



CITY OF AUBURN

Planning & Development Department
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SHORELINE EXEMPTION APPLICATION PACKET

SHORELINE EXEMPTION – INTRODUCTION

What is a shoreline environment designation?

Shoreline environment designations work like a zoning overlay. Each designation has standards for development and allowed uses that apply in addition to the zoning regulations. The purpose of shoreline environment designations is to provide a uniform basis for applying policies and regulations within similar environmental conditions.

There are three environment designations for the White River and Green River shorelines in Auburn: Natural, Urban conservancy, and Shoreline Residential.

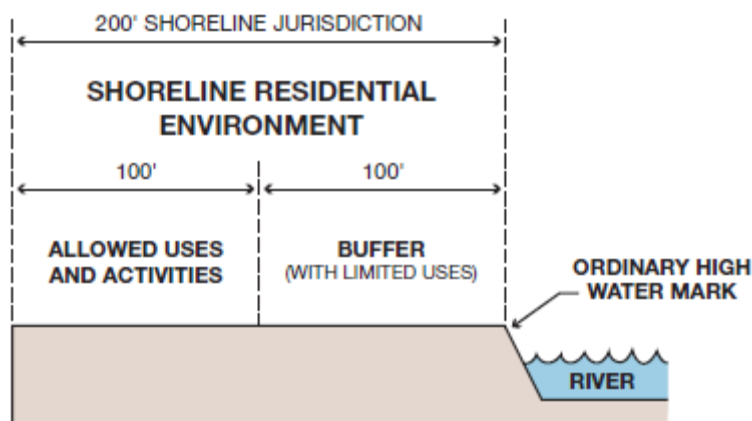
What is the purpose of the Shoreline Residential designation?

Single family residential development is considered a “priority” use under the State Shoreline Management Act. The purpose of the Shoreline Residential designation is to preserve shoreline areas for residential development. An additional purpose is to provide appropriate public access and recreational uses.

What is the required buffer in the Shoreline Residential designation?

A one-hundred foot buffer from the “ordinary high water mark” to provide riparian habitat and protect water quality.

Buffers should consist of an undisturbed area of native vegetation. No buildings or structures are allowed in the buffer unless specifically permitted by the SMP. Development activities allowed in the buffer are limited to uses such as unpaved trails and habitat enhancement projects. If development exists, revegetation or enhancement may be required when the property redevelops or changes use.



SHORELINE EXEMPTION – INTRODUCTION [CONTINUED]

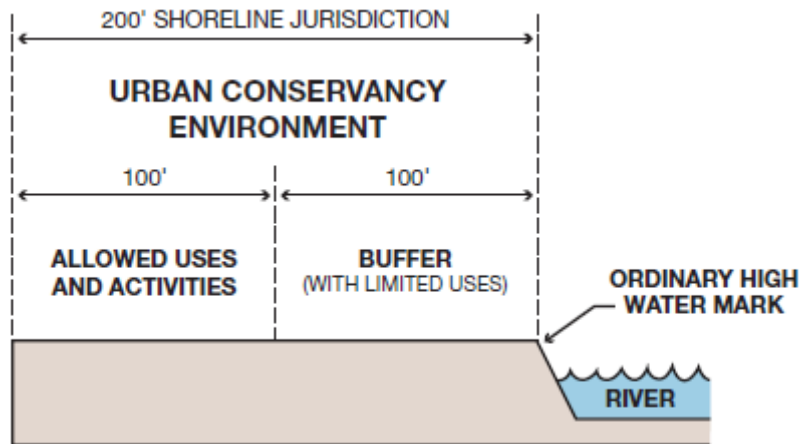
What is the purpose of the Urban Conservancy designation?

To protect and restore shoreline ecological functions of open space, floodplain and other critical lands where they exist in urban and developed settings, while allowing a variety of compatible uses consistent with the Auburn Comprehensive Plan and the SMP.

What is the required buffer in the Urban Conservancy designation?

A one-hundred foot buffer from the “ordinary high water mark” to provide riparian habitat and protect water quality.

