

# Administrative Use Submittal

## Submittal Items

*Please included the following:*

- Land Use Application
- 2 sets any applicable plans
- Verified statement that property affected is in the exclusive ownership of the applicant or has consent of all owners
- Completed environmental checklist
- Intake fee: \$360
- Deposit: \$1080

*The applicant shall be responsible for the actual cost incurred by the City in processing the application. The total fee shall be reduced by the amount of the deposit. The applicant shall remit to the City the amount exceed by the deposit. If the deposit fee exceeds the City's actual costs, the balance shall be refunded.*



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*Please demonstrate the proposal's compliance with the following criteria:*

The proposed use will not be detrimental to the public health, safety, and welfare; injurious to property or improvements in the vicinity; or adversely affect the established character of the surrounding vicinity.

*The proposed use will not be detrimental to the public health or safety. The new site will improve the walkways along the public right of way for safe pedestrian access. The proposed project will enhance the surrounding area by adhering to the city design guidelines.*

The proposed use will meet or exceed all applicable development, design and performance standards and guidelines required for the specific use, location, or zoning classification.

*Building and landscaping setbacks will be consistent with the specific land use and zoning classification. Site, architectural and landscaping elements will be incorporated to meet or exceed the design guidelines for this area. Additional parking is needed for the specific use.*

The proposed use will be consistent and compatible with the goals, objectives and policies of the comprehensive plan.

*The proposed use conforms with the zoning as set forth in the comprehensive plan including pedestrian friendly elements such as walkway connectivity and patio seating. Additionally, a landscape buffer will exist between the sidewalk and the parking lot.*

All conditions necessary to lessen any impacts of the proposed use are measurable and can be monitored and enforced.

*A traffic impact analysis has been created to substantiate the site plan design. Adequate Drive-thru stacking and parking have been incorporated so that no negative impacts will occur on 19th St.*

## **Chapter 22.70**

### **ADMINISTRATIVE USE PERMITS**

An administrative review process is required to ensure that the activity, if established, will be in full compliance with applicable regulations and that such uses are compatible with the comprehensive plan, adjacent uses, and the character of the vicinity.

The director may approve, approve with conditions, modify and approve with conditions, or deny, an administrative use permit. An administrative use permit shall be approved when the director has determined that the criteria listed below are met by the proposal. The director may impose specific conditions upon the use, including an increase in the standards of this title, which will enable the director to make the required findings. These conditions may include, but are not limited to, restrictions in hours of operations; restrictions on locations of structures and uses; structural requirements which address safety, noise, light and glare, vibration, odor, views, aesthetics and other impacts; and increased buffering requirements, including open space, berms, fencing and landscaping.

An administrative use permit is classified as a Type II application. Application for an administrative use permit shall be submitted on forms provided by the department. A minimum of two sets of plans, materials and other applicable information shall be submitted with the application. Based on a preliminary review of the proposal, the director may determine that additional information is necessary to complete the review and shall be provided by the applicant.

The director may require as a condition of administrative use permit approval that the applicant furnish the city with a performance bond, or other form of guarantee deemed acceptable by the city attorney, to secure the applicant's obligation to complete the provisions and conditions of the permit as approved.

In the event that an administrative use permit is not exercised within one year from the effective date of approval, it shall automatically become null and void; provided, however, that for good cause, the director may grant a one-time extension of one year if an extension request is filed with the department no less than 15 days prior to the date of expiration for the administrative use permit. A properly filed application for a time extension shall stay the effective date of expiration until action on the request has become final. The process for taking action on the request shall be the same used for the original administrative use permit application. Before taking action to grant an extension, the director shall adopt written findings showing that the following circumstances exist:

- a. The proposal approved under the terms of the administrative use permit originally granted remains in conformance with current development standards contained in this title. (If the proposal no longer conforms to this title as a result of more restrictive standards being adopted subsequent to the original approval, the director may consider a modified proposal which would comply with the more restrictive standards.)
- b. The findings adopted in support of the original administrative use permit request remain valid and supportive of the time extension request.

*This is a summary of the process. For complete development regulations, please see FMC Chapter 22.70.*