



CONDITIONAL USE PERMIT APPLICATION
Liberty Lake Community Development Department
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A pre-application conference is required prior to the submittal of this application. To schedule a pre-application conference, please contact Community Development Department.

Intent

There are certain uses which, due to the nature of their impact on surrounding land uses and public facilities and services, require a case-by-case review and analysis. These are identified as “Conditional Uses” in City Development Code Chapter 2 – Zoning Districts. The purpose of Development Code Article 10 – 4H is to provide standards and procedures under which a conditional use may be permitted, enlarged, or altered if the site is appropriate and if other appropriate conditions of approval can be met.

Approvals Process

- An application for a new conditional use shall be processed as a Type II procedure (Development Code Article 10 – 4B). The application shall meet specific submission requirements (Development Code Section 10 – 4H – 3) and approval criteria (Development Code Section 10 – 4H – 4).
- Modifications to approved or existing conditional uses shall be processed in accordance with Development Code Article 10 – F – Modifications. Refer to the City Development Code for more information.

Criteria, Standards, and Conditions Of Approval

The Hearing Examiner shall approve, approve with conditions, or deny an application for a conditional use or to enlarge or alter a conditional use based on findings of fact with respect to each of the following standards and criteria:

- **Use Criteria**
 - The site size, dimensions, location, topography, and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, traffic, noise, vibration, exhaust/emissions, light, glare, erosion, odor, dust, visibility, safety, and aesthetic considerations;
 - The negative impacts of the proposed use on adjacent properties and on the public can be mitigated through application of other Code standards, or other reasonable conditions of approval; and
 - All required public facilities have adequate capacity to serve the proposal.
- **Site Design Standards**
 - The criteria for Site Design Review approval (Development Code Section 10 – 4C – 4) shall be met.
- **Conditions of Approval**

The Hearing Examiner may impose conditions that are found necessary to ensure that the use is compatible with other uses in the vicinity, and that the negative impact of the proposed use on the surrounding uses and public facilities is minimized. These conditions include, but are not limited to, the following:

- Limiting the hours, days, place, and/or manner of operation;
- Requiring site or architectural design features which minimize environmental impacts such as noise, vibration, exhaust/emissions, light, glare, erosion, odor, and/or dust;
- Requiring larger setback areas, lot area, and/or lot depth or width;

- Limiting the building height, size, or lot coverage, and/or location on the site;
 - Designating the size, number, location, and/or design of vehicle access points or parking areas;
 - Requiring street right-of-way to be dedicated and street(s), sidewalks, curbs, planting strips, pathways, or trails to be improved;
 - Requiring landscaping, screening, drainage, water quality facilities, and/or improvement of parking and loading areas;
 - Limiting the number, size, location, height, and/or lighting of signs;
 - Limiting or setting standards for the location, design, and/or intensity of outdoor lighting;
 - Requiring berms, screening, or landscaping and the establishment of standards for their installation and maintenance;
 - Requiring and designating the size, height, location, and/or materials for fences;
 - Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas, drainage areas, historic resources, cultural resources, and/or critical areas;
 - Requiring the dedication of sufficient land to the public, and/or construction of a pedestrian/ bicycle pathways in accordance with the adopted plans. Dedication of land and construction shall conform to the provisions of Development Code Article 10 – 3B.
- **Additional Development Standards for Conditional Use Types**
 - A conditional use permit shall not grant variances to regulations otherwise prescribed by the Development Code. Variance application(s) may be filed in conjunction with the conditional use application and both applications may be reviewed at the same hearing.
 - Development standards for specific uses are contained in Development Code Chapter 2 – Zoning Districts.

Application Submission Requirements

In addition to the submission requirements required in Development Code Article 10 – 4B, an application for conditional use approval must include the following information, as applicable, as detailed in Part 1 of this application:

- Site analysis map (existing site conditions);
- Proposed site plan;
- Preliminary grading plan;
- A landscape plan;
- Architectural drawings of all structures;
- Drawings of all proposed signs;
- A title report;
- A copy of all existing and proposed easements, restrictions or covenants.
- Burden of Proof - a narrative report documenting compliance with all applicable approval criteria listed above (Development Code Section 10 – 4H – 4).

APPLICATION - PART 1

The items below must be submitted electronically, as applicable:

- **Application Form**
 - Submit the completed application on the attached form with all signature blocks completed and non-refundable application fees and associated environmental fees (Community Development Department for a copy of the current fee schedule). *Acceptance of the application and fees does not guarantee approval of the conditional use permit.*

