

20.30.330 Special use permit – SUP (Type C action).

A. **Purpose.** The purpose of a special use permit is to allow a permit granted by the City to locate a regional land use ~~including essential public facilities on unclassified lands, unzoned lands, or when not specifically allowed by the zoning of the location,~~ but that provides a benefit to the community and is compatible with other uses in the zone in which it is proposed. This includes essential public facilities on unzoned lands, or when not specifically allowed by the zoning of the location. The special use permit may be granted subject to conditions placed on the proposed use to ensure compatibility with the surrounding area. ~~The special use permit shall not be used to preclude the siting of an essential public facility.~~

B. **Decision Criteria (Applies to All Special Uses).** A special use permit ~~may~~ shall be granted by the City only if the applicant demonstrates that:

1. The use will provide a public benefit or satisfy a public need of the neighborhood, district, City or region;
2. The characteristics of the special use will be compatible with the types of uses permitted in surrounding areas;
3. The special use will not materially endanger the health, safety and welfare of the community;
4. The proposed location shall not result in either the detrimental over-concentration of a particular uses within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;
5. The special use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
6. The special use will be supported by adequate public facilities ~~or~~ and services and will not adversely affect public facilities and services to the surrounding area or conditions can be established to mitigate adverse impacts;
7. The location, size and height of buildings, structures, walls and fences, and screening vegetation for the special use shall not hinder or discourage the ~~appropriate~~ development or use of neighboring properties; and
8. The special use is not in conflict with the goals and policies of the Comprehensive Plan. ~~the basic purposes of this title; and~~
9. ~~The special use is not in conflict with the standards of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, or Shoreline Master Plan, SMC Title 20, Division II.~~

C. **Decision Criteria (Light Rail Transit Facility/System Only).** In addition to the criteria in subsection B of this section, a special use permit for a light rail transit system/facilities located anywhere in the City may be granted by the City only if the applicant demonstrates the following standards are met:

1. The proposed light rail transit system/facilities uses energy efficient and environmentally sustainable architecture and site design consistent with the City’s guiding principles for light rail system/facilities and Sound Transit’s design criteria manual used for

all light rail transit facilities throughout the system and provides equitable features for all proposed light rail transit system/facilities;

2. The use will not result in, or will appropriately mitigate, adverse impacts on City infrastructure (e.g., roads, sidewalks, bike lanes) as confirmed by the performance of an access assessment report or similar assessment, to ensure that the City's transportation system (motorized and nonmotorized) will be adequate to safely support the light rail transit system/facility development proposed. If capacity or infrastructure must be increased to meet the decision criteria set forth in this subsection C, then the applicant must identify a mitigation plan for funding or constructing its proportionate share of the improvements; and

3. The applicant demonstrates that the design of the proposed light rail transit system/facility is generally consistent with the City's guiding principles for light rail system/facilities.

D. Decision Criteria (Essential Public Facilities Only). In addition to the criteria in subsection B of this section, a special use permit for an essential public facility (EPF) may be granted by the City only if the applicant demonstrates the following standards are met:

1. The facility meets one of the following:

a. The Growth Management Act definition of an essential public facility pursuant to RCW 36.70A.200(1), as amended; or

b. Is on the statewide list of essential public facilities maintained by the Office of Financial Management pursuant to RCW 36.70A.200(4), as amended; or

c. Is on the countywide list of essential public facilities.

2. The applicant has investigated and considered alternative sites and provided documentation of the site selection methodology. That methodology should include an analysis of whether siting of the EPF would have a disproportionate impact on any one racial, cultural, or socioeconomic group.

3. The EPF is consistent with the plan under which the applicant operates, if any such plan exists.

4. The EPF will not prevent reasonable access to any required amenities the site provides to the surrounding community.

5. Local police, fire and emergency responders have reviewed the EPF and have determined it can be adequately served by local emergency services.

6. The EPF and its location, design, use, and operation must be in compliance with any guidelines, regulations, rules, or statutes governing the EPF as adopted by state law, or by any other agency or jurisdiction with authority over the EPF for the life of the EPF.

7. Where reasonably feasible the EPF has incorporated mitigation measures developed during a public outreach effort that has provided an opportunity for public participation in the siting decision and proposal of mitigation measures.

E. The City may impose conditions on the location, design, or operation of a special use in order to mitigate identified environmental, public safety or other impacts of the special use.

E. D. Vesting of Special Use Permits Requested by Public Agencies. A public agency may, at the time of application or at any time prior to submittal of the SUP application to the City Hearing Examiner, request in writing a modification in the vesting expiration provisions of SMC 20.30.160, allowing for vesting of the SUP for a period of up to five years from the date of Hearing Examiner approval or, if the SUP provides for phased development, for a period of up to 10 years from date of Hearing Examiner approval. If permitted, the expiration date for vesting shall be set forth as a condition in the SUP.