PLANNING & DEVELOPMENT SERVICES

1800 Continental Place ● Mount Vernon, WA 98273
Inspections 360.336.9306 ● Office 360.336.9410 ● Fax 360.336.9416

Reasonable Use Exception Application Checklist

If a substandard Lot of Record in the Rural Reserve, Rural Intermediate, Rural Village Residential or Urban Reserve Residential zones does not meet any exemptions listed in SCC 14.16.850(4)(c), the applicant may apply for a Reasonable Use.

Please submit all requested application materials along with the appropriate fees. Call the Department if you have any questions about the application requirements. Skagit County Code 14.06.045(4) requires the recording of the final decision regarding Lot of Record Status. Planning & Development Services will forward documents for recording on your behalf.

☐ ☐ **Submittal Fee $ _____ Recording Fee $ _____**
Publication Fee $ _____

☐ ☐ **Fact Sheet**
Please complete the attached form answering all the questions and sign the attached Fact Sheet.

☐ ☐ **Ownership Certificate**

☐ ☐ **Lot Certification: File # PL_____-_____ Attach Copy**

☐ ☐ **Pre-Addressed/Stamped Envelopes**
____**Include list of property owners and physical addresses.**
____**One** set of pre-addressed stamped envelopes for owners of record and physical addresses within 300 feet of all subject property lines.

☐ ☐ **Assessor's Section Map**
This can be printed from the website. **Please identify the subject parcel and indicate 300' boundary.**

☐ ☐ **Boundary Line Adjustment (BLA)**
If the subject lot was commonly owned with any other contiguous lot at any time since July 1, 1990 please attach a copy of the BLA indicating that the lots have been aggregated (combined) as required per SCC 14.16.850(4)(a)(iii)

BLA file # PL_____-_____

- **Please Note:**

Per Skagit County Code (SCC) 14.16.850(4)(f)(ii), the County evaluation of a Reasonable Use Exception shall be processed as a Level I Administrative Decision, pursuant to SCC 14.06.110 including all of the public notice and comment requirements.

Pursuant to SCC 14.06.200, the Notice of Decision shall be forwarded to parties of record, the applicant and other applicable parties of interest.

The applicant and/or a party of record may appeal this decision to the Hearing Examiner pursuant to the provisions of SCC 14.06.110(7). Parties with standing to appeal must submit the appeal form and appeal fees to Skagit County Planning and Development Services within 14 calendar days of the date the decision was issued pursuant to SCC 14.06.110.

Date Received:

_____
Accepted by:

_____
Permit Number

_____
Zoning / Setbacks

_____
Flood Plain / Floodway

_____
Shoreline

Notes:

_____
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Skagit County Planning & Development Services
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Reasonable Use Exception Application

Level I review pursuant to Skagit County Code 14.16.850(4)(f).

1. Applicant Name _____
Address _____
Phone _____ Fax _____ e-mail _____
Signature _____

2. Property Owner Name _____
Address _____
Phone _____ Fax _____ e-mail _____

3. Contact Name _____
Address _____
Phone _____ Fax _____ e-mail _____

4. Subject Parcel(s) ID#(s): _____

5. Site Address: _____

6. Comprehensive Plan/Zoning Designation of subject parcel(s):
❑ Rural Reserve ❑ Rural Intermediate
❑ Urban Reserve Residential ❑ Rural Village Residential

7. Lot Size: _____

8. Legal Description: _____
_____
(Attach additional sheets if necessary)

9. Does this proposal require the extension of urban services outside of an urban growth area?
❑ Yes ❑ No

10. Has this lot been owned together with any adjacent property since July 1, 1990?
❑ Yes ❑ No

11. If yes, have any of the adjacent properties been sold?
❑ Yes ❑ No

OWNERSHIP CERTIFICATION

I, _____, hereby certify that I am the major property owner or officer of the corporation owning property described in the attached application, and I have familiarized myself with the rules and regulations of Skagit County with respect to filing this application for a _____ and that the statements, answers and information submitted presents the argument on behalf of this application and are in all respects true and correct to the best of my knowledge and belief.

