



# FRANKLIN COUNTY

## PLANNING AND BUILDING DEPARTMENT

### CONDITIONAL USE PERMIT (CUP) APPLICATION PACKET

#### *FREQUENTLY ASKED QUESTIONS:*

#### **What is a Conditional Use Permit?**

A conditional use permit (also known as a special use permit) is a zoning exception which allows the property owner use of his or her land in a way not otherwise approved within the particular zoning district. The conditional use permit process is designed to allow flexibility within the zoning laws. A zoning ordinance cannot account for every situation, and exceptions such as the conditional use permit gives the County discretion to allow uses otherwise prohibited in the specific district for the benefit of the neighborhood or area.

#### **Who needs to apply for a Conditional Use Permit?**

Uses such as large scale accessory buildings, accessory buildings in front yard areas, churches, schools, daycare centers, cell towers, large animal operations, and other uses may require the approval of a CUP. Call the Planning and Building Department at 509-545-3521, visit our office at 502 W. Boeing Street, Pasco, WA 99301 or review Title 17 Zoning in the Franklin County Code to determine if you proposed use requires a CUP.

#### **How do I get a Conditional Use Permit?**

The Planning and Building Department staff will assist you through the review process of a conditional use permit. The County Planning Commission reviews and will make recommendation regarding the permit request. The Board of County Commissioners will make the final decision. In this decision making process, all established standards, criteria, and policies regarding the proposed use within the zoning district will be reviewed. Conditions may be imposed that help maintain a balance with existing development and adjacent properties.

#### **How do I apply for a Conditional Use Permit?**

A pre-application meeting with the Planning and Building Department staff is encouraged for all Conditional Use Permit Applications. Applications are submitted to the Planning and Building Department. The following minimum application requirements shall be submitted:

1. General Land Development Application;
2. Fees (see application checklist);
3. SEPA Review (see application checklist);
4. Written description explaining the present use of the land/structures, detailed description of the staff proposed use and request, description of any zoning violations on the property, and any other pertinent information deemed necessary; and
5. Site Plan.

#### **What happens after I apply?**



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During the time prior to the public hearing, the Planning and Building Department staff will notify in writing (copy of public hearing notice) all the property owners of record within 500 feet of your property (if within an Urban Growth Boundary) or 1 mile of your property (if located outside an Urban Growth Boundary). Additionally, the staff will conduct a review of your request and will do the following:

1. Establish a hearing date for the request;
2. Send notification of the hearing to local newspapers;
3. Send notification of the request to applicable technical agencies for comments;
4. Send notification of the request to neighboring landowners (see above); and
5. Compile public and agency comments to help develop a staff Report for the hearing.

### **What happens at the public hearing?**

An open record hearing (public hearing) is held to review your request. The applicant or representative is encouraged to be present to discuss and answer any questions the Planning Commission or public may have. Anyone who wants to testify for or against your request will be allowed to do so.

### **When do I find out if my permit was approved or denied?**

At conclusion of this public hearing, the Planning Commission will make a recommendation to the County Commissioners to approve, approve with conditions, or deny the CUP request. This recommendation is processed through an appeal time period prior to appearing before the Board of County Commissioners for a final decision. For additional information regarding the timely filing of an appeal, closed record hearings, and Commissioner review and decision, please refer to Chapter 17.82 of the Franklin County Code or contact the Planning and Building Department for details and specifications.

*- Keep this section for your records –  
- Return the following completed pages with your application -*



