

CONDITIONAL USE PERMIT (CUP)

Application Procedure

In this packet:

- Land Use application
- CUP Application
- SEPA Environmental Checklist

What to submit:

- Completed "Permit Application" forms
- Fees (call department for current fees)
- Detailed description of proposed project
- Site Plan
- SEPA Checklist
- Pictures of Site, drawings of project structures, if applicable

Conditional use permit process:

“‘Conditional use’ means a use permitted in one or more zones by this code, but which because of characteristics peculiar to each such use, or because of size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible with other existing or permissible uses in the same zone or zones. Conditional uses require a conditional use permit.” OCC 17A.020.260 definitions.

Authority: OCC 17A.310

Application Packet

Standardized application forms are attached. A complete application includes:

- Fee: The current application fee is identified on the County fee schedule. Fees are subject to periodic change. A current fee schedule is available at the Office of Planning and Development or on the County’s website. OCC 17A.310.030 A
- Land Use Permit Application: This application is required for all application types. Check the “Conditional Use Permit (CUP)” box and complete the remainder of the application. OCC 17A.310.030 B
- Project Description: Submit a thorough explanation of the project. OCC 17A.310.030 C
- Site Plan: The site plan must clearly represent existing conditions and depict the proposed development activity and associated structures and other improvements. The site plan should be consistent with the project description. OCC 17A.310.030 D
- Landowner/Agent Consent: The landowner must consent to the application. This form can be used either when the applicant is someone besides the landowner, or if a consultant submits the application packet on behalf of the landowner. The landowner/agent consent form is not a power of attorney.

Application Review Process

Authority: OCC 17A.310

- Planning staff reviews application for completeness. OCC 17A.310.050
- When planning staff determines that application is complete, the application is accepted (vested).
- A threshold State Environmental Policy Act (SEPA) determination is made. A notice of the application and SEPA determination is sent to county and city (when located near) departments, public agencies, utility and fire districts for comment as well as adjacent landowners within 300-feet of the property. It is also published in the counties periodical of record. The comment period is 14 days.
- At the end of the comment period, comments are reviewed. Based on these, a final SEPA determination is issued. A final determination is published as well as an appeal period for this determination. This notice is sent to agencies, adjacent landowners, public commenters and the counties periodical of record.
- The CUP is placed on the Hearings Examiner’s agenda for its next available meeting. Notice of application and hearing is published in Okanogan County's periodical of record a minimum of 10 days prior to hearing date. The applicant is responsible for conspicuous posting of notice and completion of "Affidavit of Posting". Cardstock notices shall be given to the applicant.
- Planning staff prepares a report with its findings to the Hearings Examiner and presents it a minimum of 10 days prior to the hearing. The report is also sent to the applicant.
- Public hearing with the Okanogan County Hearings Examiner. This is a quasi-judicial open record proceeding. The applicant is responsible for presenting their proposal to the Hearing Examiner (or Board of Adjustment) and answering any questions by the Hearing Examiner. During the hearing, the Hearing Examiner reviews the application and evaluates comments and testimony. The final decision is made by the Hearing Examiner. Approval may include specific conditions used to mitigate impacts deriving from approval of the conditional use permit.
- An official decision will be produced by the Hearing Examiner. The conditional use permit decision is issued and signed by the Hearing Examiner and sent to the Planning Department. The Planning Department

is responsible for notifying the applicant of a final decision and sending a hard copy to the applicant. The Hearing Examiner has 10 working days to issue a decision, and that decision is final, subject to appeal.

- Reconsideration Period. (Optional) “Any aggrieved party or agency...that believes the final decision of the examiner is unsound...may make a written request for reconsideration by the examiner within 14 days of the filing of the written record of decision. If the examiner chooses to reconsider, he/she may revise the decision as they deem appropriate, and may issue a revised record of decision within 10 days of the reconsideration heard by the examiner. A request for reconsideration is not a prerequisite to an appeal.” OCC 2.65.130.
- Appeal of examiners decision is to Superior Court of Okanogan County. (Optional) Any final decision made by the Hearing Examiner is appealable in accordance with RCW 36.70C “Land Use Petition Act”. The appeal period spans 21 days from the date of publication of the final decision. Appeals are submitted directly to Okanogan County Superior Court.

