



# DEVELOPMENT SERVICES

BUILDING • COMMUNITY RISK REDUCTION • ENGINEERING • PLANNING • PERMIT SERVICES • TRANSPORTATION

Submit this completed form at City Hall, or use [www.MyBuildingPermit.com](http://www.MyBuildingPermit.com) to submit your application online.

## REASONABLE USE

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The Reasonable Use Permit is an administrative decision that is made as part of project review and analysis pursuant to the Critical Areas Regulations. Reasonable Use Permits are detailed in Section 14.04.140 of the Bothell Municipal Code. A reasonable use request is a Type II action and shall be considered in accordance with the procedures for such actions as set forth in BMC Title 11, Administration of Development Regulations.

Nothing in the Critical Areas Regulations is intended to preclude reasonable use of property consistent with the properties existing zoning designation. If the reasonable use of the property is disputed, an applicant may request that the Community Development and Public Works Director make a determination as to what constitutes reasonable use of such property.

This intake checklist identifies minimum application elements necessary for the City to accept the application for further processing. Should any of the following minimum items not be provided, the application will not be accepted at the counter. Acceptance of an application DOES NOT guarantee completeness. The City will take up to 28 days to make a completeness determination.

**Applicant:** Check each box under the *Applicant* heading on this checklist to confirm items are included in your submittal. A Permit Technician will check off each box under *Staff* when the item is confirmed to be included in the submittal package. If you think an item is not applicable to your project, you must contact the appropriate department prior to your intake appointment to have the items initialed as not required.

Development Services permit application requirements per BMC 11.06.002 and 14.04.140

**All items noted with an "L" next to the Applicant box must be labeled by the applicant, for file identification.**

Applications for project permits shall be submitted to the city upon forms provided by the Director. An application shall consist of all materials required by the applicable development regulations for the specific permit(s) sought, and shall include the following general information.

### General Requirements per BMC 11.06.002 (one copy of each item required):

- | Applicant  | Staff                    |
|--|--------------------------|
| <input type="checkbox"/> A completed & signed Permit Application form .....  | <input type="checkbox"/> |
| L <input type="checkbox"/> The property affected by this application is in the exclusive ownership of the applicant, or that the applicant has submitted the application with the consent of all owners of the affected property.  | <input type="checkbox"/> |
| L <input type="checkbox"/> Copy(s) of the recorded legal descriptions of the existing property(s) boundary(s) and dimensions of property and/or legal description of the site for all applications, as required by the applicable development regulations.   | <input type="checkbox"/> |
| <input type="checkbox"/> Development Review Billing form (form D) .....  | <input type="checkbox"/> |
| L <input type="checkbox"/> Evidence of adequate water and sewer availability as required by RCW 19.27.097 (Water and Sewer Certificate of Availability). If the City of Bothell is your provider, submit an application for Water and Sewer Certificate of Availability. <b>You must receive your certificate prior to submitting this application, please allow 2 weeks for this review.</b> If your provider is Alderwood, Northshore or Woodinville, please contact them for information regarding receiving certification for water and sewer availability and provide this with your application. | <input type="checkbox"/> |
| L <input type="checkbox"/> Information on the capacity of existing storm water conveyance and control facilities .....   | <input type="checkbox"/> |
| <input type="checkbox"/> Designation by name, street and mailing address, telephone number, and relationship to the applicant, of the person to receive all determinations and notices required by BMC Chapter 11.06.  | <input type="checkbox"/> |
| L <input type="checkbox"/> An application for a concurrency encumbrance letter (BMC 17.03.014) unless the permit is specifically exempted by BMC 17.03.003 NOTE: If a concurrency encumbrance letter has been issued, submit the letter in lieu of concurrency application.  | <input type="checkbox"/> |
| L <input type="checkbox"/> Any other information required by the Community Development and Public Works Director for the purposes of ascertaining ownership and the existence of easements or covenants affecting the subject property.  | <input type="checkbox"/> |

Application requirements per 14.04.140

One of each item listed below comprises a set. Five (5) sets are required, unless stated otherwise.

- |           |   |                          |
|-----------|---|--------------------------|
| Applicant |   | Staff                    |
| L         | <input type="checkbox"/> A description of the proposed development site, including the entire critical area and the setbacks or buffers as required under this title, whether the critical area is wholly contained on the development site or not.....   | <input type="checkbox"/> |
| L         | <input type="checkbox"/> An analysis of the impact that the amount of development proposed, in accordance with all applicable development regulations, would have on the critical area.....   | <input type="checkbox"/> |
| L         | <input type="checkbox"/> An analysis of whether any other reasonable use with less impact on the critical area and buffer area, as required, is possible.....   | <input type="checkbox"/> |
| L         | <input type="checkbox"/> A design of the project as proposed as a reasonable use so that the development will have the least practicable impact on the critical area .....  | <input type="checkbox"/> |
| L         | <input type="checkbox"/> A description and analysis of the modification requested of the minimum requirements of this chapter to accommodate the proposed development.  | <input type="checkbox"/> |
| L         | <input type="checkbox"/> An economic analysis detailing the claim that the develop-ability of the property, as encumbered by critical areas on the site, cannot provide a reasonable economic return to the owner. This analysis must include actual documentation of all claims made. For example, if a claim is made that special construction methods would be required to develop the property in accordance with critical area regulations and that including these methods in the development proposal would eliminate all reasonable economic return of the property due to the added cost, then specific, detailed cost estimates of the construction practice and its effect on the "basis" of the land's value, provided by a qualified person, must be included in the economic analysis. It is not sufficient to simply state that such an impact exists or even to give numbers that are not supported by actual documentation. .... | <input type="checkbox"/> |
| L         | <input type="checkbox"/> Biological Evaluation or Biological Assessment, to be submitted on any proposal where salmon habitat is present on the subject property or where the site is adjacent to salmon habitat areas. The Biological Evaluation or Biological Assessment will identify and discuss the impacts of the proposal to salmon and will contain a recommendation based upon best available science as to the appropriate buffer width. ....   | <input type="checkbox"/> |

Criteria for Approval, 14.04.140(D)

The following criteria are not a checklist of required items. They are provided to assist applicants in preparing information for a reasonable use permit. All analysis and information prepared for the items listed above should be prepared with these criteria in mind. Criteria for review and approval of reasonable use exceptions follow, one or more may apply:

1. The application of this chapter (Title 14) 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 an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;
6. The proposal will result in no net loss of critical area functions and values consistent with the best available science; or
7. The proposal is consistent with other applicable regulations and standards.

The Community Development Director may impose any reasonable condition on the granting of the reasonable use request, consistent with the minimum requirements of this chapter.