Buffers should consist of an undisturbed area of native vegetation. No buildings or structures are allowed in the buffer unless specifically permitted by the SMP. Development activities allowed in the buffer are limited to uses such as unpaved trails and habitat enhancement projects. If development exists revegetation or enhancement may be required when the property redevelops or changes use.



What is the purpose of the Natural designation?

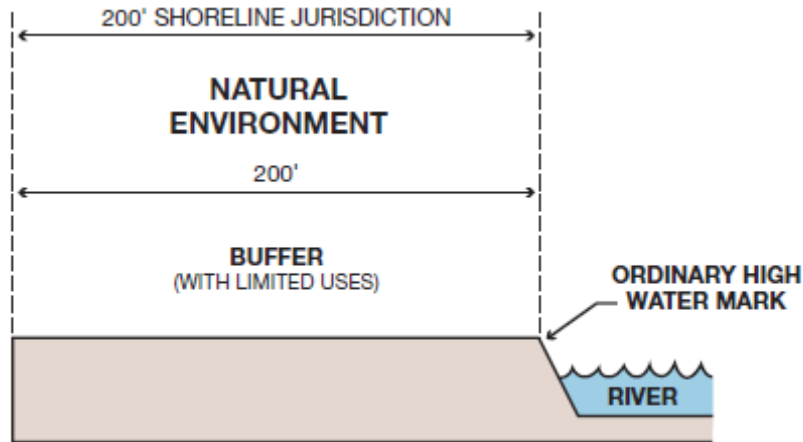
To protect shoreline areas that are relatively free of human influence or urban development. Only a few, very low intensity uses are allowed in this designation in order to protect and maintain the shoreline ecology.

What is the required buffer in the Natural designation?

A two-hundred foot buffer from the “ordinary high water mark” to provide riparian habitat and protect water quality.

Buffers should consist of an undisturbed area of native vegetation. No buildings or structures are allowed in the buffer unless specifically permitted by the SMP. Development activities allowed in the buffer are limited to uses such as unpaved trails and habitat enhancement projects. If development exists, re-vegetation or enhancement may be required when the property redevelops or changes use.

SHORELINE EXEMPTION – INTRODUCTION [CONTINUED]



Where is the ordinary high water mark?

The ordinary high water mark is a mark on the bank of the White River or Green River which has been created by the long term presence and movement of water that looks distinctly different than the rest of the bank, in terms of vegetation and/or slope.

Since most of the banks of the White and Green Rivers have been altered with manmade structures, the ordinary high water mark is likely to be located at the top of the river bank or on existing levees. Prior to application, the ordinary high water mark needs to be determined in the field by a qualified professional, and shown on plans when new structures, land development, or a change of use is proposed for a shoreline property.

*Photo Examples of the Approximate Ordinary High Water Mark**



Green River

Ordinary high water mark at top of alluvial deposit.

SHORELINE EXEMPTION – INTRODUCTION [CONTINUED]



White River

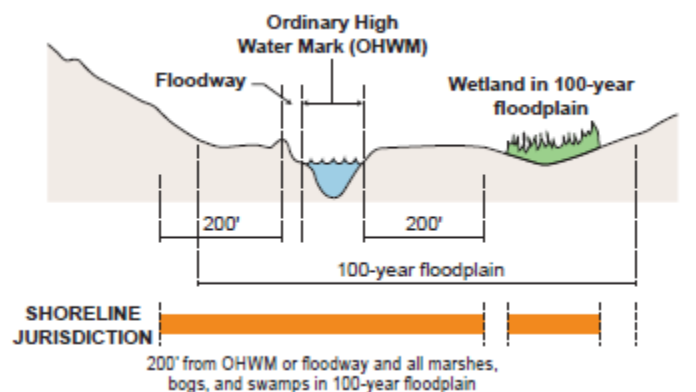
Ordinary high water mark at break in slope.

**Photos are for illustrative purposes only.*

Is my property located in the “shoreline”?

