



CITY USE ONLY		
PROJECT NO.	RECEIPT NO.	FEE
Date Received:		
Received By:		

**PUBLIC AGENCY EXCEPTION**

A Reasonable Use Exception is a land use approval that allows exceptions to the standards in [MICC 19.07](#), Environment, if the application of those environmental regulations would prohibit a development proposal by a public agency.

**REVIEW PROCESS – TYPE III LAND USE REVIEW**

Type III reviews require the exercise of discretion about nontechnical issues. Type III reviews require a pre-application meeting, letter of complete application, notice of application mailing and posting, a 30-day public comment period, notice of decision, and the decision is made by the Code Official. Type III reviews do not require a public hearing.

**PRE-APPLICATION MEETING**

A Pre-Application Meeting is used to determine whether a land use project is ready for review, to review the land use application process, and to provide an opportunity for initial feedback on a proposed application. Some land use applications require a pre-application meeting – in particular: short and long subdivisions, lot line revisions, shoreline permits, variances, and critical area determinations. The City strongly recommends that all land use applications use the pre-application process to allow for feedback by City staff.

For more information on the Pre-Application Meeting process, please refer to the [Pre-Application Meeting Request Form](#).

**FEES**

Fees applicable to this project:

Public Agency Exception

Refer to the City of Mercer Island [Fee Schedule](#) for current permit fees.

**PROPERTY INFORMATION**

Property Address: \_\_\_\_\_

Parcel Number(s): \_\_\_\_\_

Gross Lot Area(s): \_\_\_\_\_

Net Lot Area(s): \_\_\_\_\_

Zone: \_\_\_\_\_

Shoreline Environment Designation (if located within 200 feet of Lake Washington):

- Urban Residential
- Urban Park

**CRITICAL AREAS ON PROPERTY**

**GEOLOGICALLY HAZARDOUS AREAS**

- Potential Landslide Hazard
- Erosion Hazard
- Seismic Hazard
- Steep Slope
- None

**WATERCOURSES**

- Type F
- Type Np
- Type Ns
- Piped
- Unknown

**WETLANDS**

- Category I
- Category II
- Category III
- Category IV
- Unknown

**SUBMITTAL CHECKLIST**

In addition to the items listed below, the code official may require the submission of any documentation reasonably necessary for review and approval of the land use application. An applicant for a land use approval and/or development proposal shall demonstrate that the proposed development complies with the applicable regulations and decision criteria.

- 1. Development Application Form.** Provide a completed and signed [Development Application Form](#).
- 2. Pre-Application Meeting.** [Pre-Application Meetings](#) are required for Type III & IV Land Use Permit Applications.
- 3. Project Narrative.** The project narrative should describe the proposed development, including any anticipated phases.
- 4. Criteria Compliance Narrative.** Detail how the application meets the review criteria for Public Agency Exception in [MICC 19.07.150](#). Refer to the [Code Compliance Matrix](#) Tip Sheet for preparing the narrative.  
 The Criteria Compliance Narrative must contain demonstration that the proposal complies with all of the following:
  - The activity or proposed development is described in an adopted city plan or project list, or has otherwise received city council approval;
  - There is no other reasonable alternative to the activity or property development with less impact on the critical area. In determining was is a reasonable alternative to a proposed development, alteration or activity, the code official may consider the purpose, effectiveness, engineering feasibility, commercial availability of technology, best management practices, safety and cost of the alternative action or proposal. Reasonable alternatives are those that are capable of being carried out, taking into consideration the overall project purposes, needs, and objectives;
  - The activity or development proposal is designed to avoid or minimize and mitigate the impact on critical areas and associated buffers consistent with the avoidance and mitigation sequencing requirements in [section 19.07.100](#), mitigation sequencing;
  - The proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site; and
  - The proposal is consistent with other applicable regulations and standards.
- 5. Title Report.** Less than 30 days old.
- 6. Affidavit of Ownership.** An Affidavit of Ownership, signed before a notary.
- 7. Affidavit of Agent Authority.** An Affidavit of Agent Authority, signed before a notary, if applicable.
- 8. Development Plan Set.** Refer to the [Land Use Application Plan Set Guide](#) for preparing plans.

- 9. Critical Areas Study.** A Critical Areas Study prepared by a qualified professional is required.
- 10. SEPA Checklist.** A SEPA Checklist and separate SEPA Review Application is required, unless the project is categorically exempt per [WAC 197-11-800](#).
- 11. Arborist Report.** An Arborist Report prepared by a qualified professional is required, unless waived by the city arborist.
- 12. Concurrent Review Form.** Provide a completed [Concurrent Review Form](#) if the applicant wishes to request consolidated review for two or more land use applications. Refer to [MICC 19.15.030\(F\)](#) for land use application reviews that may be consolidated.
- 13. Fees.** Payment of required fees.

I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND SUBMITTAL CHECKLIST AND ALL REQUIRED APPLICATION MATERIALS ARE INCLUDED IN MY APPLICATION SUBMITTAL, UNLESS WAIVED BY THE CODE OFFICIAL. ALL INFORMATION SUBMITTED IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I ACKNOWLEDGE THAT WILLFUL MISREPRESENTATION OF INFORMATION WILL TERMINATE THIS APPLICATION. I UNDERSTAND THAT MY SUBMITTAL WILL BE REVIEWED FOR COMPLETENESS AND, IF FOUND TO BE COMPLETE, WILL BE PROCESSED PURSUANT TO THE PROVISIONS OF CHAPTER 19.15 MICC.

Signature

Date