

## Conditional Use Permit Submittal Checklist

Staff Use Only:

CUP #:

Project Name:

### DEFINITION AND PURPOSE

A use which is not permitted outright in a zone classification due to the nature of impacts created by the use, but which may be authorized under specific conditions based upon decision criteria of SMC 15.115.020.

The Conditional Use process is a means of imposing special conditions and requirements on development, so that the compatibility of uses shall be maintained considering other existing and potential uses within the general area where the conditional use is proposed. Conditions imposed on a Conditional Use Permit (CUP) will reasonably assure that a nuisance or hazard to life or property will not occur. The CUP process is not a means to reduce the requirements of a zone classification where the conditional use is proposed.

### AUTHORITY AND APPLICATION

1. **Major Conditional Use Permit.** The applicant must show that the proposed development meets all the criteria for approval in SMC 15.115.020(D). A decision will be made by the City's Hearing Examiner through a public hearing process.
2. **Minor Conditional Use Permit.** The expansion of an existing, legal conditional use, no greater than twenty percent (20%) of the gross floor area and exempt from SEPA may be granted administratively by the Planning Manager (as the CED Director's designee), provided the criteria in SMC 15.115.020(D) are met in addition to the criteria in SMC 15.115.020(E).

### REVIEW PROCESS AND PROCEDURES

A Major Conditional Use shall be considered in accordance with SMC 15.115.020 and be processed as a Type III Action per SMC Title 16A.

1. A submittal will NOT be accepted for intake if the project has not had the required Pre-Application meeting. To schedule the required meeting, you must complete the required Pre-Application meeting request found here: <https://www.seatacwa.gov/government/city-departments/community-and-economic-development/permits-land-use-applications> and submit it to the Permit Center.
2. A Determination of Completeness (DOC) will be made within twenty-eight (28) days of the application submittal stating whether the application is complete or if additional information is required.
3. A Notice of Application (NOA) will be published and sent to adjacent property owners. The NOA will be issued within fourteen (14) days after a DOC is made.
  - a. A notice board is required to be posted on said property on or before the publish date of the NOA. An Affidavit of Installation shall be submitted to the City that the notice board has been installed on the property.

4. The Hearing Examiner will make a decision on the conditional use permit after a public hearing is held on the proposal. The date for the public hearing will be set after Staff review of the application. Once the date is established, the public will be notified at least fourteen (14) days in advance in the same manner as the Notice of Application (see #3 above).
5. The decision of the Hearing Examiner may be appealed to the King County Superior Court within twenty-one (21) days by filing a land use petition. Refer to SMC 16A.17.100 for further information.

A Minor Conditional Use shall be considered in accordance with SMC 15.115.020 and be processed as a Type II Action per SMC Title 16A.

1. A submittal will NOT be accepted for intake if the project has not had the required Pre-Application meeting. To schedule the required meeting, you must complete the required Pre-Application meeting request found here: <https://www.seatacwa.gov/government/city-departments/community-and-economic-development/permits-land-use-applications> and submit it to the Permit Center.
2. A Determination of Completeness (DOC) will be made within twenty-eight (28) days of the application submittal stating whether the application is complete or if additional information is required.
3. A Notice of Application (NOA) will be published and sent to adjacent property owners. The NOA will be issued within fourteen (14) days after a DOC is made.
  - a. A notice board is required to be posted on said property on or before the publish date of the NOA. An Affidavit of Installation shall be submitted to the City that the notice board has been installed on the property.
4. Once a DOC is issued, the City has one hundred twenty (120) days to make a decision regarding the application. A Notice of Decision (NOD) will be sent to the applicant/property owner and to all parties of record.
5. The decision on a Minor Conditional Use may be appealed to the Hearing Examiner by submitting an appeal form and fee to the City Clerk within fourteen (14) days of the issuance of such decision.

## Application Checklist

The following materials are the minimum that must be submitted to review your application. **Please do not turn in your application until all items listed below have been checked off.** Submittals will not be accepted unless complete. Return completed checklist with application.

*Additional detailed specifications will be required in the plan submittal requirements at time of BLD and/or STE stage.*

*Refer to current fee schedule, and/or contact a permit coordinator @ 206-973-4750 for information regarding required fees at the time of application submittal.*

SUBMITTAL REQUIREMENTS FOR BOTH MAJOR & MINOR CUP		APPLICANT	STAFF
1	Master Land Use Application form, completed.		
2	Required fee(s) paid.		
3	<b>Electronic:</b> A thumbdrive with electronic copies of all documents, <b>OR</b> <b>Paper:</b> Original, plus four (4) copies of all documents.		
4	An environmental (SEPA) checklist, if applicable.		
5	Water and Sewer availability letter.		
6	In a separate written attachment, please provide the following:		

SUBMITTAL REQUIREMENTS FOR BOTH MAJOR & MINOR CUP		APPLICANT	STAFF
	<ul style="list-style-type: none"> <li>• Description of the current property, noting any critical areas.</li> <li>• Scope of the project: <ul style="list-style-type: none"> <li>○ Physical / Spatial changes (i.e. additions, lot coverage, gross floor area, unit counts, and underground space).</li> <li>○ Land use (i.e. business type, uses proposed).</li> <li>○ Parking stalls.</li> <li>○ Open space, landscaping and amenities.</li> </ul> </li> </ul>		
7	Vicinity map.		
8	Plan set requirements: <ul style="list-style-type: none"> <li>• Existing Site Plan</li> <li>• Proposed Site Plan</li> <li>• Conceptual Landscaping Plan</li> <li>• Conceptual Architectural Plan</li> </ul>		
9	Additional items as identified in a pre-application meeting, if applicable.		
10	In a separate written attachment, please provide a response to criteria for approval (see below).		