The Auburn Shoreline Master Program applies only to properties that are located along the White River or the Green River. The program regulates activities located in the following areas:

- Work within the White and Green River channels
- Lands extending 200 feet in all directions (measured on a horizontal plane) from the rivers’ ordinary high water mark and/or the floodway
- Wetlands that are functionally related to the rivers through surface water connection or other factors. Typically, a wetland biologist would determine whether a wetland is considered “associated” with the river.



SHORELINE EXEMPTION – INTRODUCTION [CONTINUED]

Do I need a Shoreline Substantial Development permit?

All activities within the shoreline master program jurisdiction must meet the goals, policies, and regulations in the program regardless of whether or not a shoreline permit is required. “All activities” include any actions regulated by the program, such as in-water activity (dredging); new buildings and structures; and land development activities such as clearing, grading, or filling. If the activity does not require a shoreline permit, the planning department will review the activity for consistency with the shoreline master program as part of other required city permits, such as a grading permit, building permit, SEPA, or preliminary plat application.

All activities within the “shoreline” (i.e. within 200 feet of Green or White River, in the river channel, or in associated wetlands) over \$5,718 require a Shoreline Substantial Development Permit, unless a conditional use permit or variance is more appropriate. In general, the following activities are exempt from the Shoreline Substantial Development Permit:

- Owner-occupied construction of a single family home that does not exceed 35 feet in height
- Emergency construction needed to protect property from imminent danger
- Normal bulkheads common to single family residences
- Normal maintenance and repair

For a complete list of activities exempt from the Shoreline Substantial Development Permit, please refer to WAC 173-27.

When should I apply for a conditional use permit or variance rather than a Shoreline Substantial Development Permit?

A conditional use permit should be sought for all uses and activities allowed within a property’s shoreline designation (shoreline residential, urban conservancy, or natural) by conditional use permit only. Please refer to pg. 8-9 for a list of such conditional uses.

A variance is strictly limited to granting relief from specific bulk, dimensional or performance standards set forth in this Shoreline Master Program (SMP), and where there are extraordinary or unique circumstances relating to the physical character or configuration of property such that the strict implementation of the SMP would impose unnecessary hardships on the applicant or thwart the Shoreline Management Act (SMA) policies as stated in RCW 90.58.020.

What is SEPA and when is it applicable?

Shoreline exemptions be subject to compliance with the Washington State Environmental Policy Act (SEPA) based on the presence of environmentally critical areas; projects that exceed specific thresholds (e.g. grading, number of dwelling units, timber removal, size of building); projects that require licensing for air emissions or discharges to water; or other factors. WAC 197-11-800 provides the specific thresholds which determine whether SEPA is required. If subject to SEPA, an environmental checklist application must be submitted with the application. After the Notice of Application comment period expires, the Planning Director – who is the City’s SEPA Responsible Official - issues a SEPA threshold determination (TD), or other SEPA decision as provided in ACC 16.06, RCW 43.21 and WAC 197-11. The SEPA decision is final unless the TD is appealed or the City revises the TD based on further comments during the appeal period.

If the SEPA Responsible Official issues a Determination of Significance (DS) because of probable significant impacts by the proposal, an Environmental Impact Statement (EIS) will be required before the City makes any decision on this application.

SHORELINE EXEMPTION – INTRODUCTION [CONTINUED]

What are the criteria for Shoreline Exemption approval?

Shoreline exemption applications will be reviewed according to WAC 173-27-040 provisions applicable to the development and consistency with the City of Auburn Shoreline Master Program (SMP) and the Washington State Shoreline Management Act (SMA).

How long before I am notified if my application is complete?

At the time you submit an application, you must submit all of the written and plan information listed in this application under “Shoreline Exemption Application Submittal Checklist”: Within 28 calendar days of receiving your application, City staff will determine if the application is complete based on the attached checklist. If your application is complete you will be notified in writing by City staff. If your application is not complete, you will receive a letter from City staff detailing required information to make your application complete.

How long before I know whether my Shoreline Exemption application is approved or denied?

Current City code requires that all land use decisions be made within 120 days from the date of a complete application submittal, unless an applicant agrees to extend the processing of his/her application longer than 120 days.

If SEPA environmental review has not occurred prior to application, time period for application review may be extended.

