



CITY OF SNOHOMISH

Founded 1859, Incorporated 1890

116 UNION AVENUE · SNOHOMISH, WASHINGTON 98290 · TEL (360) 568-3115 FAX (360) 568-1375

CONDITIONAL USE PERMITS

For more information, refer to Snohomish Municipal Code (SMC) 14.65.020

WHAT IS A CONDITIONAL USE?

A Conditional Use is the use of a property within a certain designation, which is only allowed after review by the Hearing Examiner. Conditions may be applied to make the use compatible with other permitted uses in the same vicinity.

According to Title 14 of the Snohomish Municipal Code (SMC), each land use designation has a set of permitted land uses. In some cases, certain uses are allowed conditionally, such as a Bed and Breakfast within a Single Family Residential designation. These conditional uses require a special permit, and are identified in the land use tables in Chapter 14.207 SMC with a “c”.

For a complete listing of land use designations and their allowable and conditional uses, refer to the Land Use Tables in SMC Chapter 14.207 (14.207.070 – 14.207.150).

WHAT IS THE PURPOSE OF A CONDITIONAL USE?

The purpose of the Conditional Use permit is to allow potentially incompatible uses in a particular land use designation where special conditions will ensure compatibility. A conditional use permit does NOT provide flexibility to allow uses that are not listed for a land use designation in Chapter 14.207 SMC.

HOW DO I USE THE LAND USE TABLES IN SMC 14.207?

First, refer to the City’s land use map to find the land use designation of the subject property. Then, in the tables, find your proposed use listed on the left side, and the land use designation along the top. The cell where those two intersect will indicate whether it is allowable or not.

- If the cell is blank, the use is not allowed in that designation.
- If the cell contains a “p”, the use is allowed.
- If the cell contains a “c”, a Conditional Use Permit is required.
- If the cell contains a number after the “p” or “c”, a special regulation applies, which is described on the next page. Find the section with the number corresponding to the one found in the cell for details.

WHAT ARE THE CRITERIA FOR A CONDITIONAL USE PERMIT?

Criteria for approval of conditional uses can be found in Chapter 14.65 SMC and include:

- Adequate streets, sidewalks, transit stops, open spaces, parks, schools, water, sewer, and stormwater facilities shall be available to the proposed development.
- The design and appearance of the structure shall be compatible with surrounding developments that are in conformance with the land use designation.
- The development shall be consistent with the Comprehensive Plan.
- The development shall mitigate any significant adverse environmental impacts.
- Concurrency requirements (SMC 14.55.030) shall be complied with.
- The development shall be consistent with the health, safety, and general welfare.



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WHAT DOES MY APPLICATION LETTER NEED TO INCLUDE?

The Conditional Use Permit Application requires submittal of a written letter, in addition to all necessary forms and plans.

This letter must include a description of the specific conditional use being requested. In addition, you must describe how your proposal meets all of the conditional use criteria in SMC 14.65.020.B.

The City's Municipal Code can be found at City Hall (116 Union Avenue), or on our website at www.ci.snohomish.wa.us.

WHAT IS THE PROCESS FOR THE HEARING EXAMINER?

You will be assigned the first available hearing date as soon as your application is deemed complete and a SEPA (environmental impact) determination is issued. The Hearing Examiner renders a decision within 10 working days of the hearing.

You or your representative must appear at the meeting so the Hearing Examiner can ask questions about your application. If you are unable to attend, or if you'd like to withdraw your application, please notify Planning & Development Services in writing at least 5 days in advance of the scheduled hearing.

WHERE ARE THE HEARINGS HELD?

Hearings are held in the George Gilbertson Board Room at 1601 Avenue D, Snohomish School Administration Building, and are open to the public.

WHAT IF MY APPLICATION IS DENIED?

If your application is denied, you will have 21 days from the date of decision to file an appeal to the Snohomish County Superior Court (36.70C RCW), except for Shoreline permit appeals, which are made to the State Shoreline Hearings Board (90.58 RCW). If you do not file a timely appeal, the Hearing Examiner's decision is considered final.

