



## REQUIRED FINDINGS

YOUR APPLICATION TO BE APPROVED, THE FOLLOWING CRITERIA MUST BE MET BY YOUR PROPOSAL

### SHORELINE PERMITS

(Variance, Conditional Use, Expansion of Nonconforming Use)

PLEASE ADDRESS EACH CRITERIA AND SUBMIT WITH THE JARPA APPLICATION

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The following questions address the points that the examiner must consider when granting a Shoreline Permit. (Section 20.72, Pierce County Shoreline Management Use Regulations)

**20.72.020 Variances.** A Variance will be granted only after the applicant can demonstrate the following:

- A. There are conditions or circumstances involved with the particular project that make strict application of the regulations unnecessary or unreasonable for the applicant's proposal.
- B. That granting the Variance will not violate, abrogate, or ignore the goals, policies, or individual environment purposes spelled out in the Master Program.
- C. That no other applicable regulations will be violated, abrogated, or ignored.
- D. That the public health, safety and welfare will not be adversely affected.
- E. That the specific provision or provisions to be relaxed clearly did not foresee or consider the particular situation the applicant is facing.

#### Washington Administrative Code Section 173-27-170(2)

- 1. That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes or significantly interferes with a reasonable use of the property;
- 2. That the hardship described in (1) above is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restriction or the applicant's own actions;
- 3. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shoreline environment;
- 4. That the requested variance does not constitute a grant of special privilege not enjoyed by the other properties in the area, and is the minimum necessary to afford relief;
- 5. That the variance requested is the minimum necessary to afford relief; and
- 6. That the public interest will suffer no substantial detrimental effect.

**20.72.030 Conditional Uses.** Uses considered to be Conditional Uses are those which may be permitted provided all of the following criteria are met:

- A. That there is some necessity for a shoreline site for the proposed use or that the particular site applied for is essential for this use.
- B. The use will cause no unreasonably adverse effects on the environment or other uses.
- C. That water, air, noise and other classes of pollution will not exceed the level customarily found in that particular environment.
- D. Design of the site will be compatible with the Master Program.
- E. The use will not interfere with public use or public shorelines.

Washington Administrative Code Section 173-27-160(1)

- 1. That the proposed use is consistent with the policies of RCW 90.58.020 and the master program;
- 2. That the proposed use will not interfere with the normal public use of public shorelines;
- 3. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program;
- 4. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
- 5. That the public interest suffers no substantial detrimental effect.

**20.72.050 Expansion of a Nonconforming Use.** Any proposed expansion of a use determined by the Planning Department or the appropriate reviewing authority to be nonconforming shall be permitted provided all of the following criteria are met:

- A. The proposed change will make the use more compatible with the environment in which it is located.
- B. That water, air, noise and other classes of pollution will not exceed the level customarily found in that
- C. That the public health, safety and welfare will not be adversely affected.