



Critical Areas Reasonable Use 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 _____

Reasonable Use Exception Request and Review Process

If the application of the Critical Areas Protection Ordinance would deny all reasonable economic use of the subject property, the City shall determine if compensation is an appropriate action, or the property owner may apply for an exception pursuant to VMC Section 20.740.080. Exceptions from the standards of VMC 20.740 may be authorized by the City in accordance with the procedures set forth in VMC 20.210.060 Type III Applications. The Planning Official shall prepare a recommendation to the Hearings Examiner based on review of the submitted information, a site inspection, and the proposal's ability to comply with reasonable use exception criteria in VMC 20.740.080(B).

The burden of proof shall be on the applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application. An application for a reasonable use exception shall be made to the City and shall include the following information.

- A. Critical Areas Report
- B. Mitigation plan
- C. Any other related project documents, such as permit applications to other agencies, special studies, and environmental documents prepared pursuant to the State Environmental Policy Act (RCW 43.21C)
- D. Provide a complete narrative addressing each of the criteria in the order it appears below
 - 1. The application of this Chapter would deny all reasonable economic use of the property
 - 2. No other reasonable economic use of the property has less impact on the critical area
 - 3. The proposed impact to the critical area is the minimum necessary to allow for reasonable economic use of the property
 - 4. The inability of the applicant to derive reasonable economic use of the property is not the result of actions by the applicant after the effective date of this Chapter, or its predecessor
 - 5. The proposal does not pose a significant threat to the public health, safety, or welfare on or off the development proposal site
 - 6. The proposal mitigates for the loss of critical area functions to the greatest extent feasible and contributes to the Critical Areas Restoration Fund for any impacts that cannot be mitigated
 - 7. The proposal is consistent with other applicable regulations and standards