How long are approved Shoreline Exemptions valid for?

The permit will expire after two years if there has been no construction or substantial progress toward construction of a project for which a permit has been granted. If a project for which a permit has been granted has not been completed within five years after permit approval, the Planning Director will review the permit and extend the permit for one year upon a showing of good cause or terminate the permit. No permit will be extended unless the applicant has requested such review and extension prior to permit expiration date.

What is the review process like for a shoreline exemption?

1. Applicant submits shoreline exemption application to Permit Center.
2. SEPA process, if applicable, including noticing requirements and public hearing.
3. Technical review by City staff.
4. Planning Director issues decision to approve or deny exemption.

**Disclaimer: review process for reference only; actual process may vary on a case-by-case basis.*

PLEASE NOTE: Applicants are responsible for complying with all City Codes and ordinances; and should review all City regulations that may be applicable to their proposed project. For assistance in determining which regulations are applicable, please contact the City of Auburn Permit Center.

SHORELINE EXEMPTION – ALLOWED/CONDITIONAL USES AND ACTIVITIES

Shoreline Residential – Allowed

Agriculture if established and ongoing.

Boating facilities if boat launching ramps are open to the public.

Clearing and grading if associated with an allowed shoreline development.

Dredging to maintain navigability only.

Fill

- For habitat restoration;
- At or above the ordinary high water mark.

Habitat enhancement and restoration projects

Home-based daycare when accommodated by residential facilities and allowed by the underlying zoning.

Recreation, bridle, bicycling and walking trails; overwater pedestrian bridges; viewpoints; and pedestrian boardwalks.

Residential, new single family residences, residential subdivisions, and uses accessory to single family residences.

Shoreline stabilization if accessory to an existing single-family residence.

Signs

Structural flood hazard reduction if replacing or rehabilitating existing levees.

Transportation facilities, roads, bridges, and pedestrian overpasses and underpasses of railroad facilities.

Utilities, storm drain outfalls; primary conveyance and distribution facilities; and accessory utility facilities to serve allowed development.

Shoreline Residential – Conditional Uses

Dredging and dredge material disposal, for habitat and flood protection projects.

Fill extending waterward of the ordinary high water mark for water dependent uses (e.g. fishing piers).

In-stream water diversion structures

Recreation that has non-water related accessory uses or water-enjoyment uses (e.g. park).

Residential, multi-family residences and supportive housing.

Shoreline stabilization when not associated with a single-family residence.

Transportation facilities, relocation or expansion of existing railroad tracks.

Utilities, primary utilities and stormwater storage or treatment ponds.

Urban Conservancy – Allowed

Agriculture if established and ongoing.

Boating facilities if boat launching ramps are open to the public.

Clearing and grading if associated with an allowed shoreline development.

Dredging to maintain navigability only.

Fill

- For habitat restoration;
- At or above the ordinary high water mark or the natural bank, whichever is less, and when associated with allowed shoreline development.

Habitat enhancement and restoration projects

Home-based daycare when accommodated by residential facilities and allowed by the underlying zoning.

Recreation, bridle, bicycling and walking trails; overwater pedestrian bridges; viewpoints; and pedestrian boardwalks and piers; water-enjoyment uses; golf courses; and retail activity in conjunction with a public access pier.

Existing Residential, uses commonly accessory to single family residences.

Shoreline stabilization if accessory to an existing single-family residence.

Signs

Structural flood hazard reduction if replacing or rehabilitating existing levees.

Transportation facilities, roads, bridges, and pedestrian overpasses and underpasses of railroad facilities.

Utilities, storm drain outfalls; primary conveyance and distribution facilities; and accessory utility facilities to serve allowed development.

SHORELINE EXEMPTION – ALLOWED/CONDITIONAL USES AND ACTIVITIES

Urban Conservancy – Conditional Uses

Dredging and dredge material disposal, for habitat and flood protection projects.

Fill extending waterward of the ordinary high water mark for water dependent uses (e.g. fishing piers).

Fish hatcheries

In-stream water diversion structures

Mining if established and ongoing.
Recreation that has non-water related uses.

