



Franklin County

Planning and Building Department

Jerrod B. MacPherson—Director

PLANNING DIVISION

CONDITIONAL USE PERMIT/SPECIAL PERMIT APPLICATION REQUIREMENTS

- Land Development Application.
- \$400.00** Conditional Use Permit Fee – **Checks made payable to the Franklin County Planning and Building Department.**
- \$80.00** Certificate of Ownership and Variance Report Fee: **Check made payable to the Franklin County Assessor's Office. An applicant does not need to contact the Assessor's Office to obtain this report.** At the time of application, the Planning Division will request the report from the Assessor's Office. The report includes the Title Information (title certificate) and the Adjoining Property Owners Names and Addresses (500 feet within an Urban Growth Area or one (1) mile outside an Urban Growth Boundary). As an alternative to the Assessor's Office, an applicant may also obtain this report from a licensed title company.
- \$150.00** State Environmental Policy Act (SEPA) Review (unless the proposal is exempt from SEPA Rules WAC 197-11).
- Answer the application requirement questions identified in Chapter 41 of the County Development Regulations.

* All application materials shall be submitted to the Planning Division.

* All conditional use permit/special permit applications require that proper notice be given (surrounding property owners and newspaper) and one (1) open record public hearing be held before the Franklin County Planning Commissioners with final review by the Board of Commissioners.

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PLANNING DIVISION LAND DEVELOPMENT APPLICATION

Application Number: _____

Applicant/Representative:

Existing Land Use Zoning District(s):

Name: _____

Address: _____

Legal Description of Property: _____

Phone: (____) _____

Cellular(____) _____

Fax: (____) _____

Site Address: _____

Owner(s): (attach additional sheet if necessary)

Total Acreage Involved: _____

Name: _____

Source of Water: _____

Address: _____

Source of Irrigation: _____

Sewage Disposal System: _____

Phone: (____) _____

Source of Power: _____

Cellular: (____) _____

Comprehensive Plan: _____

Fax: (____) _____

Description of Improvements on Property: _____

Existing Use of Site/Property: _____

Proposed Development Application Request (Specify; Short Plat, Cond Use, Zone Change, Home Occupation, etc.)

We, the undersigned, hereby authorize the filing of this application and certify that the information contained in this application is complete and correct to the best of our knowledge. This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

() Owner _____ Date _____

() Applicant/Representative _____ Date _____

Print Name: _____

Print Name: _____



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SPECIAL USE / CONDITIONAL USE APPLICATIONS

APPLICATION REQUIREMENTS

In accordance with Chapter 41 of the Franklin County Zoning Ordinance the following application information shall be submitted to the Franklin County Planning and Building Department:

- (1) Present use of the land and structures, if any;
- (2) Detailed description of the proposed use;
- (3) Description of any existing zoning ordinance violation;
- (4) A site map or plan drawn neatly and to scale, showing the following:
 - (a) Exterior property lines and any adjacent public street or alley rights-of-way;
 - (b) Existing and proposed buildings and other structures;
 - (c) Existing and proposed points of ingress and egress, drives and driveways and circulation pattern;
 - (d) The location of existing and proposed parking areas with each parking space shown;
 - (e) Existing and proposed open spaces and landscape areas;
- (5) A Certificate of Ownership and a list of owners, with addresses, of all property within five hundred feet of the applicant's property within an Urban Growth Area Boundary and one mile outside of Urban Growth Area Boundaries, as provided and certified by a licensed title company or the County Assessor's Office;
- (6) Any other pertinent information that may be necessary to determine if the use meets the requirements of the Franklin County Zoning Ordinance.

PROCEDURAL REQUIREMENTS

In accordance with Chapter 41 (Special Use / Conditional Use) of the Franklin County Zoning Ordinance the following procedural steps, under the administration of the Franklin County Planning Department, shall be followed:

I PUBLIC HEARING REQUIRED.

