



# FRANKLIN COUNTY

## PLANNING AND BUILDING DEPARTMENT

### SHORELINE PERMIT (SH) APPLICATION PACKET

#### *FREQUENTLY ASKED QUESTIONS:*

#### **What is the Shoreline Master Program (SMP)?**

The shorelines in Washington State are protected by the Washington State Shoreline Management Act (SMA) of 1971. The law strives to achieve responsible shoreline use and development, environmental protection, and public access. Local governments develop Shoreline Management Programs (SMPs) based on the law and state guidance, and the state ensures local SMPs consider statewide public interests.

In compliance with the SMA and 2003 Guidelines, Franklin County has adopted an SMP update that has been tailored to the local environment and to existing and future planned development patterns within the County's shorelines. The purpose of the SMP is to promote the health, safety, and general welfare of the community and to manage the shorelines in a positive, effective, balanced, and equitable manner, while maintaining a healthy shoreline environment.

In short, the SMP is a combination of planning and regulatory documents that guide shoreline development. Local governments are required to prepare SMPs based on state laws and rules. Key principles of the SMP include striking a balance among environmental protection, public access, and water-oriented uses and achieving no net loss of ecological functions, with documented shoreline conditions in 2014 being the baseline.

#### **Does the SMP apply to my property?**

The SMP applies to all new development that occurs within 200 feet of the ordinary high water mark (OHWM) of Franklin County's shorelines.

The County's shorelines includes floodways, land within 200 feet of the ordinary high water of the waterways, floodplains up to 200 feet from the floodway edge, and associated wetlands (see FCC 18.16.100, Environment Designations, for waterbodies within the County that are managed by the SMP). Legally existing structures and uses may continue. If existing structures are being changed, they will be subject to the existing development provisions of the SMP.

While it is true that under the provisions of the new SMP, existing single-family homes are not affected, new development on your property will need to meet the shoreline program requirements.

#### **How do I find out the shoreline designation on my property?**

There are eight different Shoreline Designations that are assigned to Shorelines.

The Franklin County Planning and Building Department can provide you the shoreline environment designation information for all unincorporated areas of the County ("Unincorporated" means that property not within the boundaries of a city).



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### Where do I find the County's Shoreline Master Program (SMP)?

You can find the Franklin County Shoreline Master Program document online at by going to the County's main page at: <http://www.franklincountywa.gov/> and looking under "Plans and Ordinances." The regulations regarding the SMP are codified as Chapter 18.16.

### When is a shoreline permit required?

All proposed uses, activities, or development occurring within shoreline jurisdiction must meet the laws and shoreline program and the County's SMP, whether or not a permit or other form of authorization is required. Permits help the County track development and uses in the shoreline to make sure the program requirements are being met.

Shoreline permit types include: Shoreline Substantial Development Permit, Shoreline Conditional Use Permit, Shoreline Variance Permit, or Shoreline Exemption.

A Shoreline Substantial Development Permit is typically required for a project that proposes to undertake a substantial development within the shoreline jurisdiction. A substantial development is any development of which the total cost or fair market value exceeds \$7,047<sup>1</sup> (as of September 2, 2017) or as adjusted by the State Office of Financial Management, or any development which materially interferes with the normal public use of the water or shorelines of the state.

<sup>1</sup> Per Washington State Register 17-17-007, Office of Financial Management; next update expected in 2022

### What are they types of shoreline permits?

There are several types of shoreline permits administered by the SMP. In addition, letters of exception may be issued when applicable. None of the shoreline permits may take the place of any other required permit.

Permit types include:

- **Shoreline Conditional Use Permit** – Needed if a proposed use is listed as a conditional use in Franklin County Code Table 18.16.200(B), or if the SMP does not address the issue.

Conditional uses may be authorized provided the applicant proponent can demonstrate that the proposal will satisfy certain criteria set forth in this program, and that the use clearly requires a specific site location on the shoreline not provided for under the program, and extraordinary circumstances preclude reasonable use of the property in a manner consistent with the use regulations of this program. Conditional Use Permits may be required for uses such as dredging, in-water fill and excavation, and flood control in certain environment designations. Shoreline Conditional Use applications are reviewed by the Planning Commission during an open record hearing, and then forwarded to the County Commissioners with a recommendation to approve, approve with conditions, or deny, for final consideration by the County Commissioners.

- **Shoreline Exemption** – Letters of Shoreline Exemption are issued by the Planning Director (Shoreline Administrator). An exemption from the substantial development permit process is not an exemption from compliance with the Shoreline Management Act of 1971 or the Franklin County Shoreline Management Program, or from any other regulatory requirements.