Residential, new single family residences, multi-family residences, and residential subdivisions.

Shoreline stabilization when not associated with a single-family residence.

Transportation facilities,

relocation or expansion of existing railroad tracks.

Utilities, primary utilities; reclaimed water facilities; potable water production; wastewater treatment plant; and stormwater storage or treatment ponds.

Natural – Allowed

Agriculture if established and ongoing.

Clearing and grading if associated with an allowed shoreline development.

Dredging to maintain navigability only.

Habitat enhancement and restoration projects

Home-based daycare when accommodated by residential facilities and allowed by the underlying zoning.

Recreation, unpaved bridle, bicycling and hiking trails including overwater pedestrian bridges; viewpoints; pedestrian boardwalks;

and fishing access not requiring structural facilities.

Signs

Transportation facilities, roads and bridges.

Utilities, accessory utility facilities to serve allowed development.

Natural – Conditional Uses

Dredging and dredge material disposal, for habitat and flood protection projects.

Fill for habitat restoration.

Fish hatcheries

In-stream water diversion structures for fish hatcheries.

Residential development and subdivisions, if no improvements are located within the required buffer.

Structural flood hazard reduction if replacing or rehabilitating existing levees or dikes.

Utilities, underground linear utilities; primary conveyance facilities; and storm drain outfalls.

**These tables are intended for reference purposes only. Refer to the text sections of the SMP for all applicable provisions related to specific uses and activities.*



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OFFICE USE ONLY

FILE #: _____
FILE NAME: _____

 TYPE: _____ RECEIVED BY: _____
 FEES PAID: _____ CHECK/CASH: _____
 SUBMITTAL DATE: _____
 LAND USE DESIGNATION: _____

SHORELINE EXEMPTION APPLICATION

APPLICANT: Use mailing address for meeting notification. Check box if Primary Contact

COMPANY: _____
 ADDRESS: _____
 (CITY, STATE, ZIP) _____
 PHONE: _____ FAX: _____ E-MAIL: _____

SIGNATURE: _____ PRINTED NAME: _____
(Signature Required)

APPLICANT'S REPRESENTATIVE: Check box if Primary Contact

COMPANY: _____
 ADDRESS: _____
 (CITY, STATE, ZIP) _____
 PHONE: _____ FAX: _____ E-MAIL: _____

SIGNATURE: _____ PRINTED NAME: _____
(Signature Required)

PROPERTY OWNER(S): Attach separate sheet if needed. Check box if Primary Contact

COMPANY: _____
 ADDRESS: _____
 (CITY, STATE, ZIP) _____
 PHONE: _____ FAX: _____ E-MAIL: _____

SIGNATURE: _____ PRINTED NAME: _____
(Signature Required)

Note: Applicant or representative must have property owner's consent to file this application form in order for it to be accepted

PROPERTY INFORMATION (REQUIRED)

SITE ADDRESS: _____ EXISTING USE OF SITE: _____

ASSESSOR'S PARCEL ID#	LOT SIZE	ZONING DISTRICT	
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

PROPOSED USE OF SITE: _____

AREA TO DEVELOPED (s.f.): _____



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**SHORELINE EXEMPTION
APPLICATION**

SHORELINE EXEMPTION – LETTER OF AUTHORIZATION

(A copy of this letter must be submitted for each property owner involved)

I, _____ declare under penalty of perjury under the laws of the State of Washington as follows;

1. I am the owner of the property that is the subject of the application.
2. I [] have not appointed anyone, or [] have appointed _____ , to act as my agent regarding this application.
3. All statements, answers, and information submitted with this application are true and correct to the best of my knowledge and belief.
4. I agree to hold the City of Auburn harmless as to any claim (including costs, expenses and attorney’s fees incurred in the investigation of such claim) which may be made by any person, including the undersigned, and filed against the City of Auburn, but only where such claim arises out of the reliance of the City, including its officers and employees, upon the accuracy of the information provided to the City as part of this application.
5. I hereby grant permission for representatives of the City of Auburn and any other Federal, State, or local unit of government with regulatory authority over the project to enter onto my property to inspect the property, take photographs, and post public notices as required in connection with review of this application and for compliance with the terms and conditions of permits and approvals issued for the project.