- **Burden of Proof**
 - Provide a narrative report documenting compliance with all applicable approval criteria listed above (Development Code Section 10 – 4H – 4)
- **Title Report**
 - Submit **1** electronic copy prepared by a Washington State Title Company, with live links to all recorded easements and encumbrances against the subject property. The report should be less than 30 days old.
- **A Copy of All Existing and Proposed Restrictions or Covenants**
- **Site Analysis Map** (existing site conditions)
 - Submit **1** electronic copy of the site analysis map drawn to scale. At a minimum the site map shall contain the following, as applicable:
 - The applicant’s entire property and the surrounding property to a distance that is sufficient to determine the location of the development in the City, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions, and gross area shall be identified;
 - Provide topographic contour lines shown at a five (5) foot minimum interval if slope exceeds 6 percent; and, identification of any slopes that are greater than 10 percent.
 - The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjacent to the site;
 - Potential natural hazard areas, including any areas identified as subject to a 100 – year flood, areas subject to high water table, and areas mapped by the City, County, or State as having a potential for geologic hazards;
 - Resource areas, including marsh and wetland areas, streams, wildlife habitat identified by the City or any natural resource regulatory agencies as requiring protection;
 - Site features, including existing structures, pavement, rock outcroppings, areas having unique views, and drainage ways, canals, and ditches;
 - The general location, size, and species of existing trees and other vegetation having a caliper (diameter) of 12 inches or greater at four feet above grade;
 - North arrow, scale, and names and addresses of all persons listed as owners on the most recently recorded deed.
 - Name and address of project designer, contact person, engineer, surveyor, and/or planner, as applicable.
- **Proposed Site Plan**
 - Submit **1** electronic copy of the proposal. At a minimum the Site Plan shall contain the following, as applicable:
 - Scale of drawing & North arrow
 - Vicinity map
 - Site area showing property boundaries & dimensions
 - Width and names of streets adjacent to the site
 - Existing buildings
 - Proposed buildings (including exterior decks/balconies) showing dimensions and distance to property boundaries
 - Height of all structures
 - Parking areas/ spaces/ driveways
 - Landscaping

- Fencing
 - Topography of the site
 - Easement(s) affecting the use of the property
 - Septic tank, drain field, and well
 - Dimensions from proposed structures to the ordinary high-water mark of all water bodies
 - Location and size of all wetlands
 - Easement which provides access to the public street
 - Access, if different from easement
- **Preliminary Grading Plan**
 - Submit **1** electronic copy, stamped by a licensed engineer.
 - **Architectural Drawings of All Structures**
 - Submit **1** electronic copy, stamped by a licensed architect / engineer.
 - **Landscape Plan**
 - Submit **1** electronic copy stamped by a licensed landscape architect). At a minimum the Landscape Plan shall contain the following, as applicable:
 - The location and height of existing and proposed fences and other buffering or screening materials;
 - The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;
 - The location, size, and species of the existing and proposed plant materials (at time of planting); and,
 - Existing and proposed building and pavement outlines.
 - **SEPA Application**
 - Submit the completed application on the form provided by the City with all signature blocks completed and non-refundable application fees and associated environmental fees (contact Community Development Department for a copy of the current fee schedule).
 - **Environmental Checklist**
 - Completed & signed checklist, on the form provided by the City.
 - **Certificate of Water & Sewer Availability**
 - Submit **1** electronic copy of a signed certificate of water availability from the water purveyor and 1 electronic copy of a letter from the sewer purveyor discussing how sewer will be provided to the site (size of lines and improvements required to connect), and whether the required improvements are in conformance with the approved sewer comprehensive plan, or an amendment to the sewer comprehensive plan is required.
 - **Required Public Notice Materials**
 - Community Development staff will provide you with the preparation instructions at the Pre-Application Conference.

APPLICATION - PART 2

Answer The Following, As Applicable (Answer N/A If Not Applicable)

Applicant Name:	
Email:	Phone:
Address:	City, State, Zip:
Agent / Consultant / Attorney: (mandatory if primary contact is different from applicant or property owner)	
Email:	Phone:
Address:	City, State, Zip:
Property Owner 1 Name:	
Email:	Phone:
Address:	City, State, Zip:
Property Owner 2 Name:	
Email:	Phone:
Address:	City, State, Zip:

Site Specific/Project Information			
Site Address / Location:			
Parcel Number(s) of Project / Proposal:			
Legal Description of Project / Proposal:			
Section:	Township:	Range:	Source of Legal Description:
Parcel Size(s):			
Adjacent Area Owned or Controlled (acres or sq. ft.):			
Parcel Number(s) of Adjacent Area:			
Existing Use of Subject Property:			
Describe Proposed Use of the property, noting change from Existing Use:			
Zoning Designation: _____		Land Use Designation: _____	
School District: _____		Fire District: _____	
Sewer Purveyor: _____		Water Purveyor: _____	
List Previous Planning Actions Involving Subject Property:			
Name of Public Street(s) Providing Access:			
Width of Property Fronting on Public Street:			
Does the proposal have access to an arterial or planned arterial?			Yes No
If yes, name of arterial street(s):			
Does the proposal meet all City Development Code standards?			Yes No

If not, has one or more variances been requested?	Yes	No
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Signing this application is acknowledgement of agreement to pay based upon the City's latest approved Fee Schedule. Invoices will be sent 30 days, 60 days, and 90 days after the permit is ready for issuance, unless otherwise stated. Any balance on the account of this project that is not paid within 90 days of the invoice date may result in legal action or the initiation of other collection procedures. Land use permits, infrastructure permits, and other Zoning, Land Use & Subdivision applications will require the associated fees to be paid up front.

Required Signatures

By signing below (with either electronic or physical signature), I acknowledge that as the applicant I am the property owner or have full permission and authority to represent the property owner in this project and carry out the work specified on the permit. Additionally, I certify that my signature included on the application, if done electronically, provides the same understanding and authority as if I had signed the application permit in person or in writing. I give permission for use of my electronic signature on the permit, and I acknowledge, understand, and agree to the requirements and terms described on this application.

Applicant's Signature	Printed Name	Date
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The below signed property owners certify that the above information is true and correct to the best of our knowledge and under penalty of perjury, each state that we are all of the legal owners of the property described above and designate the above listed agent/consultant/attorney to act as our agent with respect to this application.

Property Owner's Signature	Printed Name	Date
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