

**FORM
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**ISLAND COUNTY PLANNING AND COMMUNITY DEVELOPMENT
APPLICATION FOR SHORELINE
VARIANCE/CONDITIONAL USE PERMIT**

Application packages must be submitted in person to Island County Planning & Community Development. Submit the **original plus 5 copies** of the complete and collated application packages.

You will use this form if you are proposing a new shoreline development that is located within 200 feet of the shoreline and that requires variation of an existing land use standard or that is listed as a conditional use in the shoreline regulations. All shoreline developments are classified as a Type II decision unless there is another development/activity proposed on the site that is classified as a Type III decision. In that case this shoreline development permit will be reviewed as a Type III decision. Type II and Type III decisions are processed differently.

- TYPE II DECISION** – Complete the application questions as outlined in this form. Island County staff will review the proposal and issue a decision. A public hearing is not required unless the decision is appealed.
- TYPE III DECISION** – All Type III Decisions require that a Pre-Application Conference be held no more than 6 months prior to submittal of this application. Many Type III Decisions require that a Community Meeting be held prior to submittal of this application. Island County staff will review the proposal and issue a recommendation to the Island County Hearing Examiner. The Hearing Examiner will conduct a public hearing and issue a formal decision.

Use the front and back of this sheet to determine if this is the correct form and if you are ready for application submittal.

Check all boxes that apply	Pertinent Information
<p style="text-align: center;">Conditional Use</p> <p><input type="checkbox"/> The proposed Use is <u>not</u> listed in the Island County Shoreline Master Program as permitted.</p> <p><input type="checkbox"/> The proposed Use is listed in the Island County Shoreline Master Program as a conditional use.</p> <p><input type="checkbox"/> New marina, breakwater, pier, jetty, groin, boat ramp, boat launch, boathouse or aquaculture</p> <p><input type="checkbox"/> Dredging</p> <p><input type="checkbox"/> New dock, float and/or gangway <u>not located in</u> Sandy Hook, Lagoon Point or Mariner’s Cove</p>	<ul style="list-style-type: none"> • See page S.5 for information pertaining to Conditional Use Permits that is needed in order for County staff to review your application. • State law mandates that the County issue a recommendation for conditional uses which is reviewed by the State Department of Ecology who will then issue the final decision. • State law mandates that the County issue a recommendation for conditional uses which is reviewed by the State Department of Ecology who will then issue the final decision.
<p style="text-align: center;">Variance</p> <p><input type="checkbox"/> The proposed Use or Structure exceeds the standard height limit.</p> <p><input type="checkbox"/> The proposed Use or Structure requires variation from the standard setback to the shoreline.</p> <p><input type="checkbox"/> The proposed Use or Structure exceeds the lot coverage limits for building or impervious surface.</p>	<ul style="list-style-type: none"> • See page S.5 and S.6 for information pertaining to Variance permits that is needed in order for County staff to review your application. • State law mandates that the County issue a recommendation for variances which is then reviewed by the State Department of Ecology who issues the final decision.
<p><input type="checkbox"/> Grading in excess of 250 cubic yards (combined cut and fill)</p>	<ul style="list-style-type: none"> • You will also need to submit Form N with this application

Due to the complexity of Conditional Use and Variance requests it is highly recommended that you first consult with the Island County Shoreline Planner and the Department of Ecology.

BEFORE YOU BEGIN

Please answer the following questions before you complete and submit this application. Failure to do so may result in delays in the permit process after you have submitted the application.

1. What is the shoreline environment designation for your parcel? The County has maps that show this information which you can obtain by calling us, stopping by to look at the map or viewing the maps on the website at www.islandcounty.net/planning. Shoreline environment designation: _____

2. Is your proposed project within 75 feet of a county mapped marine Fish and Wildlife Habitat Conservation Area? _____ If yes, you must provide a Biological Site Assessment with this application.

