

INITIAL PROCEDURES

If you are planning on developing, redeveloping, or adding on to your property and aren't sure if it's in the shoreline jurisdiction see Map A: Shoreline Jurisdiction in Snohomish Municipal Code (SMC) 14.250.030; see definition of "shoreline jurisdiction". Then, contact the Planning & Development Services Department (the Department) to determine if you need a shoreline permit. You can also contact the Department to help you determine if your property falls within the shoreline jurisdiction.

If your property is in the shoreline jurisdiction you next have to find out if your proposal is permitted by the Shoreline Master Program (SMP). To do that, first determine which shoreline environment designation applies to your site. You can find that out by reviewing the map in SMC 14.250.080. If you need assistance with this contact the Department. Then check to see if the environment designation policies and regulations in SMC 14.250.120 allow the proposed use. Your proposal may be permitted outright, allowed only as a conditional use, or prohibited. It may also require a variance. Keep in mind your proposed use must also meet the city-wide requirements for the Land Use Designation Area where the property is located. That information can be found in SMC 14.205 and 14.207.

Although your proposal may be permitted by shoreline development regulations, or even exempt from specific permit requirements, all proposals must comply with all relevant policies and regulations of the entire SMP as well as the general purpose and intent of the SMP.

For development and uses allowed under the SMP, the City must find that the proposal is generally consistent with the applicable policies and regulations, unless a variance is to be granted. When your proposal requires an approval or statement of exemption, submit the proper application to the City's Permit Center. Processing of your application will vary depending on its size, value, and features. Contact the Department at (360) 568-3115 for additional information.

When Is a Permit Required?

All development within the shoreline jurisdiction will require the normal development permits (e.g. building, right-of-way) required throughout the City. The Shoreline Management Act of 1971 defines "development" as:

A use consisting of the construction or exterior alteration of structures; dredging, drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to this chapter at any state of water level.

Development in the shoreline jurisdiction will require a Shoreline Substantial Development Permit if the activity meets the definition of "substantial development" as defined in RCW 90.58.030(3)(e). Generally, any development for which the total cost or fair market value is greater than \$7,047 is considered to be substantial development. (This dollar amount is subject to review every five years. It will next be updated in 2022.) Development can be exempt from requiring a Shoreline Substantial Development Permit, even if it exceeds the dollar threshold, pursuant to exemptions described in RCW 90.58.030(3)((e)(i-xii). These exemptions include normal maintenance or repair of existing structures, construction of the normal protective bulkhead common to single-family residences, and emergency repairs to protect property from damage by the elements. For more information about exemptions from the substantial development permit requirement see WAC 173-27-040.

Some development may also require a Shoreline Conditional Use Permit, if listed as such in the Shoreline Use Table in SMC 14.250.120. If your proposal does not meet the requirements of the

Shoreline Development regulations it may be possible to obtain a Shoreline Variance to allow it. Shoreline Conditional Use Permits and Shoreline Variances require a public hearing before the City’s Hearing Examiner. Development proposals may require a Shoreline Conditional Use Permit or Shoreline Variance even if they do not meet the definition of “substantial development.”

For more information about substantial development permits, conditional uses and variances see SMC 14.250.060.

Keep in mind, **ALL** new development, uses, and activities must comply with the policies and regulations set forth in the City of Snohomish SMP, including those developments, uses, and activities that are exempt from permits. Also, some projects may be subject to environmental review under the State Environmental Policy Act (SEPA).

The Permit Process

Because there are multiple variations of the permits that would be required to develop within the shoreline jurisdiction, potential applicants are urged to contact the Department before getting too far into the process. The City’s planners can help determine if a project is classified as a substantial development, determine if a permit is necessary or if a project is exempt from permit requirements, and identify which regulations in the SMP may apply to the proposed project. The Department can also provide information on the permit application process and how the SMP process relates to, and can coordinate with, the State Environmental Policy Act (SEPA) process. In addition, applicants can submit their conceptual development proposals to the Department for a pre-application review whereby all relevant City departments review the proposal for consistency with City regulations and standards.

The Shoreline Permits

There are three types of permits: the Shoreline Substantial Development Permit, the Shoreline Conditional Use Permit, and the Shoreline Variance. All of these permits use the same application form; however, they are processed differently and have different criteria for approval. Shoreline Exemptions require City review to determine whether the proposal is indeed exempt from shoreline permits, and whether the proposal meets the policies and regulations of the Shoreline Master Program. Requests for Shoreline Exemption are made on a separate application form.

Requests for a Shoreline Exemption and Shoreline Substantial Development Permit are reviewed by the Planning Director or his designee. Requests for a Shoreline Variance or Shoreline Conditional Use Permit require review by the City of Snohomish Hearing Examiner and a public hearing. There may be instances where a Shoreline Conditional Use Permit or Shoreline Variance may be approved without the need for a Shoreline Substantial Development Permit. The Hearing Examiner will hold a public hearing on the proposal and approve, approve with conditions, or deny the application. The Hearing Examiner’s decision is final, unless an appeal is filed. Shoreline Conditional Use Permits and Shoreline Variances also require final approval by the Washington State Department of Ecology.

Relationship of this Shoreline Master Program to Other Plans

In addition to compliance with the provisions of the Shoreline Management Act of 1971, the SMP must be consistent with other City of Snohomish local plans, policy documents, and development regulations specifically, the Snohomish Comprehensive Plan and the Snohomish Municipal Code (primarily Title 14 – Land Use Development Code). The SMP must also be consistent with the regulations developed by the City such as building construction and safety requirements.

Submitting an application for a shoreline development, use, or activity does not exempt an applicant from complying with any other local, county, state, regional, or federal statutes or regulations, which may also be applicable to such development or use.

Permitting Process

