



REASONABLE USE EXCEPTION COMMUNITY DEVELOPMENT

806 WEST MAIN STREET • MONROE, WA 98272
City Hall 360.794.7400 • Fax 360.794.4007

INSTRUCTIONS:

Below is a checklist of items that must be submitted as part of your application for a Reasonable Use. Requirements below outline the minimum information that must be provided as part of the application. Numbers in parenthesis equal the number of copies required. Please use only paper clips and/or binder clips when assembling documents.

If you have any questions about what is required, or if you would like to schedule a pre-application meeting, please call the Community Development Department at 360.863.4532.

SUBMITTAL CHECKLIST

- ◇ (1) CD with Individual pdf's of each item listed below ↓
- ◇ (1) Original plus (4) copies of the Combined Permit Application Form
- ◇ (1) Vicinity map (on 8½" X 11")
- ◇ (2) Written narrative (description of proposal, activity and the exception that applies)
- ◇ (1) Original plus (4) copies of the criteria for a reasonable use exception (describing how you comply with the criteria)
- ◇ (1) Title report (30 days to current at time of submittal)
- ◇ (1) Original signed SEPA checklist plus (4) copies
- ◇ (1) Original plus (4) copies of a critical area report (if applicable)
- ◇ (1) Original plus (4) copies of a mitigation plan (if applicable)
- ◇ (2) Public notice materials (see attached)

SITE PLANS

- ◇ (1) Original (wet-stamped) plus (5) full size copies
- ◇ (2) 11" X 17"
- ◇ (2) 8½" X 11"



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SITE PLAN REQUIREMENTS:

Cover Sheet

- ◇ Title Block (centered at top of sheet) that includes the following:
 - ◆ City of Monroe
 - ◆ Name of proposed development
 - ◆ File No. (call 360.863.4532 for correct number)
 - ◆ Section, township, & range
 - ◆ Site street address (use block # if no bldg. #)
- ◇ Site Information
 - ◆ Zoning designation
 - ◆ Comprehensive plan designation
 - ◆ Use classification (MMC 18.10.050 Table)
 - ◆ Bulk development requirement calculations
 - Lot(s) size (both acreage and square footage)
 - Lot dimensions (length, width) and numbers/letters.
 - Building setbacks (for existing, proposed, and relocated buildings on site).
 - Total lot coverage (impervious surface)
 - Size of each lot (both in acreage and square feet)
 - ◆ Adjacent street names & classifications
 - ◆ Required parking space calculations (required & proposed)
 - ◆ Screening types provided (if required indicate for each lot line)
 - ◆ Utility provider (sewer & water)
 - ◆ Critical area types located on-site (if applicable)
 - ◆ Shoreline classification (if applicable)

Site Plan Sheet

- ◇ Title Bar (locate at bottom or along right edge of sheet) that includes the following:
 - ◆ Date drawing was prepared or revised
 - ◆ Project name & location
 - ◆ Name, address, & phone number of applicant, owner, Engineer, & Surveyor
 - ◆ North arrow, graphic scale (1"-50' or larger) & legend
 - ◆ Existing lot lines within or adjacent to the project site
 - ◆ Existing and proposed right-of-ways (include dimensions & street name)
 - ◆ Existing and proposed easements (include dimensions)
 - ◆ Existing critical area boundaries and associated buffers on-site and within 150ft. of site



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- ◆ Building (whether proposed, expanded, retained, or relocated) Setbacks From All Lot Lines
- ◆ Site ingress/egress (existing and/or proposed)
- ◆ Frontage improvements with dimensions (if required)
- ◆ Building dimensions (whether proposed, expanded, retained, or relocated) and square footage
- ◆ Building elevations (all sides for proposed or expanded buildings only – color renderings preferred)
- ◆ Parking stall, loading stall, driveway, & isle locations & dimensions
- ◆ Refuse bin location (including screening details)
- ◆ Lighting details (building exterior, site, & parking area)

Landscape Plan Sheet

- ◇ Plant schedule and legend showing scientific and common names for each type of tree, shrub, and ground cover and their quantity, planting size, mature size, and symbol.
- ◇ North arrow, graphic scale (1" – 20') & legend
- ◇ Tree, shrub, and lawn planting details
- ◇ Location and Spacing of All Trees, Shrubs, and Plants (including existing trees to be preserved)
- ◇ Irrigation Plans & Details (if required)
- ◇ Parking Area Shading Calculation (if applicable)
- ◇ Dimensions for Each Landscape Area, Including Frontage, Lot Boundary, and Vehicle Accommodation Area Landscaping.