3. Are you proposing to either construct or expand a dock or other over water structure in a man made canal or other marine area? _____ If yes, you must provide a preliminary eelgrass survey following the State Department of Fish and Wildlife guidelines. (*Note: this is not required if you are replacing an existing functional structure without expanding the footprint, in which case you should be using Form R*).

4. Are you proposing a bulkhead on a beach which currently does not have a bulkhead on either of the adjacent lots or that is located at the toe of a bluff? _____ If yes, you must show through a Coastal Geologic Report that a bulkhead is necessary for the protection of your home or the reasonable use of your property. The report must address alternatives other than bulk heading such as soft shore protection.

5. Are you proposing a jetty, groin, breakwater, boat ramp, boat launch or boat house? _____ If yes, you must show through a Coastal Geologic Report that the proposed development will not adversely affect natural shoreline processes, adjacent properties and fish and wildlife habitat.

6. Is your parcel or proposed project in a known archaeological area? _____ If yes, you must submit an archaeological report that identifies any existing resources and how they will be protected.

7. Are you proposing to clear and/or grade in a geologically hazardous area (e.g. on a bluff or within 100 feet of the top or toe of a bluff)? _____ If yes, you must submit a geotechnical engineering report.

1. What are the existing uses and structures (including septic systems) that are currently on the site (e.g. vacant, single family residential, pasture)? Attach photos if available. _____

2. Describe the purpose and nature of the shoreline development activities. Provide as much detail as possible, including method of construction/installation, construction materials, duration of project, hours of operations, how the site will be accessed, potential short and long term impacts to the neighboring uses and measures to mitigate those impacts. Also describe alternatives that were considered. _____

3. Please provide a description of the sequence of activities related to the project (e.g. (1) excavate for new bulkhead, (2) install rip-rap, (3) backfill). _____

4. Describe the equipment to be used and how the equipment will access the beach or location(s) for the proposed work (e.g. from the road, the parcel, a public beach access, by barge). _____

5. Will this project result in any structures being located seaward of the ordinary high water mark? Please describe: _____

6. Please provide the following information pertaining to any clearing and/or grading activities:

a. Total amount of cut/excavation proposed: _____ cubic yards; b. Total amount of fill: _____ cubic yards

c. Total amount of fill proposed from an offsite source: _____ cubic yards

d. Identify the source(s) of fill material (e.g. from the south part of the parcel; off-site from parcel number...):

e. How will the excavated materials be used and where will they finally be located? _____

f. If materials will be exported from the site, provide the amount in cubic yards, the address and parcel number of the receiving site and the location of where the material will be placed: _____

g. What is the maximum height of cut of the proposed fill: _____ feet; and the maximum fill: _____ feet

h. All sites have stormwater runoff from such things as gutters, driveways, roads, cleared areas, or new impervious surfaces. Describe how stormwater will be managed. Please be specific (e.g. runoff from gutters and parking areas will be infiltrated by a drywell located near the Southeast corner of the house, or runoff from driveway will be captured in a catch basin and routed to a tight line over the bluff to the beach). An answer of "no runoff" is not acceptable. _____

7. Describe any noted evidence of erosion on the site: _____

Due to the complexity of Conditional Use and Variance requests, it is highly recommended that you first consult with the Island County Shoreline Planner and the Department of Ecology.

Please check the following boxes for Variance and/or Conditional Use Permit that apply. For those boxes that you check please describe how your project meets the applicable standards.

Conditional Use Permit:

Provide a Written Statement addressing the Shoreline Variance Review Criteria. On a separate sheet of paper, identify how your proposal addresses each of the standards listed below for approval of a Conditional Use Permit. Please take your time to provide complete answers and provide details about special circumstances on your site that show a variance is justified in your particular circumstance.

This is very important because a shoreline conditional use permit application can not be approved unless the applicant shows that all the standards listed below are met.

Conditional Use Criteria from State Law - WAC 173-27-160:

(1) Uses which are classified or set forth in the applicable master program as conditional uses may be authorized provided that the applicant demonstrates all of the following:

- (a) That the proposed use is consistent with the policies of RCW 90.58.020 and the master program;
- (b) That the proposed use will not interfere with the normal public use of public shorelines;
- (c) That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program;
- (d) That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
- (e) That the public interest suffers no substantial detrimental effect.