Street Address: _____

City, State, Zip: _____

Phone: (_____)_____

Signature(s):

_____

_____

for: _____
(corporation or company name, if applicable)

STATE OF WASHINGTON)
) ss.
COUNTY OF SKAGIT)

On this day personally appeared before me _____, known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purpose therein mentioned.

Given under my hand and official seal this _____ day of _____, _____.

Notary's Signature _____

Notary Public in and for the State of Washington residing at _____.

My Commission Expires _____

Skagit County Code 14.16.850(4)(f)

(f) Reasonable Use.

(i) Variances from the requirements of this section shall not be considered. However, if a substandard Lot of Record in the Rural Reserve, Rural Intermediate, Rural Village Residential or Urban Reserve Residential zones does not meet any of the exceptions in subsection (c) of this Section, the lot owner may request that the County further evaluate the lot for a Reasonable Use exception pursuant to this subsection. Issuance of a Reasonable Use exception shall allow the lot owner to apply for residential development permits on the lot. Reasonable Use exceptions shall only be issued if the lot owner can demonstrate the following:

(A) The lot has not been owned with any other contiguous lots with the same zoning designation at any time from July 1, 1990 to the present. The owner may elect to aggregate all contiguous, substandard lots held in common ownership, thereby creating a single parcel, to then qualify under this subsection; and

(B) The proposed use can otherwise satisfy all other requirements of Skagit County Code; and

(C) The proposed use does not require extension of, or installation of urban levels of service outside of an urban growth area.

Lots included in a plat shall not be required to be combined with unplatted land or lots in separate plats for the purposes of qualifying under this section.

(ii) The County evaluation of a Reasonable Use exception to the requirements of this Section shall be processed as a Level I Administrative Decision, pursuant to SCC 14.06.110 including all of the public notice and comment requirements.

(iii) In the Natural Resource Land zoning Districts, (Ag-NRL; RRc-NRL; SF-NRL and IF-NRL), natural resource production is deemed a reasonable use of the property and, therefore, substandard Lots of Record in these zones shall not be eligible for a Reasonable Use Exception pursuant to this subsection.

Frequently Asked Questions

What are the requirements of a Reasonable Use Exception (RUE)?

1. The parcel(s) must have received an approved Lot of Record Certification for conveyance purposes, and
2. The parcel(s) must be located in one of the four “residential” zoning designations (non-commercial, non-Natural Resource Land), and
3. All contiguous land within the same zoning designation held in common ownership at any time since 07/01/1990 must be combined by a Boundary Line Adjustment*, and
4. There proposed use must not require extension of urban services outside of a UGA, and
5. The proposed residential use must meet all other applicable Skagit County Code requirements.

Are there exceptions to having to combine all the contiguous land?
Yes. If the lots are in separate plats or if there is both platted and unplatted land involved.

If a RUE is granted, can the lot be used for any permitted use?
No. The RUE only grants a residential development right.

Does an approved RUE guarantee a development permit will be approved?
No. An approved RUE only allows residential development permits to be considered.

Can I get a variance to any/all of these provisions?
No. SCC 14.16.850(f) states that no variances will be considered.

Return Name & Address:

_____

_____

_____

SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES

REASONABLE USE EXCEPTION DETERMINATION

Pursuant to SCC 14.16.850(4)(f)

File Number: PL____-_____

Applicant Name: _____

Property Owner Name: _____

Having reviewed the information provided by the applicant, the Department hereby finds that the lot bearing Skagit County Assessor Account Number(s) _____ has met the requirements of the Reasonable Use Exception pursuant to SCC 14.16.850(4)(f). A Reasonable Use Exception is hereby granted to consider residential development on the above referenced lot (see attached map for Exception boundaries).

This approval does not guarantee that development permits(s) will be issued. Pursuant to SCC 14.16.850(4)(f), only residential uses that meet all applicable provisions of Skagit County Code and do not require the extension of urban services outside of an Urban Growth Area will be approved.

Authorized Signature: _____ **Date:** _____

See Attached Map