DO CONDITIONAL USE PERMITS EXPIRE?

Yes. If the approved conditional use permit is not acted on by the owner within two years from the date of approval, the permit will expire and a new application is required.

You may apply for a 1-year extension, but must do so *before* the original permit expiration date. Permit extension requests must be in writing, sent to the City Planner, and must include justification for the delay, and reasonable grounds for the extension.

WHAT DOES THE CITY NEED TO REVIEW MY APPLICATION?

In addition to the Conditional Use Application form and the written letter mentioned above, the City will require a completed Land Use Application, a Site Plan, Building Plans (sufficient to determine consistency with the Conditional Use criteria and applicable design standards), SEPA checklist (if applicable), all associated fees, and a list of all property owners within a 300' radius of the project site. Instructions on specific requirements and how to compile the list can be found in the Adjacent Property Owners List handout, included in this packet. Additional information may be requested as the application is reviewed.

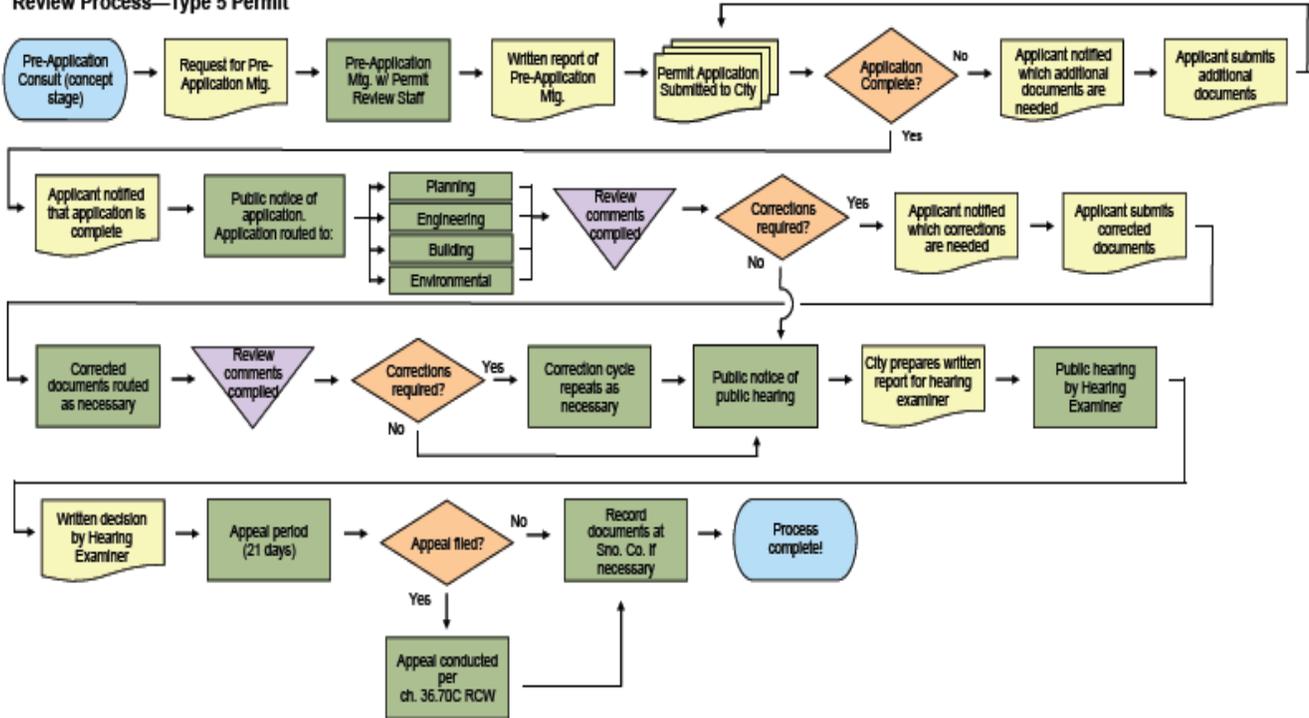
Pre-Application review is required prior to formal submittal. Applicants are encouraged to meet with City staff early in the design process to identify potential issues and review submittal requirements.