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- **Substantial Development Permit** – Required for all proposed use and development of shorelines unless the proposal is specifically exempted. Primarily needed for: installing utilities, grading, installing a pool, building a house, or accessory building, etc.
- **Shoreline Variance** – The purpose of a variance is to grant relief to specific bulk or dimensional requirement standards (e.g. setback, height, or impervious surface coverage requirements) set forth in the Franklin County SMP and any associated standards appended to this program such as critical areas buffer requirements where there are extraordinary or unique circumstances relating to the property such that the strict implementation of this program would impose unnecessary hardships on the applicant / proponent. A variance proposal must meet variance criteria found in state rule and be consistent with other environment and use requirements. See Franklin County Code 18.16.760(B) for variance criteria. Shoreline variance applications are reviewed by the Planning Commission during an open record hearing, and then forwarded to the County Commissioners with a recommendation to approve, approve with conditions, or deny, for final consideration by the County Commissioners.

### What is exempted?

Franklin County Code 18.16.770 identifies what activities/uses are exempted. An exemption from the substantial development permit process is not an exemption from compliance with the Shoreline Management Act of 1971 or the County's Shoreline Management Program, or from any other regulatory requirements.

The Washington State Department of Ecology also reviews Shoreline Exemptions that require federal permits under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of Federal Water Pollution Control Act of 1972. Washington State Department of Ecology reviews these exemptions and must occur that that the exemption is appropriate.

### What are the fees?

Shoreline Substantial Development Fees are required in addition to other fees such as building permit fees, SEPA Review, etc. The Fee for a Shoreline Substantial Development is \$400.00. Shoreline Conditional Use Permit fees are \$400.00 and Shoreline Variance fees are \$400.00.

### What do I need to submit with my application?

Submitted materials should include: a plan coversheet; a Joint Aquatic Resource Permits Application (JARPA) form; SEPA checklist; fee schedule; review criteria; and the process and timelines to assist potential applicants and interested parties on the permit application submittal and review process.

The Shoreline Administrator may vary or waive these requirements according to administrative application requirements on a case-by-case basis.

The Shoreline Administrator may require additional specific information depending on the nature of the proposal and the presence of sensitive ecological features or issues related to compliance with other applicable requirements and the provisions of this SMP.



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### **What is the criteria for the approval of a Shoreline Substantial Development Permit?**

A Shoreline Substantial Development Permit shall be granted only when the development proposed is consistent with:

- The policies and procedures of the Shoreline Management Act, RCW 90.58
- The applicable provisions of WAC 173-27 (<https://app.leg.wa.gov/WAC/default.aspx?cite=173-27>), and
- The Franklin County SMP

In addition:

- The Shoreline Administrator may attach conditions to the approval of permits as necessary to ensure consistency of the project with the SMA and this SMP.
- Nothing shall interfere with the County's ability to require compliance with all other applicable plans and laws

### **How do I find out if a Critical Area Report is required?**

Please contact the Planning and Building Department at (509) 545-3521 or visit the Department at 502 W. Boeing Street, Pasco, WA 99301 for assistance in determining whether or not a Critical Area Report is required.

### **What are the public notification requirements for Shoreline Permits?**

At a minimum, the Shoreline Administrator shall provide notice in accordance with WAC 173-27 through WAC 173-110 and may provide for additional noticing requirements.

*-- Keep this section for your records --  
-- Return the following completed page with your application --*



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### SHORELINE PERMIT (SH) APPLICATION SUPPLEMENT

#### Check the type(s) of permit:

- Shoreline Substantial Development \$400.00 fee
- Shoreline Conditional Use Permit \$400.00 fee
- Shoreline Variance \$400.00 fee
- Shoreline Exemption No fees (including SEPA, SEPA Checklist, or Variance Report fees)

