**Information Sheet for Shoreline Permits**

**Q: What is a Shoreline Substantial Development Permit?**

**A:** A Shoreline Substantial Development Permit is required for substantial development that occurs within 200 feet of state shorelines listed within the Shoreline Master Program. The 100-year floodplain within the City of Ilwaco is considered within jurisdiction of the Shoreline Master Program.

**Q: How do I know if I need a Shoreline Substantial Development Permit?**

**A:** Substantial development is defined by state law (RCW 90.58.030(3)(e)) and generally includes any development that is valued at more than $6,416.00 as of September 15, 2012. Some types of development are exempt from shoreline permits, such as the construction of an owner-occupied single-family home. Developments exempt from a Substantial Development Permit still need to apply for a Shoreline Exemption review and approval. Contact the City Planner for more information.

**Shoreline Conditional Use and Variances are other types of Shoreline Permits that are reviewed pursuant to the Shoreline Master Program for the City of Ilwaco.**

**Q:** **What are Shoreline Conditional Uses and Shoreline Variances?**

**A:** The purpose of a Conditional Use Permit is to allow greater flexibility in varying the application of the use regulations of the City’s Shoreline Master Program in a manner consistent with the policies of the Master Program. In authorizing a Conditional Use Permit, special conditions may be attached to the permit by the reviewing authority at the City and the Department of Ecology. This is to prevent undesirable effects from the project on shorelines of the state.

The purpose of a Variance Permit is strictly limited to granting relief to specific bulk dimensional or performance standards set forth in the Master Program where there are extraordinary or unique circumstances relating to the property such that the strict implementation of the Shoreline Master Program would impose unnecessary hardships on the applicant or thwart the policies set forth in the Shoreline Master Program.

Shoreline Conditional Use and Variance Permits require Department of Ecology review and approval subsequent to the City approval.

**Q: What is the process for obtaining a Shoreline Substantial Development Permit?**

**A:** Prior to submitting a formal application, a request for a pre-application review meeting with the City Planner is submitted. If the applicant elects to pursue the proposal after the pre-application meeting, a formal application is submitted. Note: A pre-application meeting is not required, but highly advised for commercial development and complicated shoreline projects.

Because the Shoreline Permit is an overlay permit, there is a possibility of multiple permits being required for the proposed development. The steps in the process outlined below can help identify what other permits may be required in addition to the Shoreline Permit.

**State and Federal Coordination:**

If an application proposes any work in a water body, creek, associated wetland or floodplain, other agencies may have jurisdiction, from whom a permit may be required. The U.S. Army Corps of Engineers, Washington State Departments of Natural Resources, Ecology, and Fish and Wildlife all have permitting authority over certain projects. It is the applicant’s responsibility to ensure all required permits from these agencies are obtained and copies submitted to the City for the file.

**Application and Determination of Completeness:**

The process begins with submittal of an application and payment of the application fee. A determination of whether the application is complete will be made within 14 days of filing of the application. If the application is deemed incomplete, the City Planner will identify any information that needs to be submitted to deem the application complete.

**Public Notice of Application:**

Within 14 days of the application being determined to be complete, the City Planner/City Staff will notify the public by publishing notice in the official local newspaper, mailing details of the application to property owners within 300-feet of the subject property, and posting the property. A public comment period of no less than 14 days and not more than 30 days is provided in order to take public comment on the application.

**Notice of Hearing Date and SEPA:**

No administrative appeal of the SEPA threshold determination is provided. The SEPA threshold determination may be appealed to Pacific County Superior Court under RCW 43.21.C.075 after the City’s final action on the SEPA. SEPA comments should be addressed to City Planner and submitted within 14 days of the issuance of the SEPA determination. The City Planner may amend the threshold determination based on comments received and additional information being provided.

**Staff Report:**

The City Planner provides the Planning Commission with a report on the application that will include a recommendation for approval or denial and any conditions that may be deemed necessary after review.

**Public Hearing:**

The Planning Commission will consider the proposed permit application based on the information on the application, written comments from interested persons, reports from City Departments and testimony taken at the Public Hearing. After the hearing, the City Planner will recommend approval or denial of the permit to the Planning Commission. The Planning Commission will make a recommendation of approval or denial of the application to the City Council. This recommendation is not binding.

**Filing with State/Appeals:**

Following a final decision on the permit by the City, the application will be forwarded to the Department of Ecology for state review and filing. An appeal period of 21 days commences upon the filing date. Any appeals are heard by the Shoreline Hearing Board.

**Additional DOE Review for Shoreline Conditional Use Permits and Variance Permits:**

The City’s decision on Shoreline Conditional Use and Variance Permits are sent to the Department of Ecology for state review and a decision. Ecology has 30 calendar days to send its decision to the City.

**Q: How long is a Shoreline Permit valid for?**

**A:** Substantial construction shall be commenced within two years of the effective date of a shoreline permit. A one year extension can be granted if requested. Authorization to conduct development activities is terminated five years from the effective date of a shoreline permit, which is established after all applicable permits have been issued.

**This information sheet is intended only as a guide. The information may not be complete and is subject to change without notice. For complete and current information, refer to the City of Ilwaco Municipal Code and Shoreline Master Program.**