

ZONING VARIANCE

City of Tukwila - Permit Center
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Tukwila, WA 98188
[www.tukwilawa.gov/departments/
permit-center/](http://www.tukwilawa.gov/departments/permit-center/)



Permit Type: Variance
Permit Subtypes: Zoning

ABOUT ZONING VARIANCES

A variance is a request to deviate from the strict requirements of zoning laws or land use regulations, typically granted when a property owner faces unique circumstances that make strict compliance difficult or unreasonable. This exception allows for flexibility in the application of regulations such as setbacks, building height, or land use, while still maintaining the overall intent of the zoning rules. Variances are typically considered when the applicant can demonstrate that the property has special features, like size, shape, or location, that justify the request. However, variances cannot permit uses that are prohibited by zoning laws or grant special privileges to one property over others in the same area.

Applicable Regulations:

- [TMC Title 18 – Zoning](#)

Resources:

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

PRE-APPLICATIONS

When preparing to submit an application in the City of Tukwila, it's highly recommended that applicants complete a pre-application process first. This step can help you identify any potential issues early, clarify the requirements, and streamline the overall application process. By engaging in a pre-application meeting with the City's planning staff, you'll gain valuable insights that can save time and resources down the line, ensuring that your final application is more likely to meet the necessary criteria for approval.

SUBMITTAL CHECKLIST – REQUIRED FOR ALL PERMITS

A PDF of each document is required at time of submittal. Please label files as listed below:

CHECKLIST	FILE NAME	DESCRIPTION
DOCUMENTS		
	Affidavit	Completed and notarized ' Affidavit of Ownership and Hold Harmless Permission to Enter Property '.
	Criteria Response	Detailed demonstration that the application meets all applicable criteria outlined in the code for the proposed use, below.
	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.
PLAN SETS		
	Plan Set	Refer to the Land Use Application Plan Set Guide for preparing plans.
NOTICE		
	Notice Board	Confirmation (photographs or affidavit) that the required notice board has been placed on the property.

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REVIEW CRITERIA

The Hearing Examiner shall grant a variance only if all of the following conditions are met:

- The variance will not grant special privilege inconsistent with the uses of other properties in the vicinity and zone.
- The variance is necessary due to special circumstances (size, shape, topography, location, or surroundings) to allow similar use rights as other properties in the zone.
- The variance will not be materially detrimental to the public welfare or injurious to properties in the vicinity or zone.
- The variance will not adversely affect the Comprehensive Land Use Policy Plan.
- The variance is necessary for the preservation of a substantial property right possessed by owners of other properties in the same zone or vicinity.
- The need for the variance is not due to deliberate actions by the applicant or property owner.
- If the variance is from the Sign and Visual Communication Code, it will result in greater convenience for the public in identifying the business location.

PROCEDURES

Application Requirements

- Applications for variances are processed as Type 3 decisions which require a public hearing before the Hearing Examiner.

Conditions of Approval

- The Hearing Examiner may attach conditions to the variance to carry out the intent of the chapter and serve the public interest.

Expiration

- The variance becomes void after one year, or a longer specified period, if no building permit is issued in accordance with the approved plans.
- The Hearing Examiner may extend the variance for up to 12 months without a public hearing if no basic changes have occurred in conditions surrounding the property since the original approval.

Prohibited Variances

- A variance will not be granted to allow a use that is not generally or conditionally permitted in the zone.
- A variance will not be granted to permit any use prohibited by the terms of the zone.
- A variance will not be granted for a sign type prohibited by the Sign and Visual Communication Code.

For more detailed guidance, please consult Tukwila Municipal Code Chapter 18.72.