



CITY OF KALAMA

REASONABLE USE EXCEPTION APPLICATION

Property Owner _____ Parcel Number(s) _____

Signature _____ Date _____

If an applicant asserts that the application of Kalama Municipal Code Chapter 15.02 would deny the reasonable use of their property, the applicant may apply for a Reasonable Use Exception. A Reasonable Use Exception is intended to address those cases in which the application of the chapter unreasonably restricts all economic use of parcel of land and the restriction cannot be remedied by other authorized techniques or conditions.

Before an application for a Reasonable Use Exception, and the application fee of **\$3,000** is acted upon, a review of the application, for completeness and clarity shall be conducted by the city planner and the finding shall be forwarded to the city council. Any Reasonable Use Exception granted shall be for the least intrusion into the critical area or buffer necessary to allow an economically viable use of the subject property. Any authorized alteration of a critical area or buffer under this exception shall be subject to conditions established by the city council and may require mitigation under an approved mitigation plan. A Reasonable Use Exception application may accompany an application for development permit, along with any applicable fees.

Only the city council is authorized to issue Reasonable Use Exceptions under this code.

Please respond to the following requirements below:

- 1. Please describe how critical area protection specific to the subject property will deny all reasonable economically viable use of the subject property.

- 2. Please describe unwarranted hardships that result from the application of the critical areas ordinance special, including circumstances applicable to the subject property including size, shape, topography, and location.

3. Please describe how strict application of this chapter will deprive the landowner of rights commonly enjoyed by other properties in similar areas with the critical area or buffer.

4. Please describe how the granting of a Reasonable Use Exception will not confer upon a landowner a special privilege that would be denied by the terms of this chapter to other lands or structures with a critical area or buffer that are of a similar nature or circumstance.

5. Please explain that the proposed development will not result in a threat to the public health, safety, or welfare on or off the subject property

6. Please explain that the request is not based upon conditions or circumstances which are the result of actions by the current or previous landowners or that the request arises from any condition related to land or building use, either permitted or nonconforming, on any neighboring property. Such conditions or circumstances may include, prior subdivision or segregation of the subject property, or changes to the boundaries of the subject property through a boundary line adjustment or otherwise, prior actions taken in violation of this chapter or any local, state or federal law or regulation, or natural constraints of the subject property that would otherwise preclude the proposed development activities.