#### Submittal Checklist:

<input type="checkbox"/>	<b>Permit Fee:</b> Varies on what type of permit, as listed above Check made payable to the Franklin County Planning and Building Department
<input type="checkbox"/>	<b>SEPA Fee:</b> \$150.00 Check made payable to the Franklin County Planning and Building Department
<input type="checkbox"/>	<b>Variance Report Fee:</b> \$80.00 Check made payable to the Franklin County Planning and Building Department.  This report includes (and is mailed to) the adjoining Property Owner's names and addresses (500 feet within an Urban Growth Area or one (1) mile outside an Urban Growth Boundary).  <i>Please note: the typical thirty (30) day review period requirement <b>will not begin</b> until this Variance Report is completed.</i>
<input type="checkbox"/>	<b>Certified Title Report</b> Applicant must obtain this report from a licensed title company within thirty (30) days.
<input type="checkbox"/>	<b>Attach Property Information</b> <u>Proposed or recorded</u> Covenants, Conditions and Restrictions (CC&Rs) or deed restrictions pertaining to or affecting the property (if any).
<input type="checkbox"/>	<b>SEPA Checklist:</b> A completed State Environmental Policy Checklist shall be completed and submitted with this application.
<input type="checkbox"/>	<b>General Land Development Application</b> – <i>See last two pages of packet</i>
<input type="checkbox"/>	<b>Joint Aquatic Resource Permit Application (JARPA)</b> (if required) For more information or to download JARPA, please visit: <a href="http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa/9983/jarpa.aspx">http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa/9983/jarpa.aspx</a>
<input type="checkbox"/>	<b>Critical Area Report</b> (if required) For assistance in determining whether or not a Critical Area Report is required, please contact the Planning and Building Department staff at (509) 545-3521 or visit us at 502 W. Boeing St., Pasco, WA
<input type="checkbox"/>	<b>Narrative</b> (if required) Provide an attachment of how the project meets the approval criteria of Franklin County Code 18.16.750(D) for a Shoreline Conditional Use Permit, or Franklin County Code 18.16.750(B) for a Shoreline Variance



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### Site Plan

Provide on a sheet of 8.5"x11" or 11"x17" paper, drawn neatly and to scale, that includes:

- The boundary of the parcel(s) of land upon which the development is proposed
- The ordinary high water mark (OHWM) of all water bodies located adjacent to or within the boundary of the project. This may be an approximate location provided, that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high water mark the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan. Where the ordinary high water mark is neither adjacent to nor within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high water mark of a shoreline.
- Existing and proposed land contours. The contours shall be at intervals sufficient to accurately determine the existing character of the property and the extent of proposed change to the land that is necessary for the development. Areas within the boundary that will not be altered by the development may be indicated as such and contours approximated for that area.
- A delineation of all wetland areas that will be altered or used as a part of the development
- A general indication of the character of vegetation found on the site.
- The dimensions and locations of all existing and proposed structures and improvements including but not limited to: buildings, paved or graveled areas, roads, utilities, septic tanks and drainfields, material stockpiles or surcharge, and stormwater management facilities.
- A landscaping plan for the project, *where applicable*.
- Plans for development of areas on or off the site as mitigation for impacts associated with the proposed project shall be included and contain information consistent with the requirements of this section, *where applicable*.
- Quantity, source, and composition of any fill material that is placed on the site whether temporary or permanent.
- Quantity, composition, and destination of any excavated or dredged material.
- A vicinity map showing the relationship of the property and proposed development or use to roads, utilities, existing developments and uses on adjacent properties.
- A depiction of the impacts to views from existing residential uses and public areas, *where applicable*.
- On all variance applications, the plans shall clearly indicate:
  - Where development could occur without approval of a variance
  - The physical features and circumstances on the property that provide a basis for the request
  - The location of adjacent structures and uses



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### Shoreline Permit Supplemental Information

<b>Current Zoning:</b>	<b>Project Name:</b>	
<b>Site Address:</b> (if no address is assigned, include a good description of the location)		
<b>Legal Description – Township:</b>	<b>Range:</b>	<b>Section:</b>
<b>Longitude/Latitude Coordinates:</b> (All applications for projects located in open water areas away from land shall provide the longitude/latitude coordinates)		
<b>Irrigation Source:</b> <input type="checkbox"/> SCBID <input type="checkbox"/> FCID <input type="checkbox"/> Private <input type="checkbox"/> None		
<b>Domestic Water Supply:</b> <input type="checkbox"/> On-Site Well <input type="checkbox"/> City Water <input type="checkbox"/> Farm Exempt Well (provide documentation) <input type="checkbox"/> Community Well (Well ID # and location):		
<b>Sewage Disposal:</b> <input type="checkbox"/> On-Site Septic <input type="checkbox"/> City Sewer <input type="checkbox"/> Other (Specify):		
<b>List Existing or Proposed Utility Providers:</b>		
Power:	Cable/Broadband:	
Natural Gas	Landline Phone (if applicable):	
Sanitary Waste Disposal:	Other (if not listed):	
<b>Name of Shoreline/Waterbody:</b>		
<b>Generally describe the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project:</b>		
<b>Generally describe the property as it now exists:</b> (including its physical characteristics and improvements and structures)		
<b>Generally describe the vicinity of the proposed project:</b> (including identification of the adjacent uses, structures and improvements, intensity of development, and physical characteristics)		