NOTE: This information should not be used as a substitute for City codes and regulations. You should review all the details of your project with the Planning and Development Services Department at 116 Union Avenue (360-568-3115) between 9:00 a.m. and 5:00 p.m. Monday through Friday.

Conditional Use – Applicable Permit Review Processes

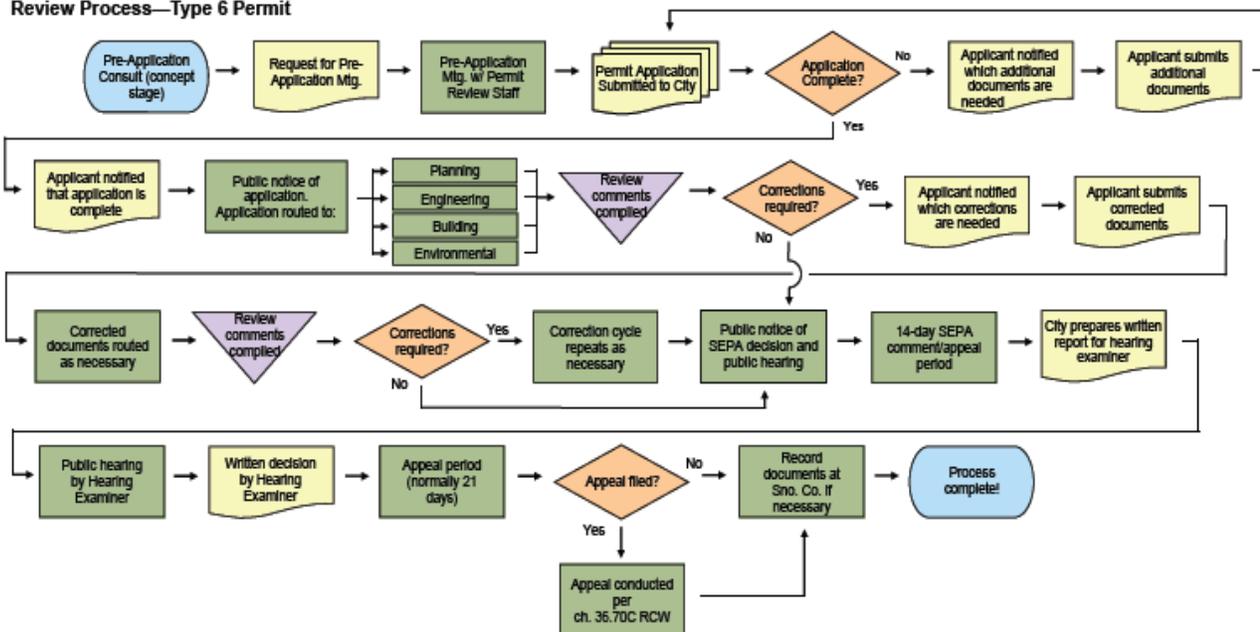
Type 5 permits include: conditional use, recorded development plan, and variance not subject to SEPA. Public notice of application and decision is required.

Review Process—Type 5 Permit



Type 6 Permits include: preliminary plat, planned residential development, shoreline substantial development; and also recorded development plan, variance and conditional use when subject to SEPA. Public notice of application and decision is required.

Review Process—Type 6 Permit



NOTES:

1. Refer to Title 14 of the Snohomish Municipal Code for current information.
2. If required, design review conducted during department application review.
3. Permit fees are required in order for an application to be considered complete.
4. Additional fees, including impact fees, may be required at the time of permit approval.
5. Additional time required for public notice and appeal periods for shoreline permits.
6. Public hearing would include SEPA appeal, if any.