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SUBMITTAL REQUIREMENTS SHORELINE EXEMPTION

Planning Division

1055 South Grady Way, Renton, WA 98057
Phone: 425-430-7294 | www.rentonwa.gov

PURPOSE: Shoreline Exemption permits ensure proposed shoreline development is consistent with the goals and policies of the City, Shoreline Master Program, and State Shoreline Management Act.

WHEN A SHORELINE PERMIT EXEMPTION IS REQUIRED:

If you are doing any development or construction activity within 200 feet of a designated shoreline, your project will require either a Shoreline Substantial Development Permit or a Shoreline Permit Exemption. The following activities are eligible to receive a Shoreline Permit Exemption:

- Any project with certification from the governor¹
- Any project with a cost or fair market value (whichever is higher) of less than \$6,416.00²
- Normal maintenance or repair of existing structure or developments³
- Emergency construction necessary to protect property from damage by the elements⁴
- Normal agricultural construction and practices⁵
- Construction of a single-family residence or associated structures for use by the owner or owner's family⁶
- Construction of a private dock for non-commercial use by the property owner(s)⁷
- Construction or modification authorized by Coast Guard or designated authority⁸
- Operation, maintenance, or construction related to irrigation⁹
- Marking of property lines or corners on state-owned lands¹⁰
- Operation and maintenance of agricultural drainage and diking facilities¹¹
- Activities necessary for preparation of permit application¹²
- Removal or control of aquatic noxious weeds¹³
- Watershed restoration projects¹⁴
- Projects intended to improve fish or wildlife habitat or fish passage¹⁵
- Hazardous substance remediation¹⁶
- Projects on lands not subject to shoreline jurisdiction prior to restoration¹⁷

COMPLETE APPLICATION REQUIRED: In order to accept your application, each of the numbered items must be submitted at the **same time**. If you have received a prior written waiver of a submittal item(s) during a pre-application meeting, please provide the waiver form in lieu of any submittal item not provided.

APPLICATION SCREENING: Applicants are required to bring in a CD or USB portable (flash/hard) drive (or other device or pathway as approved by your assigned project manager) with one PDF file of the

application package for informal review by staff, prior to scheduling an intake meeting. Please allow approximately 45 minutes for application screening.

APPLICATION SUBMITTAL HOURS: Applications should be submitted to Development Services staff at the 6th floor counter of Renton City Hall, 1055 South Grady Way, between 8:00 a.m. and 4:00 p.m. Monday through Friday. Please call your assigned project manager to schedule an appointment or call 425-430-7294 to reach the Planning Division. Due to the screening time required, applications delivered by messenger cannot be accepted.

ADDITIONAL PERMITS: Additional permits from other agencies may be required. It is the applicant's responsibility to obtain these other approvals. Information regarding these other requirements may be found at <http://apps.oria.wa.gov/opas/>.

All Plans and Attachments are subject to Electronic File Standards

APPLICATION MATERIALS:

1. **Land Use Permit Master Application Form:** The application must have notarized signatures of **ALL** current property owners listed on the Title Report. If the property owner is a corporation, the authorized representative must attach proof of signing authority on behalf of the corporation. The legal description of the property must be attached to the application form.
2. **Waiver Form:** If you received a waiver form during or after a "pre-application meeting."
3. **Project Narrative:** Please provide a clear and concise description of the proposed project, including the following:
 - Project name, size and location of site;
 - Brief description of proposed work;
 - Basis for the exemption request (reference exemption category from first page);
 - Anticipated dates of work;
 - Other permits required for proposed project;
 - Current and proposed use of the site;
 - Special site features (i.e. wetlands, water bodies, steep slopes);
 - Statement addressing soil type and drainage conditions;
 - Total estimated construction cost and estimated fair market value of the proposed project;
 - Estimated quantities and type of materials involved if any fill or excavation is proposed;
 - Number, type and size of any trees to be removed;
 - Distance from closest area of work to the Ordinary High Water Mark of the shoreline;
 - Nature of the existing shoreline (e.g. high bank, naturalize, rip rap, bulkhead, etc.);

and

- If the proposed project exceeds a height of 35-feet above the average grade level, discuss the approximate location of and number of residential units, existing and potential, that will have an obstructed view.