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### CONDITIONAL USE PERMIT (CUP) APPLICATION SUPPLEMENT

#### Submittal Checklist:

- |                          |   |
|--------------------------|---|
| <input type="checkbox"/> | <b>Conditional Use Permit Fee: \$400.00</b><br>Check made payable to the Franklin County Planning and Building Department   |
| <input type="checkbox"/> | <b>SEPA Checklist Fee: \$150.00</b><br>Check made payable to the Franklin County Planning and Building Department   |
| <input type="checkbox"/> | <b>Variance Report Fee: \$80.00</b><br>Check made payable to the Franklin County Planning and Building Department.<br><br>This report includes (and is mailed to) the adjoining Property Owner's names and addresses (500 feet within an Urban Growth Area or one (1) mile outside an Urban Growth Boundary).<br><br><i>Please note: the typical thirty (30) day review period requirement <b>will not begin</b> until this Variance Report is completed.</i>   |
| <input type="checkbox"/> | <b>General Land Development Application</b> – See last two pages of packet  |
| <input type="checkbox"/> | <b>Attach Property Information:</b> <i>Proposed or recorded</i> Covenants, Conditions and Restrictions (CC&Rs) or deed restrictions pertaining to or affecting the property (if any), Latecomers agreements   |
| <input type="checkbox"/> | <b>Site Plan:</b><br>Provide a site plan on a 8.5"x11" or 11"x17" sheet of paper, drawn neatly and to scale, that includes: <ul style="list-style-type: none"><li>• North arrow, Legend stating the Owner/Applicant name, date the site plan was drawn, tax parcel number, and scale</li><li>• Exterior property lines and any adjacent public street or alley rights-of-way</li><li>• Existing and proposed buildings and other structures</li><li>• Existing and proposed retaining walls or fences (indicate material, if the fencing provides visual screening, the height of the fence, and if there is barbed wire)</li><li>• Existing and proposed points of ingress and egress, drives and driveways and circulation pattern</li><li>• The location of existing and proposed parking areas with each parking space shown and surface type indicated and lighting noted</li><li>• Existing and proposed open spaces and landscape areas</li><li>• Water (Location of well or water systems within 100 feet of the subject property or within a 100 foot well control zone and the distance from any structures within the well control zone) and sewerage facilities (Location of proposed or existing drain field area, extension area, and tank area as well as replacement areas and distances to structures and property lines)</li><li>• Storm water drainage</li><li>• Sidewalks and streetlights</li><li>• Fire protection devices, with sufficient water storage and flows</li><li>• Facilities or improvements to address compatibility with adjacent dissimilar land uses</li><li>• Location of structures on the adjoining lots, which may cause compatibility issues</li></ul> |



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- All major man-made and natural physical features such as railroads, canals, streams, creeks, drainage ditches, hills, depressions, steep slopes, lakes, shorelines, floodplains\*, floodways, the 100-year base flood elevations etc. on-site or adjacent to the site
- Proposed contours and grading as they affect lot layout, streets, and drainage ways; and
- Location of proposed or existing drain field area, extension area, and tank area as well as replacement areas and distances to structures and property lines.



*If Directed by Staff, Obtain a written approval letter from the Benton-Franklin Health District:*  
Located at 7102 W. Okanogan Place, Kennewick, WA – (509) 460-4205



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### Conditional Use Permit Supplemental Information

<b>Current Zoning:</b>	<b>Parent Lot/Parcel Size</b> (Gross Acreage):
<b>What are you purposing:</b> (ex. Accessory Dwelling Unit, Bed and Breakfast, Commercial Agriculture, Church, Diary, Wireless Communications Facility, Accessory Building deviating from standards, etc.)	
<b>Size of the area to be used for the proposed use or building:</b>	
<b>Irrigation Source:</b>	<input type="checkbox"/> SCBID <input type="checkbox"/> FCID <input type="checkbox"/> Private <input type="checkbox"/> None
<b>Domestic Water Supply:</b>	<input type="checkbox"/> On-Site Well <input type="checkbox"/> City Water <input type="checkbox"/> Farm Exempt Well (provide documentation) <input type="checkbox"/> Community Well (Well ID # and location):
<b>Sewage Disposal:</b>	<input type="checkbox"/> On-Site Septic <input type="checkbox"/> City Sewer <input type="checkbox"/> Other (specify):
<b>List Existing or Proposed Utility Providers:</b>	
Power:	Cable/Broadband:
Natural Gas:	Landline Phone (if applicable):
Sanitary Waste Disposal:	Other (if not listed):
<b>Present use of the land and structures, if any:</b>	
<b>Detailed description of the proposed use/development proposal:</b> (attach additional sheets if needed)	
<b>Proposed Structures and Use:</b> (size, height, etc.)	
<b>How will the proposed development be compatible with the uses permitted in the surrounding zone(s)?</b>	
<b>Describe how the subject property is physically suitable for the type, density and/or intensity of the use being proposed?</b>	
<b>Proposed measures to ensure compatibility with permitted uses in the surrounding zone?</b> (Ex. fences, landscape buffers, berms, etc.)	