Things to Consider

Applicants should consider the following information prior to submitting an application:

- Approval is not guaranteed. Application fees are not refunded for denied applications.
- The application review process is complex. Applicants should consult with professionals while constructing the application and throughout the review process. Land use professionals include planning consultants, attorneys, surveyors, engineers, contractors, etc.
- It is the applicant’s responsibility to demonstrate compliance with standards and criteria (OCC 17A.310.070) and any conditions of approval.
- Projects must comply with regulations not specifically identified by OCC 17A.310 “Conditional Use Permits” such as Subdivisions, Environmental Policy (SEPA), Shorelines, Critical Areas, County Road Standards, Environmental Health (water and wastewater), Building Codes, Current Use Taxation, etc. It is the applicant’s responsibility to understand these regulations.
- The Colville Confederated Tribe jointly reviews projects located within the Colville Indian Reservation. Okanogan County coordinates review with CCT Planning Department. Applicants should contact CCT Planning prior to submitting an application

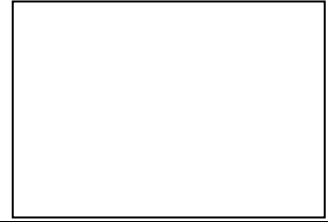


LAND USE APPLICATION FOR CITIES, COUNTIES AND THE COLVILLE CONFEDERATED TRIBES

(The City/County/Tribes may require that additional application forms be completed)



PROJECT TITLE: _____



Total Fees Paid \$ _____ **Receipt #** _____ **Initials** _____

THIS APPLICATION IS FOR (check one):

| | | | | | |
|--|--|--|---|--|--|
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Short Form Development Permit | <input type="checkbox"/> Variance | <input type="checkbox"/> Conditional Use Permit (CUP) | <input type="checkbox"/> Short Subdivision (4 or fewer lots) | <input type="checkbox"/> Subdivision (5 or more lots) |
| <input type="checkbox"/> Binding Site Plan | <input type="checkbox"/> Petition for Rezone or Code Amendment | <input type="checkbox"/> Planned Development | <input type="checkbox"/> Flood Plain Development Permit | <input type="checkbox"/> Shoreline Development Permit or Exemption | <input type="checkbox"/> Other (specify) _____ _____ |

APPLICANT INFORMATION:

SURVEYOR OR AGENT INFORMATION:

Name: _____ Name: _____
 Mailing Address: _____ Mailing Address: _____
 City/State/Zip: _____ City/State/Zip: _____
 Phone: _____ Phone: _____

NAME AND ADDRESS OF PROPERTY OWNER, IF DIFFERENT FROM APPLICANT ABOVE:

Name: _____ Phone: _____
 Address: _____ City/State/Zip: _____

CHECK ONE: Colville Tribal Member (Enrollment number _____) **OR** Non Tribal Member

CHECK ONE: Within the boundaries of the Reservation **OR** Outside the boundaries of the Reservation

TOWNSHIP _____ **RANGE** _____ **SECTION** _____

CHECK ONE: Trust land [allotment number(s)] **101--** _____ **101--** _____
 Fee Land [10 digit parcel number(s)] _____

This property is located within the _____ ZONING DISTRICT

↓FOR OFFICIAL USE ONLY↓

After reviewing all relevant information about this land use application, the reviewing agencies hereby agree that

The Colville Tribes Okanogan County Municipality of _____ will be the permitting agency.

Signature _____ Date _____
 Authorized Colville Tribal Representative

Signature _____ Date _____
 Authorized County Representative

Signature _____ Date _____
 Authorized City Representative

PROJECT INFORMATION:

Brief Description of Proposal (kind of use, size, # of units, method of water supply and sewage disposal, etc.): _____

General Description (miles from nearest town, water body, highway, etc. Vicinity map may be attached): _____

Current Land Use, Comprehensive Plan, Shoreline, Flood and Zoning Designations: _____

Name of Irrigation District: _____

Electrical Service Provider: _____

Name of Water System: _____

Name of Local Telephone Company: _____

Point of Legal Access (existing or proposed): _____

Please attach any other plans, specifications, or information as required by ordinance or guidelines.

Please see specific site plan requirements for Okanogan County applications.

SIGNATURE BLOCK

I am the applicant name on the reverse page and hereby state that the foregoing information, and all information attached hereto, is true to the best of my knowledge.

Signature _____ Date _____

Structures and uses existing on parcel:

Describe current use of parcel: _____

Existing Structure Dimensions: _____ Structure Height to Peak: _____

Existing Structure Dimensions: _____ Structure Height to Peak: _____

Structures and uses to be added to parcel for project:

Describe structures to be added on the parcel for the project and their uses: _____

Structure Dimensions: _____ Structure Height to Peak: _____

Structure Dimensions: _____ Structure Height to Peak: _____

Map:

Provide a comprehensive map of the project demonstrating existing structures, proposed structures, setbacks from property lines and any critical areas on the parcel or on adjacent parcels, locations of uses (such as stockpiling, vehicle maintenance or storage, loading and unloading, commercial structures, residence, garage, etc.), fencing, ingress and egress for the project, etc.

