



## ZONING VARIANCE SUBMITTAL CHECKLIST

A zoning variance is a mechanism by which the City may modify dimensional standards or other zoning requirements found in Title 14 LSMC (Land Use Code) when unique physical characteristics of a property make strict compliance with the land use code an unnecessary hardship. The hardship must be related to the applicant's land and not personal circumstances (including finances) and cannot be the result of the applicant's or recent prior owner's own actions. The proposed use must be permitted in that zone by [Chapter 14.40 LSMC](#), with conditional uses requiring a separate conditional use permit (CUP). Additional permits (building, grading, etc.) may be required for the project. A zoning variance is different from a shoreline variance.

Zoning variances must demonstrate compliance with the decision criteria in [LSMC 14.16C.115](#). They are subject to a [Type III land use review process](#) and require a public hearing before the Hearing Examiner, with the exception of administrative variances, which as detailed in [LSMC 14.16C.120\(d\)](#) allow up to a 20% variance from a quantifiable development standard through a Type II process. Zoning variance decisions expire one year from the date of final approval unless significant development activity has occurred and remains in progress and are appealable to the Snohomish County Superior Court. Per [RCW 36.70B.080](#), issuance of a final decision must occur within 170 days of the determination of completeness.

### Required Submittal Items:

1. Completed [Type III land use application](#) signed by owner or authorized applicant
2. A site plan showing property lines, existing structures, and other site features and which clearly identifies the development standard from which the variance is being requested
3. A narrative addressing the decision criteria in [LSMC 14.16C.115](#)
4. State Environmental Policy Act (SEPA) Checklist (if necessary)
5. Critical areas study and/or geotechnical study (if necessary)
6. Application fee as established by the [city fees resolution](#) in effect at the time of submittal

For the city to accept applications as complete, the applicant must submit all required items. If you are unsure if an item is required, call 425-622-9400 and ask to speak to the planner who reviewed the pre-application submittal (if applicable) or the planner on duty.