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INFORMATION FOR THE APPLICANT

Reasonable Use means the minimum to which a property owner is entitled under applicable state and federal constitutional provisions, including takings and substantive due process. The Hearing Examiner reviews Reasonable Use Exception applications and makes the final decision.

The burden of proof shall be on the applicant to bring forth the evidence in support of the application and to provide sufficient information on which any decision has to be made on the application.

Pre-Development Review Meeting

The City strongly encourages a Pre-Development Review meeting before submittal of a land development, subdivision, or commercial building application. This will provide you an opportunity, early in the planning stage, to meet with Development Review representatives who will assist you with preliminary direction regarding your proposed project.

Pre-Development meetings are held on certain Tuesdays beginning at 1:30 p.m. and are limited to 45-minute sessions. Contact the Community Development Department at 360.863.4532 to schedule a Pre-Development meeting following preparation of your Pre-Development submittal, and with any questions regarding this form.

Process

After an application is deemed complete, a hearing date will be set and a decision to approve, deny, or return for corrections will be rendered within 120 days. This timeline can be extended with the written consent of the applicant.

Hearings with the Hearing Examiner are held on certain Thursdays of each month at City Hall. Notices of public hearing will be posted at least fifteen days before the hearing on the site of the proposed variance, in the local newspaper, at City Hall, and mailed to all property owners within 500 feet.

The applicant and/or property owner(s) should be present at the hearing or have a representative present for them. Hearings are audio recorded. The process for the hearing is:

- ◆ Hearing Examiner will open the hearing, explain the process, and swear in those who will speak during the hearing.
- ◆ The applicant(s) will be asked if they have a presentation or any questions, or they may be asked to respond to questions.
- ◆ Staff will describe the proposal and give their recommendation (generally a summary of the Staff Report, which will be mailed to the applicant the week prior to the hearing).
- ◆ If there is audience wishing to testify they will do so at this time.



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- ◆ The applicant and/or staff may comment or answer audience testimony if applicable.
- ◆ Any final comments will be requested.
- ◆ Hearing will be closed and an announcement will be made of the date by which a decision will be issued.

The Hearing Examiner's decision will be issued generally within ten working days after the hearing is closed and will become effective the date it is issued. Parties of interest who object to the decision may begin the appeals process by filing their objections in person, with the city, in accordance with MMC Title 21.

CRITERIA FOR A REASONABLE USE EXCEPTION

Exceptions. The proponent of the activity shall submit a written request for exception from the director that describes the proposed activity and exception that applies. Depending on the exemption requested, the director (for administrative decisions) or hearing examiner (for reasonable use exceptions) shall review the exception requested to verify that it complies with this chapter and approve or deny the exception. All decisions made by either the hearing examiner or director shall be published in the official paper. If the exception is approved, it shall be placed on file with the community development department.

2. Reasonable Use. If the application of this chapter would deny all reasonable use of the property, development may be allowed which is consistent with the general purpose of this chapter and the public interest; provided, that the hearing examiner, after a public hearing, finds to the extent consistent with the constitutional rights of the applicant:

- a) This chapter would otherwise deny all reasonable use of the property;
 - b) There is no other reasonable use consistent with the underlying zoning of the property that has less impact on the critical area and/or associated buffer;
 - c) The proposed development does not pose an unreasonable threat to the public health, safety or welfare on or off the property;
 - d) Any alteration is the minimal necessary to allow for reasonable use of the property;
 - e) The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant after the effective date of the ordinance codified in this chapter or its predecessor; and
 - f) The applicant may only apply for a reasonable use exception under this subsection if the applicant has also applied for a **variance pursuant to Chapter 18.96 MMC** (See Variance Criteria below and the Variance Checklist)
1. **Special Circumstance.** The variance shall not constitute a grant of special privilege inconsistent with the uses of other properties in the vicinity and in the
 2. same zone in which the property on behalf of which the application was filed is located;



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3. Privileges: The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property in order to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;
4. Detrimental. Granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated;
5. Comprehensive Plan. The authorization of such variance will not adversely affect the implementation of the comprehensive plan; and
6. Property Rights. The granting of such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same zone or vicinity.

It is the applicant's responsibility to answer the above criteria and submit it with the application packet.

FINAL ACTION

Upon expiration of all applicable appeal periods, the reasonable use exception application is considered approved, **PENDING** the completion and approval of any and all conditions of the Hearing Examiner's decision. A reasonable use exception may become void after the expiration of one year or a longer period as specified by the Hearing Examiner if no building permit has been issued in accordance with the plans for which such action was authorized. The Hearing Examiner may also grant an extension for a period not to exceed twelve months if the application has not been changed.