Photos:

Photos relevant to the project may be helpful. Provide at your discretion.

Additional documentation:

Please provide any additional documents relevant to the application. These could include plat maps, statements from adjacent landowners, elevation surveys, wetland delineations, etc.



Office of
 Planning and Development
 123 - 5th Ave. N. Suite 130 - Okanogan, WA 98840
 (509) 422-7160 • FAX: (509) 422-7349 • TTY/Voice Use 800-833-6388
 e-mail: planning@co.okanogan.wa.us

LANDOWNER/AGENT CONSENT FORM

I(we) the undersigned owner(s) of record of parcel no. _____,
 located at (physical address): _____,
 consent to and authorize (agent name), _____,
 to act on my/our behalf for the purposes of obtaining approval for (development type):

submitted to the Okanogan County Office of Planning and Development.

I(we), as landowners of the above described property understand and agree to the following:

- I(we) are legal owners of the subject property and may act on behalf of any and all interested parties, financial and otherwise;
- I(we) are responsible for all activities occurring on the subject property;
- Okanogan County, its officers, and staff shall not be held liable for any activities arising from the actions of the above named agent;

Landowner

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone: _____
 Email: _____

 (Signature) (Date)

Authorized Agent

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone: _____
 Email: _____

 (Signature) (Date)

Landowner

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone: _____
 Email: _____

 (Signature) (Date)

Authorized Agent

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone: _____
 Email: _____

 (Signature) (Date)

WAC 197-11-960 Environmental checklist.

ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

2. Name of applicant:
3. Address and phone number of applicant and contact person:

4. Date checklist prepared:
5. Agency requesting checklist:
6. Proposed timing or schedule (including phasing, if applicable):

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

10. List any government approvals or permits that will be needed for your proposal, if known.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR
AGENCY USE ONLY

B. ENVIRONMENTAL ELEMENTS

1. **Earth**

a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous,
other

b. What is the steepest slope on the site (approximate percent slope)?

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
 - a. **Air**
 - a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

 - b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

 - c. Proposed measures to reduce or control emissions or other impacts to air, if any:

3. **Water**

a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

2) Could waste materials enter ground or surface waters? If so, generally describe.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

4. **Plants**

a. Check or circle types of vegetation found on the site:

- _____ deciduous tree: alder, maple, aspen, other
- _____ evergreen tree: fir, cedar, pine, other
- _____ shrubs
- _____ grass
- _____ pasture
- _____ crop or grain
- _____ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- _____ water plants: water lily, eelgrass, milfoil, other
- _____ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

c. List threatened or endangered species known to be on or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

5. **Animals**

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

- birds: hawk, heron, eagle, songbirds, other:
- mammals: deer, bear, elk, beaver, other:
- fish: bass, salmon, trout, herring, shellfish, other:

b. List any threatened or endangered species known to be on or near the site.

c. Is the site part of a migration route? If so, explain.

d. Proposed measures to preserve or enhance wildlife, if any:

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

1) Describe special emergency services that might be required.

2) Proposed measures to reduce or control environmental health hazards, if any:

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

3) Proposed measures to reduce or control noise impacts, if any:

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

- b. Has the site been used for agriculture? If so, describe.

- c. Describe any structures on the site.

- d. Will any structures be demolished? If so, what?

- e. What is the current zoning classification of the site?

- f. What is the current comprehensive plan designation of the site?

- g. If applicable, what is the current shoreline master program designation of the site?

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

- i. Approximately how many people would reside or work in the completed project?

- j. Approximately how many people would the completed project displace?

- k. Proposed measures to avoid or reduce displacement impacts, if any:

1. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

- c. Proposed measures to reduce or control housing impacts, if any:

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

- b. What views in the immediate vicinity would be altered or obstructed?

- c. Proposed measures to reduce or control aesthetic impacts, if any:

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

- c. What existing off-site sources of light or glare may affect your proposal?

- d. Proposed measures to reduce or control light and glare impacts, if any:

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

- b. Would the proposed project displace any existing recreational uses? If so, describe.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

13. Historic and cultural preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

- c. Proposed measures to reduce or control impacts, if any:

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

- c. How many parking spaces would the completed project have? How many would the project eliminate?

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

- g. Proposed measures to reduce or control transportation impacts, if any:

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Date Submitted:

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.