



**CITY OF AUBURN**

Planning & Development Department  
Auburn City Hall Annex, 2<sup>nd</sup> Floor  
1 East Main Street  
Auburn, WA 98001  
Tel: 253.931.3090  
Fax: 253.804.3114  
permitcenter@auburnwa.gov  
www.auburnwa.gov

**CONDITIONAL USE APPLICATION APPLICATION**

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**CONDITIONAL USE PERMIT APPLICATION - INTRODUCTION**  
**(TYPE III DECISION)**

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**What does Type III refer to?**

Type III also referred to as quasi-judicial decisions are land use decisions made by the City of Auburn Hearing Examiner following a public hearing at which interested citizens can participate by giving written or verbal comments on a proposed project or issue. Type III decisions include, but are not limited to: temporary use permits; substantial shoreline development permit; variances; special exceptions; special home occupation permits; preliminary plats; conditional use permits; and surface mining permits.

The Hearing Examiner is responsible by City Code to interpret, review, and implement land use regulations and other ordinances and regulations. City staff conducts an initial review and submits a recommendation to the City's Hearing Examiner who conducts the public hearing. Following the public hearing, the Hearing Examiner issues a written decision that can be appealed to King County Superior Court.

**What is a Conditional Use Permit?**

A conditional use permit is an approval with conditions from the City to allow a land use that is not permitted outright within a City specified zoning district. Conditional uses typically require a special degree of control to make sure the uses are consistent with and compatible to other existing and permitted uses within a zone.

**How long before I am notified if my application is complete?**

At the time you submit an application, you must submit all of the written and plan information listed in this application under "Type III Conditional Use Application Submittal Checklist": Within 28 calendar days of receiving your application, City staff will determine if the application is complete based on the attached checklist. If your application is complete you will be notified in writing by City staff. If your application is not complete, you will receive a letter from City staff detailing required information to make your application complete.

**Do I need to be at the Public Hearing for a Conditional Use Permit?**

Current City code specifies that the owner or the owner's authorized representative must attend the public hearing. If the owner or the owner's authorized representative is not present at the public hearing, current City code directs that the conditional use application be tabled or not have a public hearing held until one or both are in attendance.

**How long before I know whether my Conditional Use Permit application is approved or denied?**

Current City code requires that all land use decisions be made within 120 days from the date of a complete application submittal, unless an applicant agrees to extend the processing of his/her application longer than 120 days. Typically, a conditional use permit application is processed in approximately 90 days including the public hearing; however, the actual processing time varies between applications.

**How long are conditional use permits valid for?**

Current City code specifies that conditional use permit must be implemented within two (2) years of the approval. If a building permit or occupancy permit has not been issued within the two (2) year period, an approved conditional use permit will become void.

**PLEASE NOTE:** Applicants are responsible for complying with all applicable City Codes and ordinances and should review all City regulations that may be applicable to their proposed project. For assistance in determining which regulations are applicable, please contact the City of Auburn Permit Center.

**QUESTIONS? PHONE 253.931.3090 or E-MAIL permitcenter@auburnwa.gov**



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<i>OFFICE USE ONLY</i>	
<b>FILE #:</b> _____	
FILE NAME: _____	
TYPE: _____	RECEIVED BY: _____
FEE PAID: _____	CHECK/CASH: _____
SUBMITTAL DATE: _____	
LAND USE DESIG: _____	

## CONDITIONAL USE PERMIT APPLICATION

**APPLICANT:**  Use mailing address for meeting notification.  Check box if Primary Contact

COMPANY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
(CITY, STATE, ZIP) \_\_\_\_\_  
PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ PRINTED NAME: \_\_\_\_\_  
*(Signature Required)*

**APPLICANT'S REPRESENTATIVE:**  Check box if Primary Contact

COMPANY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
(CITY, STATE, ZIP) \_\_\_\_\_  
PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ PRINTED NAME: \_\_\_\_\_  
*(Signature Required)*

**PROPERTY OWNER(S):**  Attach separate sheet if needed.  Check box if Primary Contact

COMPANY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
(CITY, STATE, ZIP) \_\_\_\_\_  
PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ PRINTED NAME: \_\_\_\_\_  
*(Signature Required)*

**Note:** Applicant or representative must have property owner's consent to file this application form in order for it to be accepted

### PROPERTY INFORMATION (REQUIRED)

SITE ADDRESS: \_\_\_\_\_ EXISTING USE OF SITE: \_\_\_\_\_

ASSESSOR'S PARCEL ID#	LOT SIZE	ZONING DISTRICT
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

PROPOSED USE OF SITE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AREA TO BE DEVELOPED (s.f.): \_\_\_\_\_



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**CONDITIONAL USE PERMIT APPLICATION – LETTER OF AUTHORIZATION**

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**(A copy of this letter must be submitted for each property owner involved)**

I, \_\_\_\_\_ declare under penalty of perjury under the laws of the State of Washington as follows;