PUBLIC NOTICE MATERIALS COMMUNITY DEVELOPMENT

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INSTRUCTIONS:

Below is a checklist of items that must be submitted as part of your permit application or land use request as indicated in the Submittal Checklist. Numbers in parenthesis equal the number of copies required. Please use only paper clips and/or binder clips when assembling documents.

These materials must be submitted concurrently with all other required submittals as indicated in the Submittal Checklist.

➤ For your convenience, when requesting these materials from Snohomish County, links to access their request forms are listed below.

Instructions for records requests:

<http://snohomishcountywa.gov/1704/Public-Records>

Form 1: Record Request

<http://snohomishcountywa.gov/DocumentCenter/View/18735>

Form 2: Release for List of Individuals

<http://snohomishcountywa.gov/DocumentCenter/View/18736>

➤ These materials can also be obtained through any Title Company.

SUBMITTAL CHECKLIST :

- ◇ (1) Snohomish County Assessor's Quarter Section Map including the following:
 - ◆ Show Subject Property
 - ◆ Show 500 ft. Boundary
- ◇ (1) Current Owner List (of properties within 500ft. radius) hard copy
- ◇ (1) Current Owner List (of properties within 500ft. radius) submitted electronically in an excel spreadsheet format with the following:
 - ◆ Tax Parcel ID Number(s)
 - ◆ Owner(s) Full Name(s)
 - ◆ Owner(s) Mailing Address(es)
- ◆ Include "Current Resident" & Mailing Address (if property owner doesn't reside at the property)



COMMUNITY DEVELOPMENT

806 West Main Street, Monroe, WA 98272
 Phone (360) 794-7400 Fax (360) 794-4007
www.monroewa.gov

FOR OFFICE USE ONLY
PERMIT #(s) _____

COMBINED PERMIT APPLICATION

PERMIT SUBMITTAL HOURS

MONDAY – FRIDAY 8:00 – 12:00 / 1:00 – 5:00

Building	Operations	Fire	Land Use
<input type="checkbox"/> Commercial T/I	<input type="checkbox"/> Engineering Review	<input type="checkbox"/> Fire Alarm	<input type="checkbox"/> Accessory Dwelling Unit
<input type="checkbox"/> Demolition	<input type="checkbox"/> Fencing	<input type="checkbox"/> Fire Sprinkler	<input type="checkbox"/> Boundary Line Adjustment /Lot Consolidation
<input type="checkbox"/> Garage/Carport	<input type="checkbox"/> Grading	<input type="checkbox"/> High Piled Storage	<input type="checkbox"/> Conditional/Special Use
<input type="checkbox"/> Mechanical	<input type="checkbox"/> Retaining wall	<input type="checkbox"/> Hood Suppression	<input type="checkbox"/> Land Clearing/Forest Practices
<input type="checkbox"/> New Construction (Commercial/Residential)	<input type="checkbox"/> Rockery	<input type="checkbox"/> Operational	<input type="checkbox"/> Planned Residential Development
<input type="checkbox"/> Plumbing	<input type="checkbox"/> Right-of-Way Disturbance	<input type="checkbox"/> Spray Booth	<input type="checkbox"/> Shoreline Permit
<input type="checkbox"/> Racking	<input type="checkbox"/> Special Flood Hazard Area	<input type="checkbox"/> Tents & Canopies	<input type="checkbox"/> Short Plat
<input type="checkbox"/> Residential Remodel	<input type="checkbox"/> Utility Service	<input type="checkbox"/> Other _____	<input type="checkbox"/> Subdivision/Plat
<input type="checkbox"/> Sign	<input type="checkbox"/> Other _____		<input type="checkbox"/> Variance
<input type="checkbox"/> Other _____			<input type="checkbox"/> Other _____

NOTE: All required Electrical Permits will be issued by the Dept. of Labor & Industries.

THIS APPLICATION WILL NOT BE ACCEPTED WITHOUT COMPLETED SUBMITTAL REQUIREMENTS

Site Address or Property Location: _____

Size of site (acre/square feet): _____

Assessor's Tax Parcel Number (14 digits): _____

Applicant: _____ Phone # (____) _____

*Signature: _____ Printed Name: _____

Mailing Address: _____ Fax # (____) _____

City _____ State _____ Zip _____ E-mail _____

Property Owner: _____ Phone # (____) _____

**Signature: _____ Printed Name: _____

Mailing Address: _____ Fax # (____) _____

City _____ State _____ Zip _____ E-mail _____

Attach a separate sheet for additional property owners/additional addresses

***Applicant: By your signature above, you hereby certify that the information submitted is true and correct and that you are authorized by the property owner(s) to act on their behalf.**

****Property Owners: by your signature above, you hereby certify that you have authorized the above applicant to make application on your behalf for this application.**