CRITERIA FOR MAJOR CUP APPROVAL [SMC 15.115.020(D)]		APPLICANT	STAFF
<i>Address each item specifically and in writing:</i>			
1	The proposed use is listed as a conditional use under SMC 15.205.040, Use Chart.		
2	The site is adequate in size and shape for the proposed project and the use conforms to the general character of the neighborhood.		
3	The unique character of topography, arterial streets and adjacent land use complement the proposed conditional use.		
4	The conditional use would not be detrimental to surrounding land use.		
5	Modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards of this code.		
6	The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.		
7	The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area unless conditions can be established to mitigate adverse impacts.		

CRITERIA FOR MINOR CUP APPROVAL [SMC 15.115.020(E)]		APPLICANT	STAFF
<i>In addition to the Major CUP criteria above, a Minor CUP must meet the following criteria. Address each item specifically and in writing:</i>			
1	The minor conditional use must conform to the criteria as set forth in this section and all other requirements of this code.		
2	To allow the expansion of an existing, legal conditional use which has previously been permitted within the zone classification, provided the requested expansion of the existing conditional use is either:		

CRITERIA FOR MINOR CUP APPROVAL [SMC 15.115.020(E)]		APPLICANT	STAFF
	a. No greater than twenty percent (20%) of the gross floor area of the existing conditional use; and b. Exempt from environmental review under the State Environmental Policy Act (SEPA).		

PLAN REQUIREMENTS FOR BOTH MAJOR & MINOR CUP		APPLICANT <i>(List sheet number for each item)</i>	STAFF
<i>Unless otherwise noted, all plans shall have the following: Scale, north arrow and date drawn. Scale shall be standard engineering or architectural. The scale must allow clear depiction of all required information, typically between 1" = 10' and 1" = 40'.</i>			
<b>1</b>	<b>Existing Site Plan</b>		
	Location, dimensions, and use of existing structures on site (includes fences, accessory buildings, temporary structures such as trailers/mobile homes, and retaining walls).		
	Indicate all structures to be removed / demolished.		
	Distances between structures and property lines.		
	Land uses, lot lines, and approximate location of structures and pavement on abutting properties, including the King County parcel number(s).		
	Location of existing private and public utility lines and/or easements.		
	All existing street and alley rights of way abutting the site. Include street name, width of right of way.		
	On-site vehicular and non-motorized paving such as driveways, drive lanes, auto courts, or private roads, bike paths, sidewalks, including dimensions and materials.		
	If applicable, a Critical Area(s) Report & Critical Area Map, including: <ul style="list-style-type: none"> <li>• Location of critical area(s) on site or in the vicinity; and</li> <li>• Buffer area.</li> </ul> See Critical area code SMC 15.700 for specific detailed requirements.		
	Elevation contours at intervals not greater than 5 feet.		
<b>2</b>	<b>Proposed Site Plan</b>		
	Location, dimensions, and use of proposed structures on site (includes fences, accessory buildings, temporary structures such as trailers/mobile homes, and retaining walls).		
	Distances between proposed structures, existing structures, and property lines.		
	Location of all proposed paving – including sidewalks, driveways, pedestrian, and bicycle paths, on site and within the adjacent right-of-way.		
	Contours showing alternations to existing land elevations.		
	Location, height, top elevation, and width of existing and proposed retaining walls and rockeries, if applicable.		
	Location of existing and proposed utilities within the site such as sewer, water, surface storm water facilities, gas, and electricity.		

PLAN REQUIREMENTS FOR BOTH MAJOR & MINOR CUP		APPLICANT <i>(List sheet number for each item)</i>	STAFF
	Location of existing fire hydrants.		
	Indicate proposed easements.		
	Parking ratio detail provided on plans, including: <ul style="list-style-type: none"> <li>• Required parking unit count; and</li> <li>• Proposed parking unit count.</li> </ul> Location, dimension, and number of parking spaces (including accessible spaces), bicycle parking, drop-off areas and driveway access (ingress & egress).		
	Required Open Space areas delineated on plans and ratio detail including: <ul style="list-style-type: none"> <li>• Required open space square footage; and</li> <li>• Proposed open space square footage.</li> </ul>		
	If property is comprised of multiple lots, provide description of current status and/or explain proposed intent, i.e. lot line adjustment, lot consolidation, binding site plan, etc.		
<b>3</b>	<b>Conceptual Landscaping Plan</b>		
	Tree survey including: <ul style="list-style-type: none"> <li>• Size, type, and location of all significant trees on site;</li> <li>• Indication of which trees are “to remain” or “to be removed”; and</li> </ul> Replacement ratio detail, if required.		
	Type (e.g. Type I, Type II, etc.) and width of proposed landscaping areas. Refer to SMC 15.445.110 & 15.445.210 for further detail.		
	Right-of-way landscaping, if applicable.		
<b>4</b>	<b>Conceptual Architectural Plan</b>		
	Building facades drawn at 1/4", 1/8" = 1' or comparable scale showing: <ul style="list-style-type: none"> <li>• Elevations;</li> <li>• Building height;</li> <li>• Entrances.</li> </ul>		
	Floor plans with uses labeled. Include parking garage layout if applicable.		