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Will the project be conducted entirely within a structure?  Yes  No

1. If no, describe the outdoor activities (i.e. outdoor eating, playground, park)
2. What is the approximate square footage, or seating capacity of your outdoor use area(s)?
3. What type of noises will the outdoor use generate? (i.e. music, machinery, vehicles)

Proposed hours of operation/days of the week: (indicate months, if seasonal)

Describe any existing zoning ordinance violation(s):

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

\_\_\_\_\_  
Owner (signature)

\_\_\_\_\_  
Applicant/Representative (signature)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_ 20 \_\_\_\_\_  
Date signed

\_\_\_\_\_ 20 \_\_\_\_\_  
Date signed



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### GENERAL LAND DEVELOPMENT APPLICATION

<b>FOR STAFF USE ONLY</b>	<b>FILE #:</b>	<i>S T A M P H E R E :</i>
	Total Fees:	Date deemed complete:
	Receipt #:	Pre-App Meeting Date:
	Reviewed By:	Hearing Date:

<b>CHECK ALL THAT APPLY AND ATTACH SUPPLEMENTAL FORM(S):</b>	<input type="checkbox"/> Alteration/Vacation of Easement	<input type="checkbox"/> SEPA – Environmental Checklist
	<input type="checkbox"/> Appeal (File # of item appealed: _____)	<input type="checkbox"/> Shoreline Permit
	<input type="checkbox"/> Binding Site Plan	<input type="checkbox"/> Shoreline – Conditional Use Permit
	<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Shoreline – Exemption
	<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Shoreline – Non-Conforming
	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Shoreline – Substantial Development
	<input type="checkbox"/> Critical Areas Determination/Review	<input type="checkbox"/> Shoreline – Variance
	Reasonable Use Determination	<input type="checkbox"/> Short Plat
	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Subdivision (Long Plat)
	<input type="checkbox"/> H2A Farm Worker Housing (Zoning Review)	<input type="checkbox"/> Temporary Use Permit
	<input type="checkbox"/> Lot Segregation Request	<input type="checkbox"/> Variance
	<input type="checkbox"/> Non-Conforming Use Determination	<input type="checkbox"/> Zone Change (Rezone)
	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Zoning Interpretation/Administrative Decision
	<input type="checkbox"/> Other:	

**CONTACT INFORMATION** (Please provide all necessary information and checkmark the primary contact)

<input type="checkbox"/>	<p><b><u>Property Owner</u></b></p> <p>Name: _____ Mailing Address: _____</p> <p>Phone Number: _____</p> <p>E-mail Address: _____</p>
<input type="checkbox"/>	<p><b><u>Applicant/Agent/Contractor (if different)</u></b></p> <p>Contact Name: _____ Business Name: _____</p> <p>Phone Number: _____ Business Address: _____</p> <p>E-mail Address: _____</p>
<input type="checkbox"/>	<p><b><u>Surveyor/Engineer</u></b></p> <p>Contact Name: _____ Business Name: _____</p> <p>Phone Number: _____ Business Address: _____</p> <p>E-mail Address: _____</p>



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### PROPERTY INFORMATION

Parcel Number(s) (9-digit tax number):
Legal Description of Property:
Site Address: (describe location if no address is assigned)

### BRIEF DESCRIPTION OF PROJECT OR REQUEST

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- All appropriate fees must accompany this application. Fees are non-refundable and subject to change. Please contact the Planning Department for current pricing of fees.
- This application, including attachments, must be completed in its entirety for all items applicable to your project.
- Supplemental information is generally required for land use approvals. Please ensure that all required information is submitted along with this application form.
- If the property is owned by a trust, corporation, or LLC, please attach documentation showing that the person signing as the “owner” has the authority to sign on behalf of the trust, corporation, or LLC. If there are multiple owners, provide an attachment in the same format and with the same declarations.

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

I understand that any information submitted to the Franklin County Planning and Building Department is subject to public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other applicable laws that may require the release of the documents to the public.

**This authorizes the designated Applicant’s representative (if applicable) to act on behalf of the applicant for the processing of this request.**

_____	_____	_____	_____
Owner (Signature)	Date	Applicant/Representative (Signature)	Date

_____	_____	_____	_____
Owner (Print Name)	Date	Applicant/Representative (Print Name)	Date