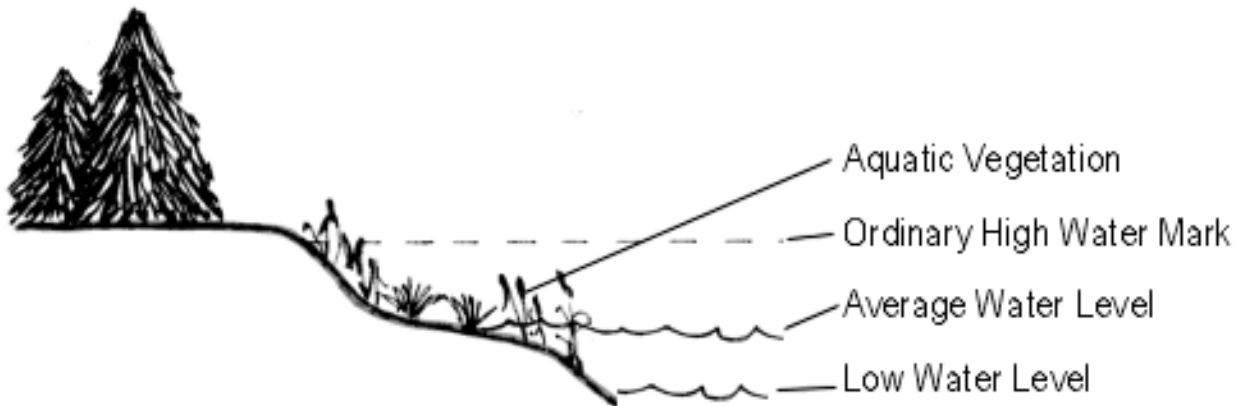


Shoreline Permitting & Exemptions

A Shoreline Substantial Development Permit is generally required for any development within 200 feet of the Ordinary High Water Mark (OHWM) of a shoreline regulated by the Shoreline Management Act and any land that is waterward of OHWM (Waters of the State). The Ordinary High Water Mark is an area along the shore usually determined by a biologist. Some projects may be exempt from getting a permit, