



Planning Department

Conditional Use Permit (CUP) Procedure

AHMC
(Airway Heights Municipal Code)
17.03.100

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Conditional Use (AHMC 17.04.010):

"An activity listed among those in any given zone but permitted to locate only after a public hearing and the decision to grant a permit (conditional use permit), imposing such performance standards as will make the use compatible with other permitted uses in the same vicinity and zone and ensure against imposing excessive demands upon public utilities as determined by the planning commission."

CONDITIONAL USE PERMIT (AHMC 17.03.100)

The Airway Heights Hearing Examiner has authority to grant a conditional use permit to allow specific uses to occur, which, if conditioned, may be compatible with surrounding uses permitted outright in zoning district. Before issuing a conditional use permit the following facts and conditions must exist:

1. Adequate conditions and restrictions are attached to the development to ensure compatibility with surrounding uses;
2. That special standards as outlined in the zoning title for the zone shall be met;
3. Considerations and conditions that may be applied to a conditional use permit include conditions to increase compatibility, provide mitigation of environmental impacts such as: noise; light and glare; increased yard setbacks; special landscaping and screening, hours of operation, and other reasonable conditions to uphold the spirit and intent of the zoning title and the comprehensive plan.

WHAT TO SUBMIT (AHMC 17.03.110,C)

All applications shall include the following, including any additional information deemed necessary by the City Planner:

- Payment of appropriate fees
- Completed General Land Use Application Form
- CUP Supplemental Information Form
- Proof of ownership (deed or other related document)
- Site plan consistent with the requirements of AHMC 17.03.110,C,1.
- State Environmental Policy Act (SEPA) Checklist (if applicable)
- A signed and completed "Agreement to Pay Fees" (if applicable)

PRE-APPLICATION (AHMC 14.03.020)

A formal meeting shall be scheduled with the applicant, City staff, and interested parties to discuss, in specific terms, the proposed development, city design standards, needed permits and/or approvals, environmental review (if needed), fees, process, and processing schedule. All applicants are encouraged to participate in an optional informal meeting with city staff prior to the formal application meeting.

DETERMINATION OF COMPLETENESS (AHMC 14.03.040)

Within twenty-eight (28) days of receiving a date-stamped application, the City Planner shall review the application together with all required information and provide the applicant(s) with a written determination that the application is complete or incomplete.

TECHNICAL REVIEW COMMITTEE (AHMC 14.03.050)

Following the issuance of a letter of completeness, the City Planner shall schedule a Technical Review Committee meeting (TRC) composed of all affected city departments, utility districts, and other agencies or entities with jurisdiction. The purpose of this meeting is to gather input from other entities regarding compliance with all appropriate laws.

PUBLIC NOTICE (AHMC 14.04)

Upon receipt of a completed application, a public hearing will be scheduled with the Airway Heights Hearing Examiner. Hearings are open to the public and any person may support or object to the granting of any land use approval.

Notice of Development Application (AHMC 14.04.010,B)

Within 14-days of issuing a determination of completeness, the City Planner will prepare a notice of development application. The notice of development application shall be posted on the subject property

Public Hearing Notice (AHMC 14.04.030,A)

Notice of public hearings will be provided by the following means:

1. Publication of at least fifteen (15) days before the date of a public hearing in the Spokesman Review; and
2. Mailing at least fifteen (15) days before the date of a public hearing to all property owners as shown on the records of the county assessor and to all street addresses of properties within three hundred (300) feet of the boundaries of the property which is the subject of the meeting or pending action. Addressed, pre-stamped envelopes must be provided by the applicant; and
3. Posting at least fifteen (15) days prior to the hearing in three public places where ordinances are posted. In addition, at least one notice shall be posted on the subject property and shall consist of a four (4) foot by eight (8) foot all weather sign, with four (4) inch tall lettering. The posted sign must clearly indicate the name and/or type of development proposed, the developer or applicant's name, the time, date, and place of public hearing, and the place where further information may be obtained.

written report within ten (10) days which will contain a review of the facts, the findings and opinion of the Examiner, and such orders/conditions as the Examiner deems necessary. All parties of record shall receive a copy of the Hearing Examiner's decision, along with findings of fact and specific conclusions.

CONTACTS

City of Airway Heights

Planning Department	509.244.2552
Building Department	509.244.5514
Fire Department	509.244.3322
Public Works	509.244.5429

NOTES

HEARING (AHMC 14.05.040)

The Hearing Examiner shall conduct a public hearing on development proposals for the purpose of taking testimony, hearing evidence, considering the facts germane to the proposal, and evaluating the proposal for consistency with the City's development code, adopted plans and regulations.

The Hearing Examiner has the authority to grant a conditional use permit based upon criteria for determining the conditions that would apply for compatibility.

FINAL DECISION (AHMC 14.05.100)

The final decision on a CUP will be made within 120-days from the date of the letter of completeness, unless, under certain circumstances because of project complexity, additional time is needed. If approved, the Hearing Examiner will prepare a

DISCLAIMER

This form is not intended to be a complete and comprehensive list of all information that will be required as projects vary in complexity and scope. It is the responsibility of the applicant to provide all necessary information. It is highly recommended that the applicant visit the Planning Department prior to submitting a formal application.