



SENSITIVE AREAS EXCEPTIONS SUBMITTAL REQUIREMENTS

The purpose of a sensitive area exception is to determine through review criteria whether or not an exception of the sensitive areas ordinance for a public agency, public utility or a private property reasonable use is allowable.

Submittal Requirements:

- Planning Permit Master Application form
- Certification and Transfer of Applicant Status form
- A sensitive area identification form
- 2 Copies** of a site plan
- 2 Copies** of a sensitive area report, including a mitigation plan (if necessary)
- 2 Copies** of any related project documents (other agency applications, special studies, environmental documents).
- Application and Deposit fee

Process:

- The Natural Resources Director shall prepare a recommendation to the Hearing Examiner based on review of the submitted information, a site inspection, and the proposal's ability to comply with the applicable public agency and utility exception review criteria.
- The Hearing Examiner shall review the application, consider the recommendation of the Natural Resources Director, and consider public testimony at a public hearing.
- The Hearing Examiner shall approve, approve with conditions, or deny the request based on the proposal's ability to comply with all of the applicable exception criteria.

Exception Review Criteria:

- **Type 1: Public Agencies and Public Utilities Exception** (*\$750 application fee, \$1500 deposit*)
 - There is no other practical alternative to the proposed development with less impact on the sensitive areas;
 - The application of this chapter would unreasonably restrict the ability to provide utility services to the public;
 - The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;
 - The proposal attempts to protect and mitigate adverse impacts to the sensitive area functions and values; and
 - The proposal is consistent with other applicable regulations and standards.
- **Type 2: Private Property Reasonable Use Exception** (*\$300 application fee*)
 - The application of this chapter would deny all reasonable economic use of the property;
 - No other reasonable economic use of the property has less impact on the sensitive area;
 - The proposed impact to the sensitive area is the minimum necessary to allow for reasonable economic use of the property;

- 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;
- The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site;
- The proposal will result in no net loss of sensitive area functions and values; and
- The proposal is consistent with other applicable regulations and standards.