



CITY OF TUKWILA

Department of Community Development

6300 Southcenter Boulevard, Tukwila, WA 98188

Telephone: (206) 431-3670 FAX: (206) 431-3665

E-mail: planning@TukwilaWA.gov

ZONING CODE AMENDMENTS

INFORMATION

Tukwila's Zoning Code implements its Comprehensive Plan policies. Rezoning a specific area (map change) will require a corresponding change to the Comprehensive Plan designation and the submittal of a separate Comprehensive Plan Amendment application. A text change to the Zoning Code does not necessarily require a Comprehensive Plan change.

The land use designations and zoning regulations are the result of extensive discussion by residents, business owners and community groups. The community developed these policies and regulations based on consideration of existing conditions and long-term, community-wide goals. When an amendment is considered, the burden is on the proponent to demonstrate that the change is justified. An amendment may be appropriate in light of new information that affects assumptions on which the Comprehensive Plan and Zoning Code were based, unanticipated changes in community conditions or goals, or in the interest of public safety and welfare.

It is important for the City to review and revise the Code as conditions and community priorities change. The relevance of the Comprehensive Plan and Zoning Code is based, in large part, on being up-to-date. The requirements and procedures are listed below.

PROCEDURES: The Growth Management Act (GMA) allows a city's Comprehensive Plan to be amended no more than once each year except in an emergency or to amend the Shoreline Master Program (RCW 36.70A.130). Chapter 18.84 of the Tukwila Municipal Code (TMC) outlines a process for submittal and review of the proposed Zoning Code Amendment.

Text Changes

Changes to the allowed uses or development standards in the Zoning Code may be submitted at any time. They will have an initial review by the City Council. The City Council may either: 1) reject the proposal; 2) defer consideration until a later date; or 3) refer the proposal for additional review.

Rezoning

Comprehensive Plan and Zoning Code Amendment rezone applications are due by December 31. The City Council holds a public meeting the following spring for a threshold review of proposed Comprehensive Plan and Zoning Code Amendments received prior to the December 31 deadline. The City Council may either: 1) reject the proposal; 2) defer consideration until a later date; or 3) refer the proposal for additional review.

Additional review for either type of change includes environmental analysis and a hearing and recommendation by the Planning Commission. After the Planning Commission reviews an application and makes its recommendation, the proposed Comprehensive Plan and/or Zoning Code Amendment returns before the City Council for Public Hearing and final decision.

COMPLETE APPLICATION CHECKLIST

The materials listed below must be submitted with your application unless specifically waived in writing by the Public Works Department and the Department of Community Development. Please contact each Department if you feel that certain items are not applicable to your project and should be waived, or should be submitted at a later date for use at the public hearing (e.g. colored renderings). Application review will not begin until it is determined to be complete. **ADDITIONAL MATERIALS MAY BE REQUIRED.**

The initial application materials allow project review to begin and vest the applicant's rights. However, the City may require additional information as needed to establish consistency with development standards.

City staff are available to answer questions about application materials at 206-431-3670 (Department of Community Development) and 206-433-0179 (Department of Public Works).

*** Please note that the application fee listed in the Land Use Fee Schedule covers up to a specified number of review hours and is due at the time an application is received by the City. Review hours over the retainer fee will be charged at \$92.00 per hour and the applicant will receive a monthly bill when those fees become due.**

Check items submitted with application	Information Required. <i>May be waived in unusual cases, upon approval of both Public Works and Planning</i>
APPLICATION MATERIALS:	
	1. Application Checklist (1 copy) indicating items submitted with application.
	2. Completed Application Form and drawings (4 copies, if applying for a Comprehensive Plan Amendment do not duplicate materials).
	3. Completed and notarized Affidavit of Ownership and Hold Harmless Permission to Enter Property (1 copy attached).
	4. One set of any plans reduced to either 8 1/2" x 11" or 11" x 17".
	5. Application Fee: See Land Use Fee Schedule for the standard application fee. *Additional fees may be incurred.
	6. Comprehensive Plan Amendment with fee if requesting a map change, do not duplicate materials.
	7. SEPA Environmental Checklist with fee once application is referred by the City Council to the Planning Commission for review.
PROJECT DESCRIPTION AND ANALYSIS:	
	8. Provide a strikeout/underline version of the proposed code change, if applicable.
	9. Provide any other information such as drawings, economic analysis or other material that may be helpful to the Planning Commission and City Council in evaluating your request.
	10. Provide a written response to the criteria listed at 18.84.030 (included in packet).



