



CONDITIONAL USE PERMITS

For more information, refer to Snohomish Municipal Code (SMC) 14.55

WHAT IS A CONDITIONAL USE?

According to Title 14 of the Snohomish Municipal Code (SMC), each zoning district 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 zoning district. These conditional uses require a special permit, and are identified in the land use tables in Chapter 14.207 SMC with a “c”.

A conditional use 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.

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?

Sometimes certain potentially incompatible uses can be made to be compatible within a particular zoning district, but these uses have to be carefully considered and specific conditions applied to them, to limit impacts on the neighborhood or make them work well in the area. It is better to allow these uses conditionally so that they can be considered on a case by case basis, rather than permitting them outright, or prohibiting them. The purpose of the Conditional Use Permit (CUP) is to allow these potentially incompatible uses in a particular zoning district where special conditions will ensure compatibility, through a public process which allows neighbors to be involved. A CUP does NOT provide flexibility to allow uses that are not listed for a zoning district 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 zoning district of the subject property. Then, in the tables, find your proposed use listed on the left side, and the zoning district 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 CUP 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 CUP?

Criteria for approval of conditional uses can be found in Chapter 14.55 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 14.20.090) shall be complied with.
- The development shall be consistent with the health, safety, and general welfare.

WHAT DOES MY APPLICATION LETTER NEED TO INCLUDE?

The CUP 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.



CITY OF SNOHOMISH

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The City's Municipal Code can be found at City Hall (116 Union Avenue) or on our website at <https://snohomish.municipal.codes/>.

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), and all associated fees. Additional information may be requested as the application is reviewed. Applications shall be submitted on the [SSPP](#).

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.

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 typically 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 CUPs EXPIRE?

Yes. If the approved CUP 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.

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).