Signature

Printed Name

Date

City and State where signed

Address



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SHORELINE EXEMPTION APPLICATION

SHORELINE EXEMPTION – CONCURRENT APPLICATIONS

Please indicate whether you are submitting one or more concurrent applications with this application by checking one or more of the boxes below:

Type I Applications (administrative decisions made by the city which are not subject to environmental review under the State Environmental Policy Act [SEPA]):

- Administrative Use Permit
- Boundary Line Adjustment
- Boundary Line Elimination
- Building Permit
- Excavation Permit
- Floodplain Development Permit
- Grading Permit
- Home Occupation Permit
- Land Clearing Permit
- Mechanical Permit
- Plumbing Permit
- Public Facility Extension Agreement
- Right-of-way Use Permit
- Short Subdivision
- Special Permit

- Temporary Use Permit (administrative)
- Utility Permit

Type II Applications (administrative decisions made by the city which include threshold determinations under SEPA):

- Administrative Use Permit
- Building Permit
- Floodplain Development Permit
- Grading Permit
- Land Clearing Permit
- Public Facility Extension Agreement
- Short Subdivision

Type III Applications (quasi-judicial final decisions made by the hearing examiner following a recommendation by staff):

- Conditional Use Permit
- Preliminary Plat

- Special Exceptions
- Special Home Occupation Permit
- Substantial Shoreline Development Permit
- Surface Mining Permit
- Temporary Use Permit
- Variance

Type IV Applications – quasi-judicial decisions made by the city council following a recommendation by the hearing examiner:

- Rezone (site-specific)

OTHERS - as may apply:

- SEPA _____
- SHORELINE EXEMPT _____
- _____
- _____



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**SHORELINE EXEMPTION
APPLICATION**

SHORELINE EXEMPTION APPLICATION – SUBMITTAL CHECKLIST

DIGITAL COPIES OF WRITTEN MATERIALS & GRAPHICS

- Please provide a labeled readable compact disc(s) containing digital versions of all submitted written materials and plans and graphics for use by the City of Auburn during the shoreline review process. Staff will use this information in report preparation and public noticing so please be sure to provide current and accurate information. Written materials should be submitted to be compatible with Microsoft Office desktop software products. Plans and graphics should be submitted in *pdf* or *tif* format.

APPLICATION FEES - Make checks payable to the City of Auburn

- All application fees, including, but not limited to: Shoreline Exemption, Environmental Review, and Public Notice Board Posting Fees. Some fees will not be invoiced until actual costs are known. (Link to current fee schedule can be found @ <http://www.auburnwa.gov/community/about/forms.asp>)

WRITTEN MATERIALS – Total of ten (10) copies unless otherwise noted

- A. **APPLICATION FORM** Provide a **completed** application form signed by the property owner(s) and/or applicant with the completed Shoreline Exemption Application Submittal Checklist. (**One original and nine copies**).
- B. **LETTER OF AUTHORIZATION** Provide a letter of authorization to act contained with this application packet inclusive of all required signatures.
- C. **CONCURRENT APPLICATIONS FORM** Identify applications for projects, permits, or any other land use decisions that are being submitted concurrent with the shoreline exemption application.
- D. **SEPA CHECKLIST**, if applicable. Submit a **completed** Environmental Checklist together with any supporting documentation, such as a critical areas report, traffic impact analysis, and preliminary storm report, or information to address potential or known environmental impacts resulting from the proposal. If available, also submit a DNS or EIS.
- E. **CRITICAL AREAS REPORT (6 copies)** addressing compliance ACC 16.10 (Critical Areas) prepared by a qualified consultant as defined by ACC 16.10.020 as a person who has attained a degree from an accredited college or university in the subject matter necessary to evaluate the critical area in question (e.g., biology, ecology, or horticulture/arboriculture for wetlands, streams, wildlife habitat, and geology and/or civil engineering for geologic hazards, and hydrogeologist for ground water protection areas), and/or who is professionally trained and/or certified or licensed by the State of Washington to practice in the scientific disciplines necessary to identify, evaluate, manage, and mitigate impacts to the critical area in question.



SHORELINE EXEMPTION APPLICATION

Known or Suspected Critical Area	Class	Analysis Required	Analysis Prepared
<input type="checkbox"/> Wetlands	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Stream	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Wildlife Habitat Area	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Geologic Hazard Area Seismic, steep slope, landslide, & erosion	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Groundwater Protection Area	_____	<input type="checkbox"/>	<input type="checkbox"/>
Other:			
<input type="checkbox"/> Flood Hazard - ACC 15.68	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Shorelines of the State - ACC 16.08	_____	<input type="checkbox"/>	<input type="checkbox"/>

F. **LEGAL DESCRIPTION** of project property. At a minimum, include property address and identification of the section, township and range to the nearest quarter, quarter section or latitude and longitude to the nearest minute. All applications for projects located in open water areas away from land shall provide a longitude and latitude location.

G. **WRITTEN STATEMENT** including:

- 1. The shoreline designation according to the Shoreline Master Program;
- 2. The name of the shoreline (water body) that the site of the proposal is associated with;
- 3. A specific description of the proposed project, including the proposed use(s) and the activities necessary to accomplish the project;
- 4. A general description of the property's existing physical characteristics, improvements, and structures;
- 5. A general description of adjacent (within 1,000 feet in all directions) use, structures, improvements, intensity of development, and physical characteristics.

H. **JOINT AQUATIC RESOURCE PERMIT APPLICATION (JARPA) FORM** completed, if applicable.

PLANS & GRAPHICS - Total of ten (10) copies unless otherwise noted

A. **SCALE & LEGIBILITY** All plans, except architectural elevations, should be to scale (engineering scale) and drawn on maximum **24" x 36"** reproducible Mylar or similar paper at a scale no less than **1"=50'**. An index sheet, in above-specified size, is required for multi-sheet submittals. All plans should be folded to fit a legal size file jack.

B. **VICINITY MAP** showing the property's/proposed development or use's relationship to:

- 1. Roads;
- 2. Existing development/uses on adjacent properties; and
- 3. Proposed disposal site, if development involves removal of soils by dredging or other means.

If disposal site is beyond the confines of the vicinity map, then provide a separate map showing the precise location of the disposal site and its distance to the nearest city or town.

- C. **SITE PLAN:**
- 1. North arrow, graphic scale, and date plan was prepared;
 - 2. Boundaries and dimensions of the property;
 - 3. Adjacent streets;
 - 4. Ordinary high water mark of all water bodies adjacent to or within the project's boundaries (approximate location acceptable unless applicable regulations require precise location, in which case biological and hydrological basis for the location should also be included);
 - 5. Existing and proposed easements and such easements' purposes;
 - 6. Location and size of all existing and proposed utilities, sewer, storm drainage facilities, water lines, septic tanks and drainfields, and material stockpiles or surcharge, lying within or adjacent to property;
 - 7. Location of uses;
 - 8. Location and dimensions buildings and structures, existing and proposed, with setbacks to property lines;
 - 9. Location and layout of off-street parking, loading, and unloading areas;
 - 10. Location and layout of all paved or graveled areas;
 - 11. Location of walls and fences around the perimeter of the property and an indication of their height and materials;
 - 12. Existing and proposed land contours using five-foot intervals in water area and ten-foot intervals on areas landward of ordinary high water mark where development involves grading, cutting, filling, or other alteration of land contours. Approximate contours acceptable for areas not to be altered by development and indicated as such.
 - 13. Flood hazards, geological hazards (seismic, steep slope, landslide, erosion), groundwater protection areas, streams, significant trees, wetlands, and wildlife habitat.
 - 14. Depiction of the impacts to views from existing residential uses and public areas;
 - 15. Plans for development of areas on or off the site as mitigation for impacts associated with the proposed project, *if applicable*.
 - 16. Quantity, source, and composition of any fill material placed on the site, temporarily or permanently; and
 - 17. Quantity, composition, and destination of any excavated or dredged material.