



## SUBMISSION REQUIREMENTS

An application for an environmental waiver must be submitted to the City Council for review prior to site plan approval. If staff concur that a waiver would cause a minor impact, the applicant may submit a letter to the City Council requesting that the Council delegate the authority to the Planning Commission to review and grant the waiver during the site plan review process.

- A written statement describing the waiver request.**  
Address all waiver criteria identified in Section 38 of the Environmental Standards for Development Regulation (see below).
- A description of all proposed mitigation and compensation measures,** including type, size, location and description of the benefits associated with the proposed enhancements.
- All appropriate plans,** e.g., NRI/FSD, site plan, etc.  
Tree (3) copies of full size plans folded to 8½" x 11" and one (1) reduced copy that fits on 8½" x 11"
- Supporting documentation,** e.g., photographs, elevations, environmental studies, etc.
- Fees** (see fee schedule).

## WAIVER CRITERIA

According to Section 38 of the Environmental Standards for Development Regulation, waivers will only be granted upon:

- Completion of required approvals, rulings, permits, or waivers from all appropriate State and Federal findings agencies.
- A showing of good and sufficient cause and meeting the criteria outlined in Article III of the regulation, including:
  - Reasonable alternatives are not available.
  - Encroachment/disturbance is minimized.
  - Existing sensitive areas have been avoided.
  - The proposed use is consistent with the preferred use of the buffer.
  - The plan design provides full or partial compensation for the loss of buffer function from the disturbance.
  - There is measurable improvement in the effectiveness of the SWM system if it is placed in the buffer.
  - Excessive grading would be caused by using an uphill SWM location.
  - Severely degraded conditions exist within the buffer area that could not be improved if the SWM facility is outside the buffer area.
  - Man-made structures (e.g., farm ponds) exist in the buffer that can be converted to SWM use without excessive disturbance.
- A determination that failure to grant a waiver would result in unnecessary or undue hardship to the applicant.
- A determination that the granting of the waiver will not result in increased flood heights, additional threats to public safety, extraordinary public expenses, or the creation of nuisances.
- A determination that there are no conflicts with existing local and State laws or ordinances.

**I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.**

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_