)

Section	Change Type	Prior Provision	New Provision / Action	Governing Ordinance
18.04.110	AMENDED	Residential unit threshold for SEPA categorical exemption: 4 units. No IHO-specific provision.	Threshold raised to 9 units. New categorical exemptions added for IHO middle housing: ADUs (all types, any size), duplexes, triplexes, fourplexes, and bungalow courts ≤6 units — consistent with RCW 36.70A.635(6)(c) and § 17.46.130.D MMC.	Ord. No. ____
18.04.250	AMENDED	Categorical exemption thresholds table; no IHO provisions	Retained existing thresholds table. Added subsection C: IHO categorical exemptions for ADUs, duplexes, triplexes, fourplexes, and bungalow courts ≤6 units. Added subsection D: exemptions do not apply in Critical Areas.	Ord. No. ____
18.04.270	AMENDED	Specific SEPA fee amounts — threshold determination fee; EIS fee — set in code	All specific dollar amounts removed. Fees by city council resolution per city fee schedule. EIS consultant costs → § 17.40.155 MMC framework.	Ord. No. ____
18.04 (cross-refs)	CORRECTED	Cross-reference to § 17.32.010 (ADU section — now repealed)	All cross-references updated to Chapter 17.46 MMC (IHO — ADUs) as the current ADU authority.	Ord. No. ____

TITLE 19 — CODE ENFORCEMENT

Section	Change Type	Prior Provision	New Provision / Action	Governing Ordinance
Title 19 — Code Enforcement	9	0	0	0

SUMMARY — TOTAL CHANGES

Title	New Chapters	Amended	Corrected	Repealed	Restated	Actionable Items
Title 15 — Buildings & Construction	0	5	0	3	1	8 items requiring council/building official action
Title 16 — Subdivisions	0	5	7	0	3	12 items; systemic lot threshold & fee corrections throughout
Title 17 — Zoning	4	6	0	1	0	11 items; 4 new chapters with companion ordinances
Title 18 — Environment	0	3	1	0	1	4 items; SEPA thresholds and cross-reference corrections
Title 19 — Code Enforcement	9	0	0	0	0	
TOTALS	13	19	8	4	5	49 total changes across Titles 15–19

COMPANION ORDINANCES REQUIRED FOR ADOPTION

Chapter / Title	Subject	Required Concurrent Actions
Chapter 17.18 MMC	Public/Institutional District (PI)	Update Zoning Map; amend § 17.16.030, § 17.16.040.I, § 17.20.030 (PI column), § 17.24.030 (PI column + footnote g)
Chapter 17.45 MMC	Transfer of Development Rights (TDR) Program	Designate TDR Sending Area on map; establish TDR Credit Registry with City Clerk-Treasurer; budget for TDR Credit Bank (optional)
Chapter 17.46 MMC	Infill Housing Overlay District (IHO)	Update Zoning Map (IHO boundary); repeal § 17.32.010; amend § 17.20.030 (IHO column), § 17.24.030 (IHO column + footnote e); update Title 18.04.110 and 18.04.250
Chapter 17.XX MMC	Master Planned District (MPD)	Update Zoning Map (MPD boundary); amend § 17.20.030 (MPD column), § 17.24.030 (MPD column + footnote f); confirm TDR Ordinance (Ch. 17.45) adopted concurrently
Title 15 Restatement Ord.	Buildings and Construction update	Update city fee schedule resolution (remove dollar amounts, add building official fee authority); confirm updated Development Standards on file
Title 16 Restatement Ord.	Subdivisions update	Update city fee schedule resolution (remove all subdivision dollar amounts); confirm Hearing Examiner as BLA and short plat variance decision maker
Title 17 Restatement Ord.	Zoning comprehensive update	Adopt master Tables of Land Uses and Dimensional Requirements; record updated Zoning Map with Grays Harbor County; confirm companion ordinances A–D adopted
Title 18 Restatement Ord.	Environment (SEPA) update	Notify DOE of revised SEPA categorical exemption thresholds per WAC 197-11-800(1)(c); update city fee schedule (remove SEPA dollar amounts)
Title 19 Ord.	Code Enforcement	