INFORMATION BULLETIN NO. 17

City of Blaine

Updated March 2009

CONDITIONAL USE PERMIT

WHAT IS A CONDITIONAL USE PERMIT?

A conditional use permit is a special authorization to use an area of land, a building, or a part of a building for an activity that is not usually allowed in that location. It is granted after a review conducted by the Planning Commission during a public hearing. A conditional use permit may be granted for an unlimited period of time, or it may be granted for a specifically limited period of time.

> ***What is a "zoning district?"***
> *A zoning district is an area of the city that is regulated by a certain set of rules, standards, and guidelines. Zoning districts cover all areas of the city. Zoning district boundaries can be changed by amending the Official Zoning Map. The specific rules that apply to a zoning district can be changed by amending the zoning text.*

A CONDITIONAL USE PERMIT CAN BE USED TO:

Allow a use that is otherwise not a permitted use in a certain zoning district.

These uses are either specifically listed as "conditional" in the zoning text for the district, or

They are determined to be clearly similar in character and impact to those uses that are permitted or conditionally permitted in the zoning district.

A CONDITIONAL USE PERMIT CANNOT BE USED TO:

Permit a use that is clearly not compatible with the permitted and conditionally permitted uses in the zoning district, or

Change the general rules that apply to all uses in a zoning district, such as the maximum building height or minimum lot size.

HOW IS THE APPLICATION PROCESSED?

The application is processed as Type II-PC application. Refer to the Informational Bulletin describing that process. **See IB #8.**

HOW DO I APPLY?

1. A pre-application conference is recommended, but not required.
2. You must complete and submit a **Conditional Use Permit Application** and a **Land Use Master Invoice**.
3. Unless the use is proposed in a pre-existing building, a **Site Plan Review Application** is also required
4. For new construction, a **SEPA Checklist** is usually required
5. You must pay the applicable fees

Applications are submitted by appointment.

DOES THE PERMIT HAVE TIME LIMITS?

Once the use is established the permit generally does not expire, except that a conditional use permit may be conditioned to expire after a certain number of years.

The initial approval of a conditional use permit shall be valid for a period of 1 year after approval, during which time a fully complete application for a building permit must be submitted. This time limit may be extended where there is an approved phased development or separate development agreements have been approved. In short, a person must take proactive steps to initiate the use within one year of the approval lapses. (See Blaine Municipal Code, Section 17.64.040 for more details)

MORE QUESTIONS?

For further information, please call the Community Development Services Department at the City of Blaine (360) 332-8311.

(See Reverse)

APPROVAL CRITERIA

In order to approve a Conditional Use Permit the Planning Commission must make findings that confirm that the proposed use:

Will be harmonious and in accordance with the general and specific objectives of the City of Blaine Comprehensive Plan and Zoning Regulations.

Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area.

Will not be hazardous or disturbing to existing or future neighboring uses.

Will be serviced adequately by essential public facilities such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.

Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.

Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reasons of excessive production of traffic, noise, smoke, fumes, glare or odors.

Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets.

Will not result in the destruction, loss or damage of any natural, scenic or historic feature of major importance.

The City of Blaine's Community Development Department has created customer information bulletins to inform the general public about the effect of codes and regulations on their projects. These bulletins are not intended to be complete statements of all laws and rules and should not be used as substitutes for them. If conflicts and questions arise, current codes and regulations are final authority. Because the codes and regulations may be revised or amended at any time, consult City of Blaine, CDS staff to be sure you understand all requirements before beginning work. It is the applicant's responsibility to ensure that the project meets all requirements of applicable codes and regulations.