

## Shoreline Review

### What is the purpose of the shoreline permit process?

The shoreline permit process is designed to recognize and protect shoreline areas of local and statewide significance while preserving their natural character, resources and ecology. The shoreline program is designed to focus on long-term versus short-term benefits and includes a commitment to increased access and recreational opportunities within publicly owned shoreline areas. The Clark County Shoreline Management Master Plan is located in Chapter 40.460 of the Clark County Code and Title 13 of the Comprehensive Plan.

### What areas are subject to shoreline review?

Shoreline resource areas are:

- Lakes and reservoirs 20 acres or greater in size; and
- Streams, creeks or rivers where the mean annual flow is 20 cubic feet per second or more; and
- The landward area within 200 horizontal feet of a stream floodway or ordinary high water mark; and
- Any wetlands associated with the above. An associated wetland may extend greater than 200 feet landward of the shoreline resource and includes: marshes, bogs, swamps, floodways, river deltas and floodplains associated with the streams as well as lakes and tidal lands designated by the Department of Ecology (DOE).

See drawing 1 for an example of a shoreline review area.

### What is a development?

According to the Clark County Code Title 40, development means any manmade change to improved or unimproved real estate, including but not limited to:

- Construction, reconstruction, installation or modification of a structure;
- Site altering activities that include mining, dredging, filling, grading, construction of earthen berms, vegetative clearing, paving, excavation, or drilling operations and improvements for uses such as parking;
- Commencement of a new use, or the change in existing use of real estate or a structure thereon; or
- Land divisions, subdivisions, short plats, site plans, conditional use permits, access to public roads, the establishment or termination of rights of access, and any related activities.

### What types of shoreline permits are there?

- Shoreline Exemption if the action is not subject to a shoreline permit.
- Shoreline Substantial Development permit if it is a permitted use, not listed as exempt and the fair market value of the project is less than \$6,416.00.
- Shoreline Conditional Use permit if the use is listed as a conditional use or it is not a use listed in the use table. Fair market value or a cost is not considered.
- Shoreline Variance if the project cannot meet one of the requirements of Chapter 40.460.

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Community Development  
1300 Franklin Street, Vancouver, WA 98660  
Phone: (360) 397-2375 Fax: (360) 397-2011  
[www.clark.wa.gov/community-development](http://www.clark.wa.gov/community-development)



For an alternate format, contact the Clark County ADA Compliance Office.  
Phone: (360)397-2322  
Relay: 711 or (800) 833-6384  
E-mail: [ADA@clark.wa.gov](mailto:ADA@clark.wa.gov)

### Are any developments exempt from a shoreline review?

Chapter 40.460 acknowledges that some activities and minor developments commonly referred to as Shoreline Exemptions (SE) do not require a shoreline substantial development permit. If the project qualifies as exempt, an application for a shoreline exemption is required. These uses may require a shoreline conditional use permit if the use is listed as conditional in the SMMP. See CCC 40.460.230 for a list of exemptions. If you believe your project should be exempt based on these exemptions, you will still need to obtain a written shoreline exemption. Conditions may be attached to the exemption to ensure consistency with Chapter 40.460. See the handouts for Shoreline Exemptions for more information and submittal requirements.

### Is a pre-application conference required?

A pre-application conference is required before submitting a shoreline application. The requirement for a conference may be waived if the Responsible Official determines, based on evidence and information from the applicant, that the proposal is relatively simple and a conference is not necessary. A waiver requires the applicant to submit a completed *Pre-Application Review Waiver Request* form and fee.

### What is the application process?

After the final staff report for the pre-application conference is issued, the applicant submits one copy of the application packet. Before accepting the application, Permit Center staff will determine whether the application is **Counter Complete**. This initial review ensures that all items listed in bold in the attached submittal checklist have been included in the application packet being submitted.

Once your application is accepted, the original submittal package is routed to our review staff. Staff conducts a second completeness check, known as the **Fully Complete** review. This more detailed review ensures that all items listed in the attached submittal requirements and those items requested in the pre-application report have been submitted. As an example, does the proposed site plan show parking and driveway areas, wells, septic fields or other utilities, lawn or landscaped area, 100 year floodplain, etc.

If required items are missing from your original submittal, you will receive a letter of **Not Fully Complete**, with a list of the missing items. If you have not submitted the requested information within 30 days of this written request, staff will return your application and refund the application fee, less the processing costs incurred to date.

If all of the submittal requirements have been met, the applicant will be directed to submit six additional copies that contain the revisions and additional information that may have been required to be Fully Complete. Once all Fully Complete copies have been received, you will receive a **Fully Complete** determination letter and be vested on the date you submitted the Fully Complete application.

Within 14 days of the fully-complete determination, a Notice of Application and SEPA determination will be mailed to:

- Property owners as shown as the latest records of the Assessor's office within a 300' radius (if within an urban growth boundary), or a 500' radius (if outside an urban growth boundary) of the project site.
- Applicant
- Property owner
- Neighborhood association (if any)
- Listed SEPA agencies

If it is a shoreline substantial development permit, an administrative decision by the Shoreline Management Review Committee (SMRC) will be issued within 92 days.

If it is a shoreline conditional use permit or variance, a recommendation from the SMRC will be issued within 92 days and sent to the Department of Ecology (DOE) for their review. DOE has 30 days to approve, approve with conditions or deny the conditional use or variance recommendation.

In making the decision or recommendation, the SMRC must determine if the proposed development meets the requirements of the applicable sections of the Clark County Code. This decision or recommendation is made after reviewing the proposal to ensure it complies with the SMMP and considering written comments received from the public.

A final decision is issued when DOE sends a letter concurring with the county's recommendation or decision. DOE may also add or change conditions. They can also disagree with the county's recommendation. There is a 21 day appeal period. After the appeal period concludes the project may proceed.

### **Can the decision be appealed?**

All final shoreline permits can be appealed to the Shoreline Hearings Board within 21 days of the date of a final decision. Within 7 days of filing the appeal, the petitioner must also serve copies of the appeal to the local government, DOE and the Office of the Attorney General of Washington State. An appeal of any shoreline permit is governed by the Revised Code of Washington (RCW) 90-58-180 and Washington Administrative Code (WAC) 461-08

### **What is a SEPA determination?**

The State Environmental Policy Act (SEPA) requires that a review of the potential environmental impacts of the proposed plan be conducted.

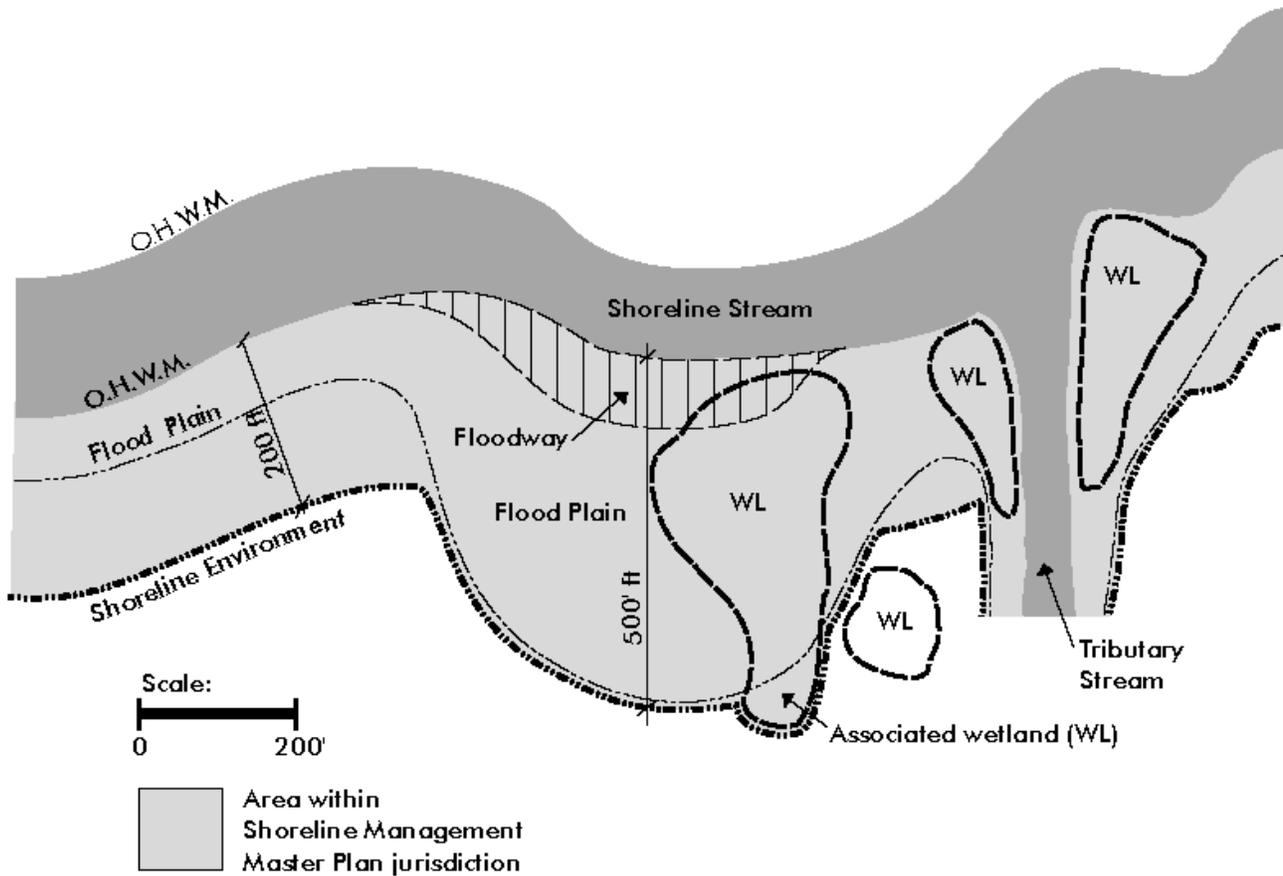
First the applicant must complete the SEPA Checklist by responding to each question as it relates to the project. County staff will review the checklist in conjunction with the development application and send it to interested agencies for comment. Any probable adverse environmental impacts that are identified must be mitigated through the requirements of development regulations or by specific mitigation measures identified for the project by the county.

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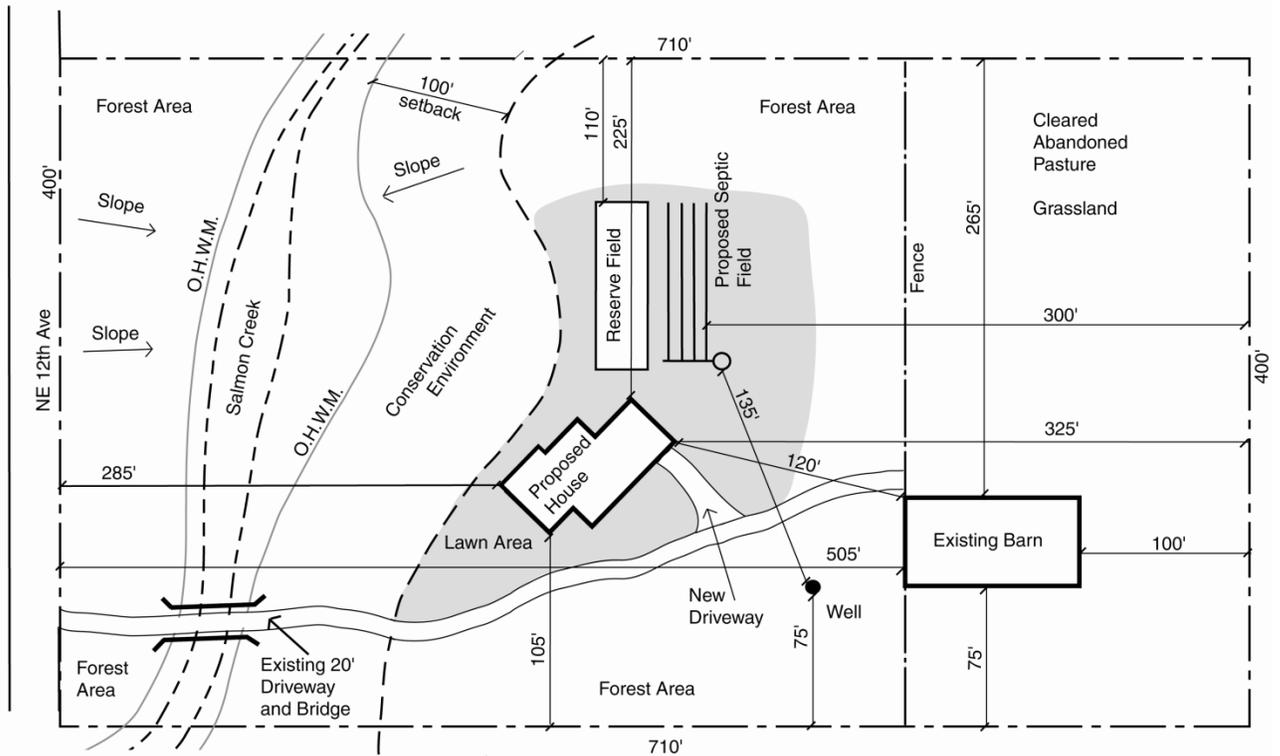
**Note: This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code 40.460 Shoreline Overlay District.**

# Drawing 1

## Shoreline Review Areas



### Sample Shoreline Site Plan



Scale: 1 inch=100 ft



Note:  
This is a Conservation Shoreline Environment. The required building setback is 100 feet from the Ordinary High Water Mark (O.H.W.M.)

## Submittal Requirements

The following checklist identifies information to be included with the application.

All items with an underlined space (i.e.,     ) must be submitted before the application will be considered **Counter Complete**.

All items with a check box must be submitted before the application will be determined **Fully Complete**. All bulleted items must be submitted, as applicable, but are not a Fully Complete requirement. The Pre-Application Conference Report will indicate any additional/exempted submittal requirements.

At the time of application, only one copy of the main submittal with original signatures, shall be submitted and bound by a jumbo clip or rubber band. One copy of any special studies, such as wetland, floodplain, etc., shall also be submitted but bound separately.

Once the original application contains all the required information, the applicant will be contacted to submit additional copies of the main submittal and any special studies with revisions.

### 1.      **Cover sheet and table of contents**

Each submittal packet shall contain a cover sheet that contains the project name and applicant's name, address, email address, and phone number. A table of contents, tabs and/or dividers to provide assistance in locating the various requirements shall follow the cover sheet.

### 2.      **JARPA Application form**

Submit a completed JARPA application; the original signed in ink by the applicant. The form is available at [www.epermitting.org](http://www.epermitting.org).

### 3.      **Application form**

The application form shall be completed and original signed in ink by the applicant.

### 4.      **Application fee**

The required fee shall accompany the application. The check is to be made payable to Clark County Community Development.

### 5.      **Pre-Application Conference Report**

A copy of the Pre-Application Conference Report must be submitted.

### 6.      **GIS Developer's packet**

A copy of the GIS Developer's Packet shall be submitted with the application. Applicants can order a GIS Developer's Packet with a credit card online at

<https://gis.clark.wa.gov/gishome/MapStore/?pid=map#/devPacketOrder>. For more information, contact GIS at 564.397.4082 or [themapstore@clark.wa.gov](mailto:themapstore@clark.wa.gov).

The packet includes the following:

- General Location Map
- Property Information Fact Sheet
- Arterial Roadway, C-Tran Bus Routes, Parks and Trails Map

- Elevation Contours Map
- Photography Map
- Photography Map with Contours
- Zoning Map
- Comprehensive Plan Map
- Water, Sewer and Storm Systems Map
- Soil Type Map
- Environmental Constraints Map
- Quarter Section Map

### 7. \_\_\_ **Narrative**

A written narrative shall be submitted that addresses the following:

- How the application meets or exceeds the Goals and Policies of the Shoreline Master Program listed in Chapter 13 of the Clark County Comprehensive Plan
- How the application meets or exceeds the General Shoreline Uses and Development Regulations in Clark County Code (CCC) 40.460.500
- How the application meets or exceeds the applicable Specific Shoreline Use Regulations in CCC 40.460.600
- How the application meets the management policies of the applicable Shoreline Environment as designated in CCC 40.460.400
- How the issues identified in the pre-application conference have been addressed, and generally, how services will be provided to the site
- WAC 173-27-140 for all permits
- If a substantial development permit, add WAC 173-27-150
- If a conditional use permit, add WAC 173-27-160
- If a variance, add WAC173-27-170

### 8. \_\_\_ **Legal Lot Determination information**

The preliminary plat shall encompass the entire area of the legal lot(s) involved in the plat and designate the proposed use, such as lots, tracts, easements, dedications, for all land contained within the plat and any boundary line adjustments to be completed prior to final plat. In order to demonstrate that the subject lot(s) has been created legally, the following must be submitted:

- Current owner's deed if a lot determination is not required, as specified in the Pre-Application Conference Report. Otherwise one of the following is required:
  - Prior county short plat, subdivision, lot determination or other written approvals, if any, in which the parcel was formally created or determined to be a legal lot.
  - Sales or transfer deed history dating back to 1969, to include copies of recorded deeds and/or contracts verifying the date of creation of the parcel in chronological order with each deed identified with the Assessor's lot number.

### 9. \_\_\_ **Proposed site plan**

The proposed plan shall be drawn to a minimum engineer's scale of 1" = 200' on a sheet no larger than 24" x 36"

- The following information shall be clearly depicted on the proposed development plan:
  - A north directional arrow, scale and date
  - Location and names of adjacent streets or roads
  - Location of the Ordinary High Water Mark (OHWM) identified as the line of vegetation along a shoreline

- Location of the 100 year flood plain and any wetlands which are associated with the water bodies
- Boundaries of the site including any adjacent and/or contiguous parcels under the ownership or control of the owner/applicant. Location and length of all property lines enclosing the legal lot
- Location and use of all proposed and existing:
  - Buildings/structures, including dimensions and setback distances from all structures to the nearest property lines, OHWM, and wetlands
  - Wells, septic fields; or other utilities
  - Parking areas
  - Graveled or paved areas
  - Location of proposed structures
  - Driveways, and turn-arounds,
  - Identify existing natural features
  - Streams, ponds, known wetlands
  - Steep slopes
  - The general pattern of forested and cultivated areas
  - Identify existing and proposed yard areas to be maintained as lawn or in non-
  - Identify the areas where existing vegetation is to be removed
- Provide five-foot contour intervals for proposed land contours if any development involves grading, cutting, filling, or other alterations of existing contours
- Typical cross-sections showing:
  - Existing ground elevations
  - Proposed ground elevations
  - Height of proposed and existing structures
- Unstable slopes and landslide hazard areas. See GIS Packet.
- Significant wildlife habitat or vegetation. See GIS Packet.
- Significant historic sites

**10. \_\_\_ Proposed stormwater plan, if applicable**

**11. \_\_\_ State environmental review**

A State Environmental Policy Act Environmental Checklist must be completed, original signed in ink, and submitted. Handout is available at the Permit Center.

**12. \_\_\_ Proof of submitting an archaeological pre-determination to the state (DAHP), if applicable**

Predetermination reports and archaeology surveys, if required, must be reviewed by the Washington State Department of Archaeology and Historic Preservation (DAHP). Proof must be provided indicating the predetermination and/or survey have been submitted to DAHP for review. Proof can be via an email confirmation or other conclusive method of proof that DAHP has received the site-specific document for review.

**13. \_\_\_ Sewer district utility review letter**

A utility review letter must be submitted from the public sewer district, or one copy of a preliminary soil suitability analysis, or equivalent, for on site systems from the Clark County Public Health. For existing septic systems, provide a copy of the original approval. Clark County Public Health is located at 1601 Fourth Plain Boulevard, Vancouver, WA 98661, (360) 397-8000.

**14. \_\_\_ Water utility review letter**

A utility review letter must be submitted from the public water purveyor, noting the ability to meet water pressure and fire flow requirements of the Fire Marshal as specified within the Pre-Application Conference Summary Report or provide current evidence of the availability of suitable ground water where the water purveyor has determined public water or community water systems cannot be provided. Contact Clark County Public Health.

**15. \_\_\_ Public Health review evaluation letter**

A Clark County Public Health Project Review Evaluation Letter must be submitted per the Pre-Application Conference Report.

**16. \_\_\_ Covenants or restrictions**

All existing covenants or restrictions and/or easements that apply to the property must be submitted, available from a title company.

**17. Submittal copies**

\_\_\_ One copy of the main submittal, bound by a jumbo clip or rubber band, with original signatures

\_\_\_ One copy of any special studies, such as wetland, floodplain, etc., bound separately

\_\_\_ One CD or Flash drive in PDF format

After the application is fully complete, the new copies must contain revisions and any additional information required in the fully complete review. The copies must be bound using jumbo clips, stapled or spiral bound. The applicant must select Option A or B below and proceed as follows.

**Option A**

Submit three full copies of the application packet and a CD in PDF format, with a copy of the fully complete application. Any special studies shall also be included on the CD. The CD application shall be organized as follows:

- The application submittal shall be organized in the same order as the fully complete application table of contents, with a separate PDF document for each separate item.
- The PDF document must be organized into separate files. Each PDF file must be labeled with a number followed by a name, for example:
  1. Cover Sheet and Table of Contents
  2. JARPA Application form
  3. Application form
  4. Application fee
  5. etc.

If submitting by CD, you will also need to include two additional full-size sets of paper plans.

**Option B**

Submit six additional individually bound paper copies of the fully complete application.

We request that an electronic copy of the land division/site plan be submitted by email to the planner for your case.

The applicant will also be required to submit additional individually bound copies of any special studies as identified within the Pre-Application Report:

- One original and three copies - Traffic Study and Road Modification requests
- One original and two copies of all other special studies or permits
- Two reduced copies on 11" x 17" for all sheets larger than 11" x 17"

**Staff Notes:**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

This application was determined to be Counter Complete on: \_\_\_\_/\_\_\_\_/\_\_\_\_

Permit Technician: \_\_\_\_\_

**Fee schedule**

The following fees are required to be paid when the application is submitted.

Application submittal fee                      \$632

The following fees are required to be paid when the application is submitted. Applicable fees will be listed on the final pre-application report.

Only **one** of the following three shorelines fees will apply:

Substantial development permit	\$2,899
Issuance	\$53
<b>or</b>	
Conditional use	\$3,431
Issuance	\$53
<b>or</b>	
Variance	\$3,431
Issuance	\$53

SEPA review	\$1,222
Issuance	\$53

Habitat And OHWM Determination	\$371
Issuance	\$53

Habitat Review	\$1,974
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Site Visit	\$288
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Wetland Determination	\$186
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Only applies if there are likely to be wetlands in the shoreline area.

Wetland Review	\$987
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Only applies if wetland or wetland buffer impacts are proposed in the shoreline area.

**Legal Lot Determination**

This fee is not required if a previous legal review has been completed and the lot has not changed or a Legal Lot Determination has been applied for with a building permit in conjunction with the shoreline permit. See our *Legal Lot Determination* handout for more information and fees.