

CONDITIONAL USE PERMITS

Permit Type: Use Permit
 Permit Subtype: Conditional

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



ABOUT CONDITIONAL USE PERMITS

Conditional Use Permits (CUPs) are required for certain land uses that may be appropriate in a zoning district but need additional review to ensure they are compatible with surrounding properties.

CUPs may include special requirements (referred to as “conditions”) to mitigate potential impacts, such as traffic, noise, or environmental concerns.

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.

Required Documents	Attachment File Name
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.	Affidavit
Response - Detailed demonstration that the application meets all applicable criteria outlined in the code for the proposed use.	Criteria Response
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.	SEPA Checklist
Title Report - Less than 30 days old.	Title Report
Plans	Attachment File Name
Refer to the Land Use Application Plan Set Guide for preparing plans.	Plan Set
Notice	Attachment File Name
Confirmation (photographs or affidavit) that the required notice board has been placed on the property.	Notice Board

CONDITIONAL USE PERMIT

A Conditional Use Permit addresses unique land uses requiring special consideration of their impact on nearby areas (TMC 18.64.010). Shoreline Conditional Uses require a separate permit under Shoreline regulations (TMC 18.44.110).

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.

CUPs are Type 3 applications (TMC 18.104) and are decided by the Hearing Examiner at an open-record public hearing. Once the application is 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 either be for the Hearing Examiner to approve, deny, or conditionally approve the project proposal.

All other required land use permits and SEPA reviews must be completed prior to CUP 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 following criteria shall apply in granting a conditional use permit (TMC 18.64.050):

1. The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the proposed use or in the district in which the subject property is situated;
2. The proposed use shall meet or exceed the performance standards that are required in the district it will occupy;
3. The proposed development shall be compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design;
4. The proposed use shall be in keeping with the goals and policies of the Comprehensive Land Use Policy Plan;
5. All measures have been taken to minimize the possible adverse impacts which the proposed use may have on the area in which it is located.

EXPIRATION:

A conditional use permit (CUP) 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 Hearing Examiner 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)

REVOCAION OF PERMIT:

The Hearing Examiner may revoke or modify a conditional 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.