1. I am the owner of the property that is the subject of the application.
2. I [ ] have not appointed anyone, or [ ] have appointed \_\_\_\_\_, to act as my agent regarding this application.
3. All statements, answers, and information submitted with this application are true and correct to the best of my knowledge and belief.
4. I agree to hold the City of Auburn harmless as to any claim (including costs, expenses and attorney’s fees incurred in the investigation of such claim) which may be made by any person, including the undersigned, and filed against the City of Auburn, but only where such claim arises out of the reliance of the City, including its officers and employees, upon the accuracy of the information provided to the City as part of this application.
5. I hereby grant permission for representatives of the City of Auburn and any other Federal, State, or local unit of government with regulatory authority over the project to enter onto my property to inspect the property, take photographs, and post public notices as required in connection with review of this application and for compliance with the terms and conditions of permits and approvals issued for the project.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
City and State where signed

\_\_\_\_\_  
\_\_\_\_\_  
Address



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**CONDITIONAL USE PERMIT APPLICATION – CONCURRENT APPLICATIONS**

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Please indicate whether you are submitting one or more concurrent applications with this application by checking one or more of the boxes below:

**Type I Applications (administrative decisions made by the City which are not subject to environmental review under the State Environmental Policy Act [SEPA]):**

- Administrative Use Permit
- Boundary Line Adjustment
- Boundary Line Elimination
- Building Permit
- Excavation Permit
- Floodplain Development Permit
- Grading Permit
- Home Occupation Permit
- Land Clearing Permit
- Mechanical Permit
- Plumbing Permit
- Public Facility Extension Agreement
- Right-of-way Use Permit
- Short Subdivision
- Special Permit

- Temporary Use Permit (administrative)
- Utility Permit

**Type II Applications (administrative decisions made by the City which include threshold determinations under SEPA):**

- Administrative Use Permit
- Building Permit
- Floodplain Development Permit
- Grading Permit
- Land Clearing Permit
- Public Facility Extension Agreement
- Short Subdivision

**Type III Applications (quasi-judicial final decisions made by the hearing examiner following a recommendation by staff):**

- Conditional Use Permit

- Preliminary Plat
- Special Exceptions
- Special Home Occupation Permit
- Substantial Shoreline Development Permit
- Surface Mining Permit
- Temporary Use Permit
- Variance

**Type IV Applications (quasi-judicial decisions made by the City Council following a recommendation by the hearing examiner):**

- Rezone (site-specific)

**OTHER - as may apply:**

- \_\_\_\_\_
- \_\_\_\_\_



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## CONDITIONAL USE PERMIT APPLICATION

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# CONDITIONAL USE PERMIT APPLICATION - SUBMITTAL CHECKLIST

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### I. DIGITAL COPIES OF WRITTEN MATERIALS AND PLANS & GRAPHICS

- Please provide a labeled readable compact disc(s) containing digital versions of all submitted written materials and plans and graphics for use by the City of Auburn during the conditional use application review process. Staff will use this information in report preparation and public noticing so please be sure to provide current and accurate information. Written materials should be submitted to be compatible with Microsoft Office desktop software products. Plans and graphics should be submitted in *pdf* or *tif* format.

### II. APPLICATION FEE

- All application fees, including, but not limited to: Comprehensive Plan Map Amendment and Public Notice Board Posting Fee. Some fees will not be invoiced until actual costs are known. Current fee schedule can be found @ <http://www.auburnwa.gov/community/about/forms.asp> under 2010 Fee Schedule.

### III. WRITTEN MATERIALS – Total of ten (10) copies

- A. **APPLICATION FORM.** Provide a **completed** application form with signature(s).
- B. **LETTER OF AUTHORIZATION.** Provided a completed letter of authorization to act contained within this application packet inclusive of all required signatures.
- C. **WRITTEN STATEMENT.** Provide a detailed description of the proposed project or proposal including, but not limited to: the changes to the site, structure, landscaping, parking and land use and addressing ACC 18.64.040 (Findings of Fact). These code criteria are listed at the end of this application packet.
- D. **SEPA CHECKLIST.** If the conditional use will result in a project that is not categorically exempt from SEPA under state and city rules or will impact lands designated as critical areas, the Planning Director may require a **completed** copy of an environmental checklist together with any supporting documentation or information to address potential or known environmental impacts resulting from the proposal.
- E. **PRE-APPLICATION CONFERENCE NOTES.** Provide a copy of the pre-application conference summary notes if a pre-application conference meeting was held.
- F. **TRAFFIC ANALYSIS.** If the conditional use is a new use or an expanded use that will generate traffic, the City Engineer may require a traffic analysis prepared by a registered engineer in the State of

Washington to be submitted. The City Engineer may make this determination prior to application submittal as part of a pre-application conference meeting request or following the submittal of the application.

