



Critical Areas Minor Exception Application
Processed in conjunction with Critical Areas permit review

Check the type or types of critical areas this proposal would impact

- Fish and Wildlife Habitat Conservation Area (VMC 20.740.110)
- Frequently Flooded Area (VMC 20.740.120)
- Geographic Hazard Area (VMC 20.740.110)
- Wetland (VMC 20.740.110)

Property Owner _____ Telephone (____) _____
(Print Name)

Mailing Address _____
(Number, Street, City, State, Zip)

Applicant _____ Telephone (____) _____
(Print Name)

Mailing Address _____
(Number, Street, City, State, Zip)

Relationship to Owner _____

Property address or side of fronting street and distances and direction from nearest cross street _____

Provide a brief description of the minor exception being proposed _____

I/we understand that per VMC 20.210.090 if it is determined the application is not complete, the City shall immediately reject and return the application and identify in writing what is needed to make the application counter complete.

I/we agree that City staff may enter upon the subject property at any reasonable time to consider the merits of the application, to take photographs and to post public notices.

Signature of Property Owner _____ Date _____

Signature of Applicant _____ Date _____

Signature of Counter Person _____ Date _____

Minor Exception Application

Minor exceptions of no greater than 10% from the standards of VMC 20.740 Critical Areas Protection may be authorized by the City in accordance with the procedures set forth in VMC 20.210.050 Type II Applications. Minor exceptions from the elevation standards of VMC 20.740.120 may exceed the 10% limit. Minor exceptions shall not be combined with buffer averaging (20.740.140(C)(1)(b)(2)) or buffer reduction (20.740.140(C)(1)(b)(3)).

- In granting any minor exception, the City may attach such conditions and safeguards as are necessary to secure adequate protection of critical areas and developments from adverse impacts, and to ensure conformity with this Chapter.
- The City shall prescribe a time limit within which the action for which the minor exception is required shall be begun, completed, or both. Failure to begin or complete such action within the established time limit shall void the minor exception.
- The burden of proof shall be on the applicant to bring forth evidence in support of the application and upon which any decision has to be made on the application.

A minor exception from the standards of this Chapter may be granted only if the applicant demonstrates that the requested action conforms to all of the following criteria. Provide a narrative that addresses each of the criteria in the order it appears.

- A. Unusual conditions or circumstances exist that are peculiar to the intended use, the land, the lot, or something inherent in the land, and that are not applicable to all other lands in the same vicinity or district
- B. The unusual conditions or circumstances do not result from the actions of the applicant
- C. Granting the minor exception requested will not confer on the applicant any special privilege that is denied by this Chapter to other lands, structures, or buildings under similar circumstances
- D. The minor exception is necessary for the preservation and enjoyment of a substantial property right of the applicant such as is possessed by the owners of other properties in the same vicinity or district
- E. The minor exception requested is the least necessary and no greater than 10% of the subject standard (except in the case of the elevation standards of VMC 20.740.120 where the least necessary may exceed the 10% limit) to relieve the unusual circumstances or conditions identified in Subsection VMC 20.740.070(B)(1) above
- F. The granting of the minor exception or the cumulative effect of granting more than one minor exception is consistent with the general purpose and intent of the City of Vancouver Comprehensive Plan, this Title, this Chapter, and the underlying zoning district
- G. Degradation of the functions (including public health and safety) of the subject critical areas and any other adverse impacts resulting from granting the minor exception will be minimized and mitigated to the extent feasible in accordance with the provision of this Chapter
- H. Granting the minor exception will not otherwise be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the subject property
- I. The proposed development complies with all other applicable standards

Additional approval criteria apply to minor exceptions in frequently flooded areas as set forth in VMC 20.740.120(D)(3).

- J. Demonstration that the factors set forth in VMC 20.740.120(D)(2) have been considered.
- K. Granting the minor exception will not result in increased flood heights or velocities, additional threats to public safety, significantly increased property damage potential, extraordinary public expense, or conflict with existing local laws or ordinances.