



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

ZONE CHANGE (ZONING MAP AMENDMENT) (ZC) APPLICATION PACKET

FREQUENTLY ASKED QUESTIONS:

What is a Zone Change/Rezone (Zoning Map Amendment)?

It is an official change in the zoning district of a property, allowing different land uses (residential, commercial, industrial, etc.) and/or density (number of dwelling units or size of buildings) requirements on that property.

Who can apply?

Rezone applications are initiated by a property owner or Franklin County.

How do I get my property rezoned?

The Planning and Building Department staff will assist you through the review process to change the official county zoning map. The County Planning Commission reviews and will make recommendation regarding the request. The Board of County Commissioners will make the final decision. In this decision-making process, all established standards, criteria, and policies regarding the change will be reviewed.

How do I apply for a Rezone?

A pre-application meeting with the Planning and Building Department staff is encouraged for all Rezone Applications. Please call the Planning and Building Department at 509-545-3521 or visit our office. Complete applications are to be submitted to the Planning and Building Department. The following minimum application requirements shall be submitted:

- 1) General Land Development Application;
- 2) Fees (see application checklist);
- 3) Written description explaining the proposed zone change;
- 4) Petition information for a change in rezoning. Please see Franklin County Code 17.84.030 for requirements.

What is Spot Zoning?

So-called “spot” zoning is where a “smaller area is singled out of a larger area or district and specially zoned for use classification totally different from and inconsistent with the classification of the surrounding land, not in accordance with a comprehensive plan. Spot zoning is a zoning for private gain designed to favor or benefit a particular individual or group and not the welfare of the community as a whole” *Narrowview Preservation Association v. City of Tacoma, 84 Wn.2d 416 (1974)*.

Spot zoning is prohibited; Washington courts have found such practices to be arbitrary and unreasonable. Typically, the reasons why spot zones cannot occur are that (1) the rezone would primarily serve a private interest, and (2) the rezone would constitute a capricious action. On the other hand, when a change in



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

zoning is consistent with the comprehensive plan, the plan (and not the “spot zone”) will be presumed in the public interest; this is true even if a rezone affects only one parcel.

How can I tell if my property is eligible to be considered for a rezone?

All zoning district designations in the County are supposed to implement the Comprehensive Plan’s various land use classifications. In some cases, there are several different zoning districts that could be used to implement a particular land use classification, such as “Low-Density Residential.”

The Planning staff can assist you to identify what the Comprehensive Plan land use classification is for your property, and determine which zoning districts are options. Staff can also help you to determine if your property is in an Urban Growth Area (UGA), Laminated Area of More Intensive Rural Development (LAMIRD), or other designation that may also be applicable. In some cases, it may be necessary to first apply for a Comprehensive Plan map amendment, before a rezone can be considered.

What happens after I apply?

During the time prior to the public hearing, the Planning and Building Department staff will notify in writing (copy of public hearing notice) all the property owners of record within 500 feet of your property (if within an Urban Growth Boundary) or 1 mile of your property (if located outside an Urban Growth Boundary). Additionally, the staff will conduct a review of your request and will do the following:

- 1) Establish a hearing date for the request;
- 2) Send notification of the hearing to local newspapers;
- 3) Send notification of the request to applicable technical agencies for comments;
- 4) Send notification of the request to neighboring landowners (see above);
- 5) Compile public and agency comments to help develop a Staff Report for the hearing.

What happens at the public hearing?

An open record hearing (public hearing) is held to review your request. The applicant or representative is encouraged to be present to discuss and answer any questions the Planning Commission or public may have. Anyone who wants to testify for or against your request will be allowed to do so.

When do I find out if my rezone request was approved or denied?

At conclusion of this public hearing, the Planning Commission will make a recommendation to the County Commissioners to approve, approve with a concomitant agreement, or deny the rezone request. This recommendation is processed through an appeal time period prior to appearing before the Board of County Commissioners for a final decision. For additional information regarding the timely filing of an appeal, closed record hearings, and Commissioners review and decision, please see Title 17.84 of the Franklin County Code or contact the Planning and Building Department for details and specifications.

-- Keep this section for your records --

-- Return the following completed page with your application --



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

ZONE CHANGE (ZONING MAP AMENDMENT) (ZC) APPLICATION SUPPLEMENT

Submittal Checklist:

<input type="checkbox"/>	Rezoning Fee: \$800.00 Check made payable to the Franklin County Planning and Building Department
<input type="checkbox"/>	SEPA Fee: \$150.00 Check made payable to the Franklin County Planning and Building Department
<input type="checkbox"/>	Variance Report Fee: \$80.00 Check made payable to the Franklin County Planning and Building Department. This report includes (and is mailed to) the adjoining Property Owner's names and addresses (500 feet within an Urban Growth Area or one (1) mile outside an Urban Growth Boundary). <i>Please note: the typical thirty (30) day review period requirement will not begin until this Variance Report is completed.</i>
<input type="checkbox"/>	SEPA Checklist: A completed State Environmental Policy Checklist shall be completed and submitted with this application.
<input type="checkbox"/>	General Land Development Application – See last two pages of packet
<input type="checkbox"/>	Written narrative addressing the following: (on separate sheet(s) of paper) <ol style="list-style-type: none"> 1) The date the existing zone or Comprehensive Plan designation became effective. 2) The changed conditions which are alleged to warrant other or additional zoning or Comprehensive Plan designations. 3) Facts to justify the change on the basis of advancing public health, safety, and general welfare. 4) The affect it will have on the value and character of the adjacent property and the current Comprehensive Plan. 5) The effect on the property owner or owners if the request is not granted. 6) The current Comprehensive Plan Land Use designation for the property. <p>In addition, you may also want to state:</p> <ul style="list-style-type: none"> • How the property is suitable for permitted used under the proposed zoning. • How the proposal is consistent with (or implements) the current Comprehensive Plan. • Any public need for the proposed change. • How the change will be compatible with surrounding land uses. • How the public facilities such as roads, sewer, water and other public services are adequate. • If there has been a substantial change in circumstances to warrant a change in current zoning.



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

GENERAL LAND DEVELOPMENT APPLICATION

FOR STAFF USE ONLY	FILE #:	<i>S T A M P H E R E :</i>
	Total Fees:	Date deemed complete:
	Receipt #:	Pre-App Meeting Date:
	Reviewed By:	Hearing Date:

CHECK ALL THAT APPLY AND ATTACH SUPPLEMENTAL FORM(S):	<input type="checkbox"/> Alteration/Vacation of Easement	<input type="checkbox"/> SEPA – Environmental Checklist
	<input type="checkbox"/> Appeal (File # of item appealed: _____)	<input type="checkbox"/> Shoreline Permit
	<input type="checkbox"/> Binding Site Plan	<input type="checkbox"/> Shoreline – Conditional Use Permit
	<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Shoreline – Exemption
	<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Shoreline – Non-Conforming
	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Shoreline – Substantial Development
	<input type="checkbox"/> Critical Areas Determination/Review Reasonable Use Determination	<input type="checkbox"/> Shoreline – Variance
	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Short Plat
	<input type="checkbox"/> H2A Farm Worker Housing (Zoning Review)	<input type="checkbox"/> Subdivision (Long Plat)
	<input type="checkbox"/> Lot Segregation Request	<input type="checkbox"/> Temporary Use Permit
	<input type="checkbox"/> Non-Conforming Use Determination	<input type="checkbox"/> Variance
	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Zone Change (Rezone)
	<input type="checkbox"/> Other:	<input type="checkbox"/> Zoning Interpretation/Administrative Decision

CONTACT INFORMATION (Please provide all necessary information and checkmark the primary contact)

<input type="checkbox"/>	<p><u>Property Owner</u></p> <p>Name: _____ Mailing Address: _____</p> <p>Phone Number: _____</p> <p>E-mail Address: _____</p>
<input type="checkbox"/>	<p><u>Applicant/Agent/Contractor (if different)</u></p> <p>Contact Name: _____ Business Name: _____</p> <p>Phone Number: _____ Business Address: _____</p> <p>E-mail Address: _____</p>
<input type="checkbox"/>	<p><u>Surveyor/Engineer</u></p> <p>Contact Name: _____ Business Name: _____</p> <p>Phone Number: _____ Business Address: _____</p> <p>E-mail Address: _____</p>



FRANKLIN COUNTY

PLANNING AND BUILDING DEPARTMENT

PROPERTY INFORMATION

Parcel Number(s) (9-digit tax number):
Legal Description of Property:
Site Address: (describe location if no address is assigned)

BRIEF DESCRIPTION OF PROJECT OR REQUEST

--

- All appropriate fees must accompany this application. Fees are non-refundable and subject to change. Please contact the Planning Department for current pricing of fees.
- This application, including attachments, must be completed in its entirety for all items applicable to your project.
- Supplemental information is generally required for land use approvals. Please ensure that all required information is submitted along with this application form.
- If the property is owned by a trust, corporation, or LLC, please attach documentation showing that the person signing as the "owner" has the authority to sign on behalf of the trust, corporation, or LLC. If there are multiple owners, provide an attachment in the same format and with the same declarations.

I, the undersigned hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

I understand that any information submitted to the Franklin County Planning and Building Department is subject to public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other applicable laws that may require the release of documents to the public.

This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.

_____ Owner (Signature)	_____ Date	_____ Applicant/Representative (Signature)	_____ Date
----------------------------	---------------	---	---------------

_____ Owner (Print Name)	_____ Date	_____ Applicant/Representative (Print Name)	_____ Date
-----------------------------	---------------	--	---------------