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I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

- This authorizes the designated Applicant's representative (if applicable) to act on behalf of the applicant for the processing of this request.**

\_\_\_\_\_  
Owner (signature)

\_\_\_\_\_  
Applicant/Representative (signature)

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_ 20\_\_\_\_\_  
Date signed

\_\_\_\_\_ 20\_\_\_\_\_  
Date signed



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### GENERAL LAND DEVELOPMENT APPLICATION

<b>FOR STAFF USE ONLY</b>	<b>FILE #:</b>	<i>S T A M P H E R E :</i>
	Total Fees:	Date deemed complete:
	Receipt #:	Pre-App Meeting Date:
	Reviewed By:	Hearing Date:

<b>CHECK ALL THAT APPLY AND ATTACH SUPPLEMENTAL FORM(S):</b>	<input type="checkbox"/> Alteration/Vacation of Easement	<input type="checkbox"/> SEPA – Environmental Checklist
	<input type="checkbox"/> Appeal (File # of item appealed: _____)	<input type="checkbox"/> Shoreline Permit
	<input type="checkbox"/> Binding Site Plan	<input type="checkbox"/> Shoreline – Conditional Use Permit
	<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Shoreline – Exemption
	<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Shoreline – Non-Conforming
	<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Shoreline – Substantial Development
	<input type="checkbox"/> Critical Areas Determination/Review	<input type="checkbox"/> Shoreline – Variance
	Reasonable Use Determination	<input type="checkbox"/> Short Plat
	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Subdivision (Long Plat)
	<input type="checkbox"/> H2A Farm Worker Housing (Zoning Review)	<input type="checkbox"/> Temporary Use Permit
	<input type="checkbox"/> Lot Segregation Request	<input type="checkbox"/> Variance
	<input type="checkbox"/> Non-Conforming Use Determination	<input type="checkbox"/> Zone Change (Rezone)
	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Zoning Interpretation/Administrative Decision
	<input type="checkbox"/> Other:	

**CONTACT INFORMATION** (Please provide all necessary information and checkmark the primary contact)

<input type="checkbox"/>	<p><b><u>Property Owner</u></b></p> <p>Name: _____ Mailing Address: _____</p> <p>Phone Number: _____</p> <p>E-mail Address: _____</p>
<input type="checkbox"/>	<p><b><u>Applicant/Agent/Contractor (if different)</u></b></p> <p>Contact Name: _____ Business Name: _____</p> <p>Phone Number: _____ Business Address: _____</p> <p>E-mail Address: _____</p>
<input type="checkbox"/>	<p><b><u>Surveyor/Engineer</u></b></p> <p>Contact Name: _____ Business Name: _____</p> <p>Phone Number: _____ Business Address: _____</p> <p>E-mail Address: _____</p>



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### PROPERTY INFORMATION

Parcel Number(s) (9-digit tax number):
Legal Description of Property:
Site Address: (describe location if no address is assigned)

### BRIEF DESCRIPTION OF PROJECT OR REQUEST

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- All appropriate fees must accompany this application. Fees are non-refundable and subject to change. Please contact the Planning Department for current pricing of fees.
- This application, including attachments, must be completed in its entirety for all items applicable to your project.
- Supplemental information is generally required for land use approvals. Please ensure that all required information is submitted along with this application form.
- If the property is owned by a trust, corporation, or LLC, please attach documentation showing that the person signing as the “owner” has the authority to sign on behalf of the trust, corporation, or LLC. If there are multiple owners, provide an attachment in the same format and with the same declarations.

I, the undersigned, hereby authorize the filing of this application and certify under penalty of perjury that the information contained in this application is complete and correct to the best of my knowledge. Further, I hereby grant Franklin County staff or representatives to enter my property during the course of this review to inspect my property as needed.

I understand that any information submitted to the Franklin County Planning and Building Department is subject to public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other applicable laws that may require the release of the documents to the public.

**This authorizes the designated Applicant’s representative (if applicable) to act on behalf of the applicant for the processing of this request.**

_____	_____	_____	_____
Owner (Signature)	Date	Applicant/Representative (Signature)	Date

_____	_____	_____	_____
Owner (Print Name)	Date	Applicant/Representative (Print Name)	Date