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APPLICATION

FOR STAFF USE ONLY Permits Plus Type: P-CODE

Planner:	File Number:
Application Complete Date:	Project File Number:
Application Incomplete Date:	Other File Numbers:

NAME OF PROJECT/DEVELOPMENT: _____

LOCATION OF PROJECT/DEVELOPMENT: *Give street address or, if vacant, indicate lot(s), block and subdivision, access street, and nearest intersection.*

LIST ALL TAX LOT NUMBERS (this information may be found on your tax statement).

DEVELOPMENT COORDINATOR :

The individual who:

- has decision making authority on behalf of the applicant in meetings with City staff,
- has full responsibility for identifying and satisfying all relevant and sometimes overlapping development standards, and
- is the primary contact with the City, to whom all notices and reports will be sent.

Name: _____

Address: _____

Phone: _____ FAX: _____

E-mail: _____

Signature: _____ Date: _____

A. COMPREHENSIVE PLAN DESIGNATION:

Existing: _____

Proposed: _____

B. ZONING DESIGNATION:

Existing: _____

Proposed: _____

C. LAND USE(S):

Existing: _____

Proposed: _____

(for proposed changes in land use designations or rezones)



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AFFIDAVIT OF OWNERSHIP AND HOLD HARMLESS PERMISSION TO ENTER PROPERTY

STATE OF WASHINGTON

ss

COUNTY OF KING

The undersigned being duly sworn and upon oath states as follows:

1. I am the current owner of the property which is the subject of this application.
2. All statements contained in the applications have been prepared by me or my agents and are true and correct to the best of my knowledge.
3. The application is being submitted with my knowledge and consent.
4. Owner grants the City, its employees, agents, engineers, contractors or other representatives the right to enter upon Owner's real property, located at _____ for the purpose of application review, for the limited time necessary to complete that purpose.
5. Owner agrees to hold the City harmless for any loss or damage to persons or property occurring on the private property during the City's entry upon the property, unless the loss or damage is the result of the sole negligence of the City.
6. Non-responsiveness to a City information request for ninety (90) or more days, shall be cause to cancel the application(s) without refund of fees.

EXECUTED at _____ (city), _____ (state), on _____, 20_____

(Print Name)

(Address)

(Phone Number)

(Signature)

On this day personally appeared before me _____ to me known to be the individual who executed the foregoing instrument and acknowledged that he/she signed the same as his/her voluntary act and deed for the uses and purposes mentioned therein.

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS _____ DAY OF _____, 20_____

NOTARY PUBLIC in and for the State of Washington
residing at _____

My Commission expires on _____

ZONING CODE AMENDMENT CRITERIA

The burden of proof to demonstrate that a change to the Comprehensive Plan or Zoning Code is warranted lies solely upon the proponent. The greater the degree of change proposed, the greater will be the burden of showing that the change is justified. The Planning Commission and the City Council will review your proposal using the criteria listed below. It is essential that you describe in a clear and precise manner why the amendment request should be approved. Attach additional sheet(s) with your responses to each criterion. You may submit other documentation in support of your proposal.

A. ZONING AMENDMENT CRITERIA (TMC 18.84.030)

Demonstrate how **each** of the following circumstances justifies a rezone of your property or a change in the existing Zoning Code

Each determination granting a rezone shall be supported by written findings and conclusions showing specifically wherein all of the following conditions exist:

- (1) That the proposed amendment to the zoning map is consistent with the goals, objectives, and policies of the comprehensive plan;
- (2) That the proposed amendment to the zoning map is consistent with the scope and purpose of this title and the description and purpose of the zone classification applied for;
- (3) That there are changed conditions since the previous zoning became effective to warrant the proposed amendment to the zoning map; and
- (4) That the proposed amendment to the zoning map will be in the interest of furtherance of the public health, safety, comfort, convenience and general welfare, and will not adversely affect the surrounding neighborhood, nor be injurious to other properties in the vicinity in which the subject property is located.