

# Reasonable Economic Use Exception

## PUBLIC HEARING PROCESS

### WHAT IS A REASONABLE ECONOMIC USE EXCEPTION AND WHEN IS ONE REQUIRED?

- An exception to allow for reasonable economic use may be granted when compliance with applicable critical areas regulations denies reasonable economic use of a property.
- For example; an existing vacant, legally platted lot that the City code designates as being in a single-family residential classification is presumed to allow at least a single-family house as reasonable economic use for that property, subject to applicable criteria and mitigation (see next page).
- *Additions, alterations, and accessory structures to an existing approved use are not eligible for reasonable economic use exception.*

### HOW IS AN APPLICATION FOR A REASONABLE ECONOMIC USE EXCEPTION REVIEWED?

Once the Planning Department receives a complete application requesting an exception to allow for reasonable economic use, the staff will review the proposal and develop a staff report with a recommendation to the Hearing Examiner.

The staff recommendation is typically one of the following: approval of the proposal, approval of the proposal with specific conditions, or denial of the proposal, based on staff interpretation of the established criteria for review of an exception to allow for reasonable economic use.

#### PLEASE NOTE

It is the responsibility of the applicant to demonstrate that all criteria are met in order for the Hearing Examiner to consider approval of the application

The criteria that are used for review of the permit application are as follows (excerpted from [LFPMC 16.16.250](#)):

- A. Application of the requirements of [Chapter 16.16](#) of the Lake Forest Park Municipal Code will deny all reasonable use of the property:
  - Due to the requirements of the Environmentally Critical Areas regulations and other land use regulations, the property owner cannot gain reasonable use of the property.
- B. There is no other reasonable economic use with less impact on the critical area:
  - There is no other permitted use with less impact to the site. There is no feasible way to use the areas that are not critical. Details specific to a unique proposal must be enumerated and demonstrated with a site plan.
- C. The proposed development does not pose an unreasonable threat to the public health, safety, or welfare, on or off the proposed site and is consistent with the general purposes of this chapter and the comprehensive plan:
  - The supplementary information contained within the application provides adequate evidence that the proposal will not be detrimental to the site, critical area or surrounding areas. The proposal takes into consideration the intent of the Comprehensive Plan for this area. Applicant must list specific citations of the Comprehensive Plan.
- D. Any alteration is the minimum necessary to allow for reasonable economic use of the property
  - The proposal has as minimal as possible impact to the site while still allowing for reasonable economic use. Possible alterations to the proposal can be discussed here to demonstrate that the proposal meets this criteria



## WHAT IS THE APPLICATION PROCESS FOR A REASONABLE ECONOMIC USE EXCEPTION?

The City has at least 120 days to review a reasonable economic use exception. The process begins with submittal of a complete [Reasonable Economic Use Application](#) which must include:

- A site plan showing all existing and proposed structures and improvements; and
- A complete description of the proposal; and
- A complete description of the applicant's reasonable use exception request; and
- The applicant's description of how the proposal complies with the established reasonable use exception criteria; and
- The applicant's demonstration that the proposal is capable of meeting all development criteria found in LFPMC [15.10](#) and [16.26](#).

Additional information that supports the application may be required for staff and Hearing Examiner review. Such additional information depends upon the nature of the request and the critical areas on site. This information can include, but is not limited to:

- Geotechnical reports and topographic surveys for steep slope and landslide hazard areas
- Wetlands delineation and mitigation reports for wetland areas
- Stream channel restoration plans for stream corridors

This information is typically required in order to prove that the proposal meets the applicable criteria for a reasonable use exception.

### Questions?

For more information, please contact the Planning Department  
[aplanner@cityofflp.com](mailto:aplanner@cityofflp.com)  
206-957-2837

### Access to Information

Electronic versions of all forms, permits, applications, and codes are available on the Lake Forest Park website:

<http://www.cityofflp.com/>

Paper copies of all of the above are available at City Hall:  
17425 Ballinger Way Northeast, Lake forest Park, WA 98155

**DISCLAIMER:** The information included herein is meant to provide general information and guidance into basic application and hearing requirements and procedures in accordance with the Lake Forest Park Municipal Code and is not intended to be all inclusive. The following does not include information pertaining to environmentally critical area requirements or other land use and building permit requirements and procedures. Application and hearing requirements can and do sometimes change after action by the City Council. Interested parties should always verify current requirements with the City Planning Department.