

Permitting Process

Lacey, Olympia, and Tumwater

A change under the proposed Shoreline Master Program is in the permitting process. Some development activities which currently require a Shoreline Substantial Development Permit will require a Shoreline Conditional Use Permit under the proposed regulations. Examples of this include:

- Bulkheads
- Docks for single family residences
- Non-water-oriented commercial, industrial, mixed use and recreational development within 100' of the ordinary high water mark.
- Transportation and utilities within 100' of the ordinary high water mark.

Types of Shoreline Permits

Shoreline Substantial Development Permit (SDP)

Substantial Development Permits are required for all developments that meet the legal definition of "substantial development" – development with a fair market value exceeding \$5,718, or that would materially interfere with normal public use of the water (regardless of cost).

A shoreline Substantial Development Permit is reviewed and processed by the local jurisdiction and then sent to the Washington State Department of Ecology for filing.

Shoreline Conditional Use Permit (CUP)

Shoreline conditional uses allow greater flexibility in applying regulations of the Shoreline Master Program. Conditional uses are listed in the accompanying tables. If the Program does not address a particular use, it is also a conditional use.

A proposal must meet Shoreline Conditional Use Permit criteria and be consistent with other environment and use requirements. Conditional uses cannot be used to approve a use that is specifically prohibited in the Master Program. The State Department of Ecology must approve, deny or condition every conditional use within 30 days of receiving a complete permit application.

Shoreline Variance

A shoreline variance is used to grant relief from bulk, dimensional or performance standards in the Shoreline Master Program where there are extraordinary circumstances relating to the physical character or configuration of property such that the strict implementation of the Master Program would impose unnecessary hardships on the applicant or conflict with shoreline policies. It is not a way to vary the use of a shoreline.

Letter of Exemption

Some projects conducted on shorelines of the state also require review and approval by federal agencies.

Exemptions

Some shoreline activities exempt from obtaining shoreline permit including:

- Normal maintenance or repair of existing structures
- Owner-occupied single family residences (less than 35 feet in height) and related structures such as garages, decks, driveways, and fences
- Emergency construction to protect property from the elements
- Building bulkheads to protect existing single family residences from loss or damage from erosion
- Improving habitat, cleaning toxic waste, controlling weeds, or restoring watersheds
- Constructing docks designed for pleasure craft if:
 - in salt waters, the fair market value of the dock does not exceed two thousand five hundred dollars (\$2,500)
 - in fresh waters, the fair market value of the dock does not exceed ten thousand dollars (\$10,000)
- Site exploration and investigation activities
- Certain farming, irrigation, drainage and ranching activities
- Building navigation aids, marking property lines

Note: An activity that is exempt from the requirements of a shoreline permit is still required to comply with the Shoreline Master Program and local development regulations.

Permit Process for Uses and Activities By Shoreline Designation Lacey, Olympia, and Tumwater

USES & ACTIVITIES	High Intensity	Shoreline Residential	Urban Conservancy	Natural	Aquatic
Agriculture	S	S	S	C	NA
Aquaculture	S	S	S	X	S
Boating Facilities <ul style="list-style-type: none"> • Launch Ramps • Marinas • Covered Moorage <i>(Refer to Table 3 for Piers and Docks)</i>	S S C	S S X	S S X	C X X	S* S* S*
Commercial <ul style="list-style-type: none"> • Water-dependent • Water-related • Water-enjoyment • Non-water oriented 	S S S C ¹ / S ²	S S S X	C C C C	X X X X	S* C* C* C*
Historical or Archeological <ul style="list-style-type: none"> • Protection, Rehabilitation, & Restoration • Reconstruction of replica 	S C	S C	S C	S C	S C*
Industrial <ul style="list-style-type: none"> • Water-dependent • Water-related • Non-water oriented 	S S C	X X X	C X X	X X X	S* C* X

S = Requires a Shoreline Substantial Development Permit
 E = Requires a Shoreline Exemption; and must comply with applicable Master Program sections
 C = Requires a Shoreline Conditional Use Permit
 X = Prohibited; not eligible for a Substantial Development or Conditional Use Permit
 NA = Not applicable, refer to the appropriate Master Program section for additional standards

1 = Within one hundred (100) feet from the ordinary high water mark
 2 = From one hundred (100) feet to the edge of the shoreline jurisdiction
 * = In the Aquatic environment the use or shoreline modification may be allowed if it is allowed in the adjacent upland shoreline environment designation

Permit Process for Uses and Activities By Shoreline Designation – continued Lacey, Olympia, and Tumwater

USES & ACTIVITIES	High Intensity	Shoreline Residential	Urban Conservancy	Natural	Aquatic
Parking					
• Serving an approved use	S	S	S	S	X
• Any other, including paid	X	X	X	X	X
Recreation					
• Water-dependent	S	S	S	S	S
• Water-related	S	S	S	S	S
• Water-enjoyment	S	S	S	S	C
• Non-water oriented	C ¹ / S ²	C ¹ / S ²	C ¹ / S ²	X ¹ / C ²	X
Residential					
• Single-family	E	E	E	C	X
• Attached single family & Multi-Family	S	S	S	X	X
Scientific or Educational	S	S	S	C	S
Signage					
• On-premises & Wayfinding	S	S	S	S	S
• Off-premise	X	X	X	X	X
Solid Waste Disposal	X	X	X	X	X
Transportation					
• Roads and Railroads	C ¹ / S ²	C ¹ / S ²	C ¹ / S ²	C ¹ / S ²	C*
• Shared Use Path	S	S	S	S	S
Utilities	C ¹ / S ²	C ¹ / S ²	C ¹ / S ²	C ¹ / S ²	C*

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Permit Process for Shoreline Modifications By Shoreline Designation Lacey, Olympia, and Tumwater

SHORELINE MODIFICATIONS	High Intensity	Shoreline Residential	Urban Conservancy	Natural	Aquatic
Dredging	NA	NA	NA	NA	C
Fill					
Ecological Restoration Project	S	S	S	S	S
All Other Activities	S	C	C	X	C
Overwater Structures					
Buoy	S	S	S	C	S*
Pier and Dock	S	C ¹ / S ²	C ¹ / S ²	C	S*
Recreational Float	S	S	S	C	S*
Shoreline Stabilization					
Beach Restoration and Enhancement	S	S	S	S	S
Bioengineering	S	S	S	C	C
Revetment and Gabion	C	C	C	X	C
Bulkhead	C	C	C	X	C
Breakwater, Jetty, Groin and Weirs	C	C	C	X	C
Dike, Levee and Instream Structure	C	C	C	X	C*
Stair Tower	C	C	C	X	X

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1 = Serving one (1) property
 2 = Serving two (2) or more properties
 *The use or shoreline modification may be allowed in the Aquatic Environment if it is allowed in the adjacent upland environment.