Upon the filing of a complete application for a special permit, the application shall be scheduled for a open record pre-decision hearing before the Planning Commission. Notice of such open record hearing shall be given as provided for in Amendments and Rezones. Except that in the case of commercial agricultural uses, the notification distance shall be increased to 1,000 feet. The open record hearing may be continued as deemed necessary by the Planning Commission, provided the applicant consents to any such continuance. In the event the applicant does not consent to a continuance, the Planning Commission shall close the public hearing and render a recommendation to the Board of Commissioners in accordance with the provisions below.

II FINDINGS OF FACT BY PLANNING COMMISSION.

Upon conclusion of the open record pre-decision hearing, the Planning Commission shall make and enter findings from the record and conclusions thereof as to whether or not:

- (1) The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the Comprehensive Plan;
- (2) The proposal will adversely affect public infrastructure;
- (3) The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;
- (4) The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof;
- (5) The operations in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district;
- (6) The proposal will endanger the public health, or safety if located and developed where proposed, or in anyway will become a nuisance to uses permitted in the district.

III RECOMMENDATION OF PLANNING COMMISSION.

After a open record pre-decision hearing on a proposed temporary, conditional or unclassified use, the Planning Commission shall render a recommendation to the Board of Commissioners as to whether the proposal be denied, approved, or approved with modifications and/or conditions.

IV APPEAL - FILING REQUIREMENTS.

- (1) Any recommendation of the Planning Commission regarding a special permit application may be appealed in accordance with one of the following methods:
 - (a) Applicant. Within ten calendar days from the date of the Planning Commission recommendation, the applicant files written appeal with the Planner stating the basis of appeal from said recommendation;
 - (b) Other Person. Within ten calendar days from the date of the Planning Commission recommendation, any person aggrieved by said decision files written appeal with the Planner stating the harm to be experienced by such person as a result of the Planning Commission's recommendation;

- (c) A proper and timely filed appeal shall cause the Board of Commissioners to schedule a closed record hearing, notice of which shall be given in accordance with Amendments and Rezones to consider the appeal of the Planning Commission's recommendation.
- (2) Either method of appeal shall include payment of an appeal fee in the amount of one hundred dollars (\$100) at the time of filing said appeal.

V BOARD OF COMMISSIONERS CONSIDERATION.

- (1) Unless a proper and timely appeal is filed or the Board by majority vote deems further review is necessary, the recommendation of the Planning Commission shall be effected by proper action of the Board without further review. In the event the Board deems further review is necessary, it shall conduct a closed record hearing, notice of which shall be given in accordance with Amendments and Rezones.
- (2) In those cases which require further review, the Board shall at the conclusion of a closed record hearing make and enter findings of fact and take one of the following actions:
 - (a) Approve the special permit with or without conditions;
 - (b) Deny the special permit.

VI EFFECTIVE DATE.

Special permits shall become effective on the day after the date of the decision of the Board.

VII EXPIRATION.

Unless otherwise specified within the special permit, the applicant shall commence the special use authorized or obtain a building permit for construction of authorized facilities within six months after the effective date of the special permit, or the special permit shall expire. In the case of temporary special permits, unless otherwise specified within the permit, the permit shall expire after six (6) months from its effective date. Within thirty (30) days after the date of expiration, the applicant shall have removed from the premises the temporary use and any improvements of a temporary nature authorized by the permit.

VIII EXTENSIONS.

A one-time extension of a special permit may be granted provided the extension does not exceed six months and an application for extension is submitted to the Planner no later than thirty days after the expiration date of the special permit. This provision does not apply to temporary special permits.

VIII REVOCATION OF PERMIT.

Any special permit may be revoked by the Board of Commissioners if, after a public hearing, notice of which shall be given in accordance with Amendments and Rezones, it is found that the conditions upon which the special permit was authorized have not been fulfilled or if the use authorized has changed in size, scope, nature or intensity so as to become a detriment to the surrounding area. The decision of the Board is final.