

Similar Use

What is a similar use determination?

Clark County Code provides a list of uses permitted by district. However, not all types of uses are listed. For uses that are not listed in the code, the county must determine if such unlisted uses are "similar" to other permitted uses in the district.

Who makes a similar use determination and what is the decision based upon?

The planning director makes a "similar use determination". The director may refer any proposal to the hearing examiner for review and approval or denial. A "similar use determination" is based upon the following:

- The use is **not** listed within any district;
- A similar use determination was **not** previously made for the subject unlisted use;
- The use would be compatible with the existing character of the area based upon the following:
 - a. That the site of the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by the code
 - b. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use
 - c. That the proposed use will have no substantial adverse effect on abutting property or the permitted use thereof
 - d. That in the case of residential uses, the housing density of the development is consistent with the

existing zoning densities, or the general plan, and that all other aspects of the development are consistent with the public health, safety, and general welfare for the development and for adjacent properties

- The use would be compatible with adopted county land use policies and goals

What is the application and review process?

To apply, complete and submit the Development Review Application form, pay the similar use determination fee and provide a narrative that addresses the approval criteria of a, b, c, and d, listed above.

Within 21 calendar days, staff will review the application to determine if the application is Fully Complete. If this review determines that more information is needed to review the proposal, the applicant will receive a letter that includes a list of additional items required. Once this information is submitted, the application will be deemed Fully Complete.

If a similar use determination application does not identify a specific lot, it will be processed as a Type I review. If the application is associated with a specific lot, it will be processed as a Type II review. For Type I reviews, a decision on the similar use determination will be issued within 21 calendar days from the date the application submittal package is determined to be fully complete. For Type II reviews, the decision

Revised 10/3/16



Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/community-development



For an alternate format, contact the Clark County ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

will be issued within 78 calendar days of the fully complete determination.

Can the decision be appealed?

The Planning Director's decision may be appealed to the County Hearings Examiner by the applicant or any person or group. The appellant must submit an appeal application and fee within 14 calendar days after the written notice of the decision is mailed.

If I get denied, can I reapply?

No person, including the original applicant, shall reapply for a similar use on the same land, building, or structure within a period of one year from the date of the final decision.

However, if the decision is a denial without prejudice, or in the opinion of the planning director, conditions have substantially changed, reapplication may be permitted before the year limit expires.

Note: This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code 40.520.020 Uses Permitted, Subject to Review and Approval by the Planning Director.

Submittal requirements

The following checklist identifies information to be included with the Application. All items with a bold font must be submitted before the application will be considered "Counter Complete."

1. ___ Application form

The application form shall be completed and original signed in ink by the applicant.

2. ___ Application fee

The requisite fee for site plan review shall accompany the application. The check is to be made payable to Clark County Community Development.

3. ___ Narrative

A written narrative shall be submitted that addresses the following:

- That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by the code
- That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use
- That the proposed use will have no substantial adverse effect on abutting property or the permitted use thereof
- That in the case of residential uses, the housing density of the development is consistent with the existing zoning densities, or the general plan, and that all other aspects of the development are consistent with the public health, safety, and general welfare for the development and for adjacent properties

Staff Notes:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

This application was determined to be Counter Complete on: ____/____/____

Permit Technician: _____

Fee schedule

The following fees are required to be paid when the application is submitted.

Similar Use	\$1,000
Issuance	\$53