

UNCLASSIFIED USE PERMITS

Permit Type: Use Permit
Permit Subtype: Unclassified

City of Tukwila - Permit Center
6300 Southcenter Blvd, Suite 100,
Tukwila, WA 98188
www.tukwilawa.gov/departments/permit-center/



ABOUT UNCLASSIFIED USE PERMITS

Unclassified Use Permits (UUPs) apply to an unusual, large-scale, unique and/or special type of land use which, due to its nature, requires special review of its impacts on the community and land uses in the vicinity.

Approval is typically based on case-by-case evaluation to determine if the use aligns with the intent of the zoning regulations and is appropriate for the area.

Applicable Regulations:

- [Tukwila Title 18 – Zoning](#)

Resources:

- [City Maps](#)
- [Land Use Permit Portal](#)

SUBMITTAL CHECKLIST

Submit the materials below with your application; additional materials may be required. A pre-application meeting is recommended. Save files as PDFs per Tukwila's electronic submittal standards. All files must use the listed "File Name" in the table.

CHECKLIST	FILE NAME	DESCRIPTION
<i>DOCUMENTS</i>		
	Affidavit	Completed and notarized 'Affidavit of Ownership and Hold Harmless Permission to Enter Property'. See the Permit Center web page to find the template for this document.
	Criteria Response	Detailed demonstration that the application meets all applicable criteria outlined in the code for the proposed use.
	SEPA Checklist	A SEPA Checklist and separate SEPA Review Application is required unless exempt pursuant to WAC 197-11-800. City staff will review the checklist and the proposal's likely environmental impacts and issue a threshold determination.
	Title Report	Less than 30 days old.
<i>PLANSETS</i>		
	Plan Set	Refer to the Land Use Application Plan Set Guide for preparing plans.
<i>NOTICE</i>		
	Notice Board	Confirmation (photographs or affidavit) that the required notice board has been placed on the property.

UNCLASSIFIED USE PERMIT

Unclassified uses are those uses that are unusual, large scale, or of a special form. Because they are unique, they cannot be automatically determined to be permitted or denied in any zoning district. They often require special consideration, and do not have specific development standards within the zoning code. UUPs require approval by the City Council.

PROCEDURES:

When submitting your application, include all items from the Submittal Checklist. You may request a waiver for non-applicable items by discussing it with City staff. Within 28 days of payment of all pending application fees, staff will confirm if your application materials are complete. Incomplete applications will receive a letter listing missing items. Failure to provide all required materials within 90 days may result in cancellation of the permit application.

UUPs are Type 4 applications (TMC 18.104) and are decided by the City Council at an open-record public hearing. Once an application has been determined to be complete, DCD staff will review it for compliance with the Tukwila Municipal Code. Staff will then prepare a recommendation; that recommendation will be for the City Council to approve, deny, or conditionally approve the project proposal.

All other required land use permits and SEPA reviews must be completed prior to UUP application approval. If the project is not exempt from SEPA, an environmental determination is required before the Public Hearing can occur.

CRITERIA OF APPROVAL:

The City Council shall be guided by the following criteria in granting an unclassified use permit (TMC 18.66.060):

1. Where appropriate and feasible, all facilities shall be undergrounded.
2. The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity.
3. The proposed use shall meet or exceed the same standards for parking, landscaping, yards and other development regulations that are required in the district it will occupy.
4. The proposed development shall be compatible generally with the surrounding land uses.
5. The proposed development shall to the maximum extent feasible be consistent with and promote the goals, objectives, and policies of the Comprehensive Land Use Policy Plan and applicable adopted area plans.
6. The proposed unclassified use shall, to the maximum extent feasible, mitigate all significant adverse environmental impacts on public and private properties. Full consideration shall be given to: (a) alternative locations and/or routes that reduce or eliminate adverse impacts; and (b) alternative designs that reduce or eliminate adverse impacts.
7. In the event that a proposed essential public facility of a countywide or statewide nature creates an unavoidable significant adverse environmental or economic impact on the community, compensatory mitigation shall be required. Compensatory mitigation shall include public amenities, incentives or other public benefits which offset otherwise unmitigated adverse impacts of the essential public facility. Where appropriate, compensatory mitigation shall be provided as close to the affected area as possible.
8. For uses in residential areas, applicants shall demonstrate that there is no reasonable nonresidential alternative site for the use.
9. For uses in residential areas, applicants shall demonstrate that the use provides some tangible benefit for the neighborhood.

UNCLASSIFIED USE PERMIT

10. Secure community transition facilities shall be meet the following additional criteria:

- a. No facility shall house more than four persons or the number of persons requested by DSHS after DSHS both demonstrates a need for additional beds in compliance with Chapter 71.09 RCW and it demonstrates compliance with Chapter 71.09 RCW's "equitable distribution" requirements.
- b. The facility shall be located in relation to transportation facilities in a manner appropriate to the transportation needs of the secure community transition facility residents.

EXPIRATION:

An unclassified use permit expires one year after the Notice of Decision unless a building permit is obtained within that time. It also expires if substantial construction isn't completed within two years. The City Council may allow longer periods or grant one renewal if extraordinary, unforeseeable circumstances are shown. No public hearing is required for renewal. (TMC 18.64.060)

REVOCATION OF PERMIT:

The City Council may revoke or modify an unclassified use permit based on deception, abandonment, non-use for over a year, violation of approval terms or regulations, or if the use is detrimental to public health or safety. Any aggrieved party may petition the Director of Community Development in writing to initiate such proceedings. A public hearing is required before revocation or modification, following the same notice, reporting, and appeal procedures as the initial permit application.

RESUBMITTAL OF APPLICATION:

An application for an unclassified use permit which has been disapproved by the City Council cannot be resubmitted within six months of the date of City Council disapproval.