



CRITICAL AREAS SPECIAL USE CRITERIA

Planning & Community Development

The purpose of the critical areas special use permit is to allow development by a public agency or public utility when the strict application of the critical areas standards would otherwise unreasonably prohibit the provision of public services. 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 critical areas special use permit shall be granted by the City only if the utility or public agency applicant demonstrates that:

1. The application of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, would unreasonably restrict the ability of the public agency or utility to provide services to the public;
2. There is no other practical alternative to the proposal by the public agency or utility which would cause less impact on the critical area;
3. 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;
4. This special use permit process shall not allow the use of the following critical areas for regional retention/detention facilities except where the Hearing Examiner makes a finding that the facility is necessary to protect public health and safety or repair damaged natural resources:
 - a. Type S or Type F anadromous streams or buffers;
 - b. Category I wetlands or buffers with plant associations of infrequent occurrence; or
 - c. Category I or II wetlands or buffers which provide critical or outstanding habitat for herons, raptors or State or Federal designated endangered or threatened species unless clearly demonstrated by the applicant, using best available science, that there will be no impact on such habitat;
5. 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);
6. 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
7. The proposal is consistent with other applicable regulations and standards.

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

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