(2) In the granting of all conditional use permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area.

All other uses which are not classified or set forth in the applicable master program may be authorized as conditional uses provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the master program.

Uses which are specifically prohibited by the master program may not be authorized pursuant to either subsection (1) or (2) of this section.

Variance:

Provide a Written Statement addressing the Shoreline Variance Review Criteria. On a separate sheet of paper, identify how your proposal addresses each of the standards listed below for approval of a variance. Please take your time to provide complete answers and provide details about special circumstances on your site that show a variance is justified in your particular circumstance.

This is very important because a shoreline variance application can not be approved unless the applicant shows that all the standards listed below are met.

Variance Criteria from State Law - WAC 173-27-170:

(1) Variance permits should only be granted in circumstances where denial of the permit would result in a thwarting of the policy enumerated in RCW 90.58.020. In all instances the applicant must demonstrate that extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect.

- (a) That the strict application of the bulk, dimensional or performance standards set forth in the applicable

master program precludes, or significantly interferes with, reasonable use of the property;

- (b) That the hardship described in (a) of this subsection is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicants own actions;
- (c) That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shoreline environment;
- (d) That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
- (e) That the variance requested is the minimum necessary to afford relief; and
- (f) That the public interest will suffer no substantial detrimental effect.

SEPA – Most shoreline developments require that you complete an Environmental Checklist and submit it with your shoreline application. State law has established a number of thresholds that will trigger the SEPA requirement, e.g. more than 500 cubic yards of grading and/or fill, non-residential structures that exceed 4,000 square feet, and any work that is proposed on lands covered by water such as wetlands and the marine environment. Planning and Community Development can help you in determining whether your project requires SEPA or you may submit the Environmental Checklist as a precautionary measure. Doing so will **not** add any time to the processing of your application, however, failure to do so up front will result in delays in the process if it is determined that it was needed.

	<ul style="list-style-type: none"> b. Depth of footings or excavation that is proposed. c. Where the toe of the bluff or slope is expected to meet the structure, if relevant. d. Type of material proposed to be used. e. The ordinary high water mark. f. Bulkhead design. All bulkheads that retain the toe of a bluff/slope, or will have a surcharge must be structurally designed as a retaining wall, and the design must stamped by a professional engineer. 	
	<p>5. Applications for Jetties, Docks, Marinas, Groins, Floats, etc. require a Cross Section Map that shows the following:</p> <ul style="list-style-type: none"> a. Height of the proposed structure. b. Depth of footings or excavation that is proposed. c. Structural design stamped by a professional engineer. d. The ordinary high water mark. 	
	<p>6. Applications for Grading Projects in the Shoreline Jurisdiction require the following:</p> <ul style="list-style-type: none"> a. Grading Plans. Show existing and proposed finished grade contours for any cut or fill 2 feet or greater in height in plan view and cross sections. Indicate quantities of fill or excavation in cubic yards. For any material exported from the site, state quantity and where materials will be disposed. For any materials imported to the site, indicate quantity, source and type of materials. b. Drainage. Location and description of all existing and proposed drainage features and systems, including natural drainage ways, culverts and ditches. Show the direction of water flow. c. Existing and proposed vegetation. Please be specific about the type, e.g. grasses, shrubs, types of trees, etc. d. Clearing Limits. Show all areas where trees and brush currently exist and will be cut or removed. e. Erosion and sedimentation control plans. Show all areas where soil will be exposed along with measures to limit erosion and transport of silt and sediment. f. Indicate location of water lines, well, and pollution control radius. Note: A pollution control radius around an off-site well may impact your project if it overlaps onto your parcel. 	
	<p>7. Waivers, if granted by Island County Staff for any of the requirements of this application. They must be in writing <u>and</u> submitted with this application.</p>	

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