



# Shoreline Substantial Development Permits

Department of Planning and Community Development  
Updated June 2009

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## What is a Shoreline Substantial Development Permit?

A Shoreline Substantial Development Permit (Shoreline Permit for Short) is required for substantial development that occurs within 200 feet of the shores of Lake Stevens or Catherine Creek. This permit is required in addition to any land use permit (zoning, special use or conditional use) that is required for the project.

Substantial development is defined by state law and generally included any development that is valued at more than \$2,500 or interferes with the normal public use of the surface waters. Some types of developments are exempt from shoreline permits such as constructing a single family home or building a dock for your home. Being exempt from a permit however, does not mean you are exempt from the development regulations.

## Who Can I Talk to at City Hall?

The **Planner** (377-3219) acts as the permit review coordinator and would be your main point of contact. He is responsible for reviewing the proposal for compliance with the land use and shoreline standards. He is also responsible for coordinating the concerns of city departments and when appropriate, other governmental and utility organizations.

The **Public Works Department** is responsible for reviewing sewer, erosion control, storm drainage, legal descriptions, and streets. He would review and approve your construction plans for any improvement to be dedicated to the public. Your first contact to the Public Works Director should be through the **Engineering Technician**, who can be contacted at 377-3237.

The **Building Official** (377-3228) is responsible for reviewing structures for compliance with the *International Building Code (IBC)*. For new construction, his involvement is most prominent once you apply for a building permit, he will review land use permit applications to identify as early as possible conflicts with IBC regulations. He can also provide assistance on permitting requirements for modifications and repairs of existing structures.

The **Fire Marshal** reviews for fire safety and prevention. He can be reached at 425-212-3042.

## What is the Process for a Shoreline Use Permit?

Because the shoreline permit is an overlay permit, there is a possibility of multiple permit requirements. The steps in the process outlined below can concurrently fulfill the requirements of those steps for the land use permit as well as the shoreline permit. However, be advised that conditional use permits have additional procedural requirements that would need to be met in the event the project requires a conditional use permit.

Pre-Application Meeting: You are strongly encouraged to request a pre-application meeting with City staff, at no charge to yourself, prior to submitting your application. This meeting gives the City a chance to identify the strengths and weaknesses of your proposal. Requesting this meeting early can save you time and money by allowing the City to identify potential pitfalls with the proposal. The City staff meet every Wednesday, so it should not take long for you to be scheduled. However, since time is limited, you must make a reservation in advance. Contact the planner to sign up for a meeting and to find out more about the pre-application meeting.

Application: Application forms are available at the Permit Center. While we will accept applications via mail or courier, it is desirable that applications and supporting materials be submitted in person so that we can conduct a cursory review to determine if there are any glaring omissions. It is important to remember that the property owner must sign the application form.

State and Federal Coordination: If you do any work in the lake, creek or associated wetlands, other agencies may have jurisdiction, from whom a permit may be required. The U.S. Army Corps of Engineers, State Departments of Natural Resources, Ecology, and Fish and Wildlife all have permitting authority over certain projects. It is your responsibility to ensure all required permits from these agencies are obtained. City staff will do their best to help you identify which agencies will be impacted.

SEPA Environmental Review: All shoreline permits are subject to review under the State Environmental Policy Act (SEPA). At the time of application you would also need to submit environmental documents. A SEPA checklist (available at the Permit Center) is almost always required. In addition, depending on the specifics of your project, you may have to submit a traffic study, preliminary drainage plan, wetlands study or other technical documentation which identify the scope of the impacts. Most, if not all, of these studies must be prepared by a qualified professional that you would hire. See Publication 03-21 for addition information on the SEPA review process.

Notice of Application: Once your application is determined to be complete, we will notify the public of the pending application by mailing notices to your neighbors, publishing in the Lake Stevens Journal, posting on the bulletin board at City Hall and having you post a sign on the property.

Substantive Review: City staff and other affected agencies will review the proposal for compliance with the Lake Stevens Land Use Code (Title 14 of the Municipal Code) and the Shoreline Master Program, and provide comments to the planner, who consolidates and coordinates them into a staff report containing recommended decision, findings, conclusions and conditions to be presented to the Hearing Examiner.

Notice of Public Hearing: When the project has been reviewed and is ready for a public hearing, public notice will be provided in the same manner as the notice of application.

Public Hearing: The public hearing is open to anyone wishing to comment on the matter. It usually is scheduled for a Wednesday afternoon. The hearing follows a particular format, where the Hearing Examiner will hear comments first from staff, then the applicant, and then anyone else who wants to speak. Once the hearing is closed, the Examiner has 10 days in which to issue a decision. The decision will be sent to the applicant and anyone that had provided comments in the record (i.e. letter or testified at the hearing) or that requested to be a party of record.

Filing With State/Appeals: Upon receipt of the decision it will be forwarded to the Department of Ecology, who will then set a filing date. The appeal period then commences for a length of 21 days. If not appealed within that time frame, the permit becomes effective. Any appeals would be decided by a state shorelines hearing board.

Construction: Following approval, you may then apply for appropriate permits for construction of the project. The Public Works Department is responsible for issuing permits for public improvements, the Building Division is responsible for issuing building permits.

Life of Shoreline Permit: Construction of the permit must be *commenced* no later than two years following the effective date of the shoreline permit. Where good cause exists, the City may grant a one time one year extension. The construction must be *completed* no later than five years following the effective date of the permit.

## What Are The Rules Governing Shoreline Permits?

Like all land use permits, you must meet the development standards of the *Land Use Code* in order to receive approval. These standards are adopted by City Council and are intended to preserve and enhance the quality of life in the community, and to protect people, property and the natural environment. Some of the pertinent rules are as follows:

- ❑ Table 2 identifies the uses that are permitted in each zone.
- ❑ Table 5 of the Land Use Code has requirements for lot sizes, setbacks and building height.
- ❑ The Uniform Fire Code is designed to protect you and other properties. It contains requirements for hydrant location, fire truck access and construction standards.
- ❑ Except in rare circumstances, you are required to hook up to the City's sewer system.
- ❑ The streets on which the property fronts must be improved to City standards, which varies depending on the street type, ranging from local access to major arterial.
- ❑ Significant trees on your property need to be protected to the extent feasible.
- ❑ Wetlands and Streams must not be impacted. Buffers are required to protect the sensitive areas. The width of the buffer depends on the classification of sensitive area and the intensity of the adjacent use. In many cases, sensitive areas and their buffers are dedicated to the City in separate tracts.

In addition, the project will be reviewed with respect to compliance with the **Shoreline Master Program**, which may be more restrictive than the land use code in terms of permitted uses and development standards.

## What Do I Need to Submit for an Application

For your application to be complete, you need to submit all the items in Publication No. 01-01 *Application Submission Requirements* (although some items may be waived by the Department of Planning and Community Development). Included in this list is a completed application form, the required fee and deposit, proof of ownership or the owner's signature on the application form, dimensioned site plans showing all the existing and proposed improvements and other documentation as necessary.

## Where Can I Find Additional Information?

The Planning Department website has links to the City's land use regulations (Title 14), application forms and informational brochures. Go to [www.ci.lake-stevens.wa.us](http://www.ci.lake-stevens.wa.us) and follow the links to the Planning Department.

### City of Lake Stevens Permit Center

1820 Main Street  
Lake Stevens, WA 98258  
Phone: 425-377-3235  
Fax: 425-212-3328

Office hours are Monday, Wednesday, Thursday and Friday 8:00 a.m. to 4:00 p.m.  
Tuesday 8:00 a.m. to 12:00 noon.