- G. **CRITICAL AREAS REPORT**, if applicable, addressing compliance ACC 16.10 (Critical Areas).
- H. **TITLE REPORT** with liability for errors not to exceed the assessed value of the lots on the date of application. The title report shall be issued no more than 30 days prior to the application date (*available from a Title Company*).
- I. **NEIGHBORHOOD REVIEW MEETING DOCUMENTATION**. Submit required documentation for neighborhood review meeting required by ACC 18.02.130, if applicable. Neighborhood review meetings are required by ACC 18.02.130.B for residential subdivision project comprising forty (40) or more lots or units; or multi-family residential project comprising forty (40) or more units; or mixed-use development project comprising forty (40) or more units.
- J. **WRITTEN/PLAN/GRAPHIC EVIDENCE OF COMPLIANCE TO MULTI-FAMILY/MIXED USE DESIGN STANDARDS**. If applicable to the proposed project, submit required written and plan/graphic documentation demonstrating compliance to the applicable design standards for multi-family or mixed use development contained with the City of Auburn "Multi-Family/Mixed Use Developments Design Standards" on file with the City Clerk.

#### **IV. PLANS & GRAPHICS – Total of ten (10) full size copies & one (1) 11" x 17" copy**

All plans, except architectural elevations, should be to scale (engineering scale) and should have a maximum sheet size of **24" x 36"**, at a scale not less than 1"=40'. Architectural elevations may be drawn to an architectural scale and should have a maximum sheet size of **24" x 36"**. **All plans should be folded to fit a legal size file jacket.**

- A. **SITE PLAN:**
  - 1. North arrow, graphic scale, and date plan was prepared;
  - 2. Boundaries and dimensions of the property;
  - 3. Adjacent public streets;
  - 4. Easements, existing and proposed;
  - 5. Location and size of all existing and proposed utilities;
  - 6. Location of all buildings, including setbacks;
  - 7. Location and layout of off-street parking;
  - 8. Location and height of fences;
  - 9. Location and size of signs;
  - 10. Conceptual landscape plan (refer to Item C below for more information);
  - 11. Height of structures;
  - 12. Building elevations (refer to Item D below for more information);

- 13. Points of access, interior streets, driveways, and parking areas;
- 14. Location of refuse storage locations, bicycle parking areas and pedestrian/bike paths;
- 15. Proposed right-of-way, dedications and improvements;
- 16. Location of storm water quality/detention facilities;
- 17. Boundaries of development phases, if applicable; and,
- 18. Flood hazards, geological hazards (seismic, steep slope, landslide, erosion), groundwater protection areas, streams, significant trees, wetlands, and wildlife habitat.

**B. ARCHITECTURAL ELEVATIONS:** If the conditional use involves constructing or modifying a building or other structure, provide architectural elevation views of the proposed construction or modification. These drawings should include dimensions of the building(s) or other structure(s) and the type and occupancy of the buildings or structures per the International Codes Indicate the proposed exterior materials, colors, and textures.

**C. LANDSCAPING/PLANTING PLAN** prepared in accordance with ACC 18.50 (Landscaping and Screening) inclusive of:

- 1. North arrow, graphic scale, and date plan was prepared;
- 2. Boundaries and dimensions of the property;
- 3. Adjacent public and private streets;
- 4. Location of on-site buildings;
- 5. Location of on-site parking areas;
- 6. Location of outdoor storage areas;
- 7. Location and size of landscape areas;
- 8. Location of significant trees;
- 9. Location of water source(s);
- 10. Location and arrangement of proposed on-site and off-site plantings at maturity; location, description, and extent of proposed ground cover(s); and related natural and artificial features that are proposed or existing, such as retaining walls, curbing, fences, and fountains;
- 11. Plant schedule of common and scientific names of species, minimum tree calipers at time of planting, and quantity of each species;
- 12. Proposed building and site lighting, especially if proposed to be softened or screened by landscaping/planting; and,
- 13. Information on the plan as to how the landscaping will be maintained, such as type of irrigation system or native plants.

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## DECISION CRITERIA FOR CONDITIONAL USE PERMITS

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Please address in the Written Statement the following criteria as specified in ACC 18.64.040 (Findings of Fact).

- A. The use will have no more adverse effect on the health, safety or comfort of persons living or working in the area and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the district. Among matters to be considered are traffic flow and control, access to and circulation within the property, off-street parking and loading, refuse and service area, utilities, screening and buffering, signs, yards and other open spaces, height, bulk, and location of structures, location of proposed open space uses, hours and manner of operation, and noise, lights, dust, odor, fumes and vibration;
- B. The proposal is in accordance with the goals, policies and objectives of the comprehensive plan;
- C. The proposal complies with all requirements of this title;
- D. The proposal can be constructed and maintained so as to be harmonious and appropriate in design, character, and appearance with the existing or intended character of the general vicinity;
- E. The proposal will not adversely affect the public infrastructure; and,
- F. The proposal will not cause or create a public nuisance.