4. **Neighborhood Detail Map:** Please provide a map drawn at a scale of 1" = 100' or 1" = 200' (or other scale approved by the Planning Division) to be used to identify the site location on public notices and to review compatibility with surrounding land uses. The map shall identify the subject site with a much darker perimeter line than surrounding properties and include at least two cross streets in all directions showing the location of the subject site relative to property boundaries of surrounding parcels. The map shall also show: the property's lot lines, lot lines of surrounding properties, boundaries of the City of Renton (if applicable), north arrow (oriented to the top of the plan sheet), graphic scale used for the map, and City of Renton (not King County) street names for all streets shown. Please ensure all information fits on a single map sheet.

Kroll Map Company (206-448-6277) produces maps that may serve this purpose or you may use the King County Assessor's maps as a base for the Neighborhood Detail Map. Additional information (i.e. current city street names) will need to be added by the applicant.

5. **Site Plan:** Please provide a fully-dimensioned plan sheet drawn at a scale of 1"=20' (or other scale approved by the Planning Division). The Site Plan should show the following:
- Name of proposed project;
 - Date, scale, and north arrow (oriented to the top of the paper/plan sheet);
 - Drawing of the subject property with all property lines dimensioned and names of adjacent streets;
 - Identify all adjacent streets and alleys;
 - Location and dimensions of existing and proposed structures;
 - Parking and off-street loading space;
 - Free-standing signs and lighting fixtures;
 - Storage areas and job shacks/sales trailers; and
 - Location and dimensions of natural features such as streams, required buffer areas, and wetlands.

Indicate Ordinary High Water Mark and show distance in feet to closest area of work.

6. **Wetland Assessment:** Please provide a map and a report if **ANY** wetlands are located on the subject property or within 100 feet of the subject property. The wetland report/delineation must be prepared by a qualified professional and include the information specified in RMC [4-8-120D.23](#). In addition, if any alteration to the wetland or buffer is proposed, a **wetland mitigation plan** is also required. See RMC [4-8-120D.23](#) for plan content requirements.

7. **Standard Stream or Lake Study:** Please provide a report containing the information specified in RMC Section 4-8-120D.19. In addition, if the project involves an unclassified stream, a **supplemental stream or lake study** is also required. If any alteration to a waterbody or buffer is proposed a **supplemental stream or lake study** and **mitigation plan** are also required.
8. **Flood Hazard Data:** Please provide a scaled plan showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, and drainage facilities. Also indicate the following:
- Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;
 - Elevation in relation to mean sea level to which any structure has been flood-proofed;
 - Certification by a registered Professional Engineer or Architect the flood-proofing methods criteria in RMC 4-3-050G.4.c have been met; and
 - Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.
9. **Habitat Data Report:** If the project site contains or abuts a *critical habitat* per RMC 4-3-050F.2.b, please provide a report containing the information specified in RMC 4-8-120D.8.

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REVIEW PROCESS: Once a complete land use application package has been accepted for initial review, it will be routed to other City departments and other jurisdictions or agencies who may have an interest in it. The reviewers typically have two weeks to return their comments to the Planning Division. Once all comments have been addressed, the Planning Division will issue an exemption, provided the application meets the criteria for exemption.

If the application must also be reviewed under the State Environmental Policy Act (SEPA), this will extend the review time necessary for the project approval. Upon issuance of the Environmental Determination, the Planning Division will take one of the following actions: issue an exemption, request additional information, or require a full Shoreline Substantial Development Permit. Please see the handout entitled "Submittal Requirements: Environmental Review " for additional information.

If the City approves an exemption, a copy will be sent to the applicant. If you also need a building permit, please turn in a copy of your exemption with your other submittals. A building permit (or other City approval) may be issued immediately upon issuance of the exemption, provided all other relevant requirements have been met and the project does not also require any type of Army Corps approval.

If a project requires Army Corps approval, the City will mail a copy of the Shoreline Exemption decision to the State Department of Ecology (DOE) and the State Attorney General's Office for review. The DOE has ten days to review the exemption decision. A building permit (or other City approval) may be issued

ten days after the date of mailing the exemption decision to the Department of Ecology and Attorney General--provided the State does not appeal the exemption decision during the ten day review period and provided all other relevant requirements have been met.

¹ Any project with a certification from the governor.

Any project with a certification from the governor pursuant to Chapter 80.50 RCW;

² Total cost or fair market value of project (whichever is higher) is less than \$6,416.00.

Any development of which the total cost or fair market value, whichever is higher, does not exceed five thousand dollars, if such development does not materially interfere with the normal public use of the water or shorelines of the state. For purposes of determining whether or not a permit is required, the total cost or fair market value shall be based on the value of development that is occurring on shorelines of the state as defined in RCW 90.58.030(3)(e). The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials;

³ Normal maintenance or repair of existing structures or developments.

Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment;

⁴ Emergency construction necessary to protect property from damage by the elements.

Emergency construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with this chapter. Emergency construction does not include development of new permanent protective structures where none previously existed. Where new protective structures are deemed by the administrator to be the appropriate means to address the emergency situation, upon abatement of the emergency situation the new structure shall be removed or any permit which would have been required, absent an emergency, pursuant to Chapter 90.58 RCW, these regulations, or the local master program, obtained. All emergency construction shall be consistent with the policies of Chapter 90.58 RCW and the local master program. As a general matter, flooding or other seasonal events that can be anticipated and may occur but that are not imminent are not an emergency;

⁵ Normal agricultural construction and practices.

Construction and practices normal or necessary for farming, irrigation, and ranching activities, including agricultural service roads and utilities on shorelands, construction of a barn or similar agricultural structure, and the construction and maintenance of irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels: Provided, That a feedlot of any size, all processing

plants, other activities of a commercial nature, alteration of the contour of the shorelands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and/or grazing, nor shall it include normal livestock wintering operations;

⁶ Construction of a single-family residence for use by owner or owner's family.

Construction on shorelands by an owner, lessee or contract purchaser of a single-family residence for their own use or for the use of their family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof. "Single-family residence" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance. An "appurtenance" is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland. On a statewide basis, normal appurtenances include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield and grading which does not exceed two hundred fifty cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark. Local circumstances may dictate additional interpretations of normal appurtenances which shall be set forth and regulated within the applicable master program. Construction authorized under this exemption shall be located landward of the ordinary high water mark;

⁷ Construction of a private dock for non-commercial use by property owner(s).

Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owners, lessee, or contract purchaser of a single-family and multiple-family residences. This exception applies if the fair market value of the dock does not exceed ten thousand dollars (\$10,000); however, if subsequent construction having a fair market value exceeding two thousand five hundred dollars (\$2,500) occurs within five (5) years of completion of the prior construction, the subsequent construction shall be considered a substantial development permit; and a dock is a landing and moorage facility for watercraft and does not include recreational decks, storage facilities or other appurtenances;

⁸ Construction or modification authorized by Coast Guard or designated authority.

Construction or modification, by or under the authority of the Coast Guard or a designated port management authority, of navigational aids such as channel markers and anchor buoys;

⁹ Operation, maintenance, or construction related to irrigation.

Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water from the irrigation of lands;

¹⁰ Marking of property lines or corners on state-owned lands.

The marking of property lines or corners on state-owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;

¹¹ **Operation and maintenance of agricultural drainage and diking facilities.**

Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on June 4, 1975, which were created, developed or utilized primarily as a part of an agricultural drainage or diking system;

¹² **Site activities necessary for preparation of application for development authorization.**

Site exploration and investigation activities that are prerequisite to preparation of an application for development authorization under this chapter, if:

- (i) The activity does not interfere with the normal public use of the surface waters;
- (ii) The activity will have no significant adverse impact on the environment including but not limited to fish, wildlife, fish or wildlife habitat, water quality, and aesthetic values;
- (iii) The activity does not involve the installation of any structure, and upon completion of the activity the vegetation and land configuration of the site are restored to conditions existing before the activity;
- (iv) A private entity seeking development authorization under this section first posts a performance bond or provides other evidence of financial responsibility to the local jurisdiction to ensure that the site is restored to preexisting conditions; and

The activity is not subject to the permit requirements of Chapter 90.58.550 RCW;

¹³ **Removing or controlling aquatic noxious weeds**

The process of removing or controlling aquatic noxious weeds, as defined in Chapter 17.26.020 RCW, through the use of an herbicide or other treatment methods applicable to weed control that are recommended by a final environmental impact statement published by the department of agriculture or the department of ecology jointly with other state agencies under Chapter 43.21C RCW;

¹⁴ **Watershed restoration projects**

Watershed restoration projects as defined herein. Local government shall review the projects for consistency with the shoreline master program in an expeditious manner and shall issue its decision along with any conditions within forty-five days of receiving all materials necessary to review the request for exemption from the applicant. No fee may be charged for accepting and processing requests for exemption for watershed restoration projects as used in this section.

- (i) "Watershed restoration project" means a public or private project authorized by the sponsor of a watershed restoration plan that implements the plan or a part of the plan and consists of one or more of the following activities:
 - (A) A project that involves less than ten miles of streamreach, in which less than twenty-five cubic yards of sand, gravel, or soil is removed, imported, disturbed or discharged, and in which no existing vegetation is removed except as minimally necessary to facilitate additional plantings;
 - (B) A project for the restoration of an eroded or unstable stream bank that employs the principles of bioengineering, including limited use of rock as a stabilization only at the toe of the bank, and with primary emphasis on using native vegetation to control the erosive forces of flowing water; or

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- (C) A project primarily designed to improve fish and wildlife habitat, remove or reduce impediments to migration of fish, or enhance the fishery resource available for use by all of the citizens of the state, provided that any structure, other than a bridge or culvert or instream habitat enhancement structure associated with the project, is less than two hundred square feet in floor area and is located above the ordinary high water mark of the stream.
- (ii) "Watershed restoration plan" means a plan, developed or sponsored by the department of fish and wildlife, the department of ecology, the department of natural resources, the department of transportation, a federally recognized Indian tribe acting within and pursuant to its authority, a city, a county, or a conservation district that provides a general program and implementation measures or actions for the preservation, restoration, re-creation, or enhancement of the natural resources, character, and ecology of a stream, stream segment, drainage area, or watershed for which agency and public review has been conducted pursuant to RCW Chapter 43.21C, the State Environmental Policy Act;

¹⁵ ***Projects intended to improve fish or wildlife habitat or fish passage.***

A public or private project, the primary purpose of which is to improve fish or wildlife habitat or fish passage, when all of the following apply:

- (i) The project has been approved in writing by the department of fish and wildlife as necessary for the improvement of the habitat or passage and appropriately designed and sited to accomplish the intended purpose;
- (ii) The project has received hydraulic project approval by the department of fish and wildlife pursuant to RCW Chapter 75.20; and
- (iii) The local government has determined that the project is consistent with the local shoreline master program. The local government shall make such determination in a timely manner and provide it by letter to the project proponent.

¹⁶ ***Hazardous substance remediation pursuant to WAC 173-27-040.***

¹⁷ ***Projects on lands not subject to shoreline jurisdiction prior to restoration.***