



# Planning & Economic Development

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## SHORELINE PERMITS

Poulsbo's shoreline regulations are mandated by the State Shoreline Management Act (SMA) of 1971, as amended in [Chapter 90.58](#) of the Revised Code of Washington (RCW). This state law requires local governments to establish a program consistent with rules adopted by the State Department of Ecology ([Ecology](#)). Accordingly, Poulsbo has adopted regulations for its shorelines, in [Chapter 16.08](#) of the Poulsbo Municipal Code (PMC).

### SHORELINE JURISDICTION

Under the PMC, shorelines of the city include Liberty Bay, Dogfish Creek, and their associated [shorelands](#) extending 200 feet landward, as measured on a horizontal plane from ordinary high water. As allowed by RCW [90.58.030](#) (2)(f)(ii) and WAC [173-26-221](#)(2)(a), the city has chosen to not expand its shoreline jurisdiction to include critical area buffers that are located outside of the shoreline jurisdiction. These areas are regulated by Chapter [16.20](#), Critical Areas.

Any proposal within the Shoreline Jurisdiction that involves the construction or exterior alteration of structures, dredging, drilling, dumping, filling, removal of any sand, gravel or minerals, bulkheading, pile driving, placing of obstructions, or any project of a permanent or temporary nature that interferes with the normal public use of the water is subject to the regulation of the SMA and PMC and will require a Shoreline Permit.

### SHORELINE ENVIRONMENTS

Environment designations are applied to all of the city's shoreline areas based upon habitat characterization, land use, and location of shoreline buffers. Within the city's jurisdiction, these include: shoreline residential-1 (SR-1), shoreline residential-2 (SR-2), high intensity (HI), urban conservancy (UC), natural (N) and aquatic (A), as shown on the city's adopted [shoreline maps](#).

Shoreline Environments require that development meets specific standards that include: density, buffers/setbacks, impervious surfaces, lot frontage, and building heights. These standards are set by use category and the specific Shoreline Environment. Additionally, any land use or development activities must conform to other applicable regulations of the Poulsbo Zoning Code.

### TYPES OF SHORELINE PERMITS

- **Shoreline exemptions.** Some developments within the shoreline jurisdiction do not require a shoreline permit

if they are considered exempt (per WAC [173-27-040](#) (2), RCW [98.58.030](#)(3)(e), [90.58.140](#)(9), [90.58.147](#), [90.58.355](#) or [90.58.515](#)). See the [Shoreline Letter of Exemption Handout](#) and [Shoreline Letter of Exemption Request](#) for more information.

- **Shoreline substantial development permit (SSDP).** Required when developments are proposed within the shoreline jurisdiction and does not qualify for a shoreline exemption or a minor SSDP.
- **Minor SSDP.** Development that meets the requirements for minor site plan review in PMC [18.68.020](#). Public access and other associated amenities (such as trails, signage, benches, educational or recreational facilities) that are located landward of the ordinary high water mark, and that do not have a fair market value of more than fifty thousand dollars. Underground utility improvements, including utility extensions, within an existing right-of-way or an existing public or private street. Habitat restoration activities that are not associated with a development plan or mitigation for development or use impacts.
- **Shoreline conditional use permit (SCUP).** The purpose of a SCUP is to allow flexibility within the SMP in the application of use regulations in a manner consistent with the policies of RCW [90.58.020](#). In authorizing a conditional use, special conditions may be attached to the permit by the city or Ecology to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the SMA and the city's SMP.
- **Minor SCUP.** A use that is classified as a conditional use by the city's SMP shall be processed as minor if it meets the requirements of PMC [16.09.140](#), and if one or more of the following are met:
  - The use will occur entirely within an existing building and involve no changes to the exterior.
  - The use will be associated with development activities that qualify for a shoreline exemption or a minor SSDP.
  - The use does not involve any development activities, but is classified as a conditional use by the city's SMP.
- **Shoreline Variance.** A variance allows, in conjunction with [Washington State Department of Ecology](#), relief from specific bulk, dimensional or performance standards of the SMP where there are extraordinary or unique circumstances. You may not request a variance for a type of use.

### REVIEW PROCESS

The first step in the permitting process is to submit for a pre-application conference. See the [Pre-Application Conference Handout](#) and [Application](#) for more information.

### ADDITIONAL INFORMATION REQUIRED

Most developments requiring a permit under the SMP will also require review for compliance with the State Environmental Policy Act (SEPA). PED staff will advise applicants whether a [SEPA Checklist](#) will be required. If the checklist is required, it must be submitted at the same time as the shoreline permit application. See the [SEPA Handout](#) for more information.

### OTHER PERMITS REQUIRED

None of the shoreline permits may take the place of any other required permit. A project or development may also require, among others, building permit, clearing and grading permit, a State Department of Ecology Water Quality Certification, a State Department of Fish and Wildlife Hydraulic Project Approval (HPA), a lease from the State Department of Natural Resources, or a federal Army Corps of Engineers permit for work in navigable waters of the United States.

### APPEALS

Appeal of shoreline permit decisions shall exhaust all administrative appeals available with the city as set forth in PMC [Chapter 19.70](#). Appeals of the city's final decision on shoreline permit decisions may then be made to the Shoreline Hearings Board, pursuant to the requirements set forth in RCW [90.58.140](#) and [90.58.180](#).

### TIMELINE ON PERMITS

Shoreline permits are valid for two years. You must start your construction activity within this two year period. If you do not start construction within the two years, you may apply for an extension of one additional year to begin work. If you began work but do not complete it within the initial two year or extended three year timeframe, you may request an extension to complete the work bringing the life of the permit to five (5) years. You may request an extension for a sixth year to complete.

If you need more than six years to complete construction, you need to get a new shoreline permit. If you have not begun work within the initial two year or extended three year time frame, we will consider the permit expired and you will need a new permit.

### FEE INFORMATION

Application fee per [Resolution 2019-03](#).

Disclaimer: this handout should not be used as a substitute for codes and regulations. The applicant/property owner is responsible for compliance with all code and rule requirements, whether or not described here. Please see the City of Poulsbo Municipal Code for complete text and requirements.

