



# CRITICAL AREAS REASONABLE USE CRITERIA

## Planning & Community Development

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The purpose of the critical areas reasonable use permit is to allow development and use of private property when the strict application of the critical area regulations would otherwise deny all reasonable use of a property. This type of permit does not apply to flood hazard areas or within the shoreline jurisdiction.

*Please respond fully to all of the following questions, as required by the City of Shoreline Development Code. Your answers will be used in the staff report to the Hearing Examiner.*

**Decision Criteria.** A reasonable use permit shall be granted by the City only if the applicant demonstrates that:

1. The application of the critical area regulations, Chapter [20.80](#) SMC, Critical Areas, would deny all reasonable use of the property; and
2. There is no other reasonable use of the property with less impact on the critical area; and
3. Any alterations to the critical area would be the minimum necessary to allow for reasonable use of the property; and
4. The proposed development does not create a health or safety hazard on or off the development site, will not be materially detrimental to the property or improvements in the vicinity, is consistent with the general purposes of this title and the public interest, and all reasonable mitigation measures have been implemented or assured; and
5. The inability to derive reasonable economic use is not the result of the applicant's action unless the action (a) was approved as part of a final land use decision by the City or other agency with jurisdiction; or (b) otherwise resulted in a nonconforming use, lot or structure as defined in this title; and
6. Any alterations permitted to the critical area are mitigated in accordance with SMC [20.80.082](#) and relevant mitigation standards for the impacted critical area(s); and
7. Consistent with SMC [20.80.050](#), Alteration of critical areas, the proposal attempts to protect the existing critical area functions and values consistent with the best available science and attempts to mitigate adversely impacted critical area functions and values to the fullest extent possible; and
8. The proposal is consistent with other applicable regulations and standards; and
9. If the proposal is located in the MUR-35' zone, then reasonable use shall be based on the allowable uses and standards for the R-6 zone.

**Note: The application must provide the burden of proof that the requested special use complies with the criteria and avoids, minimizes, and mitigates impacts to critical areas.**

The Development Code (Title 20) is located at [CodePublishing.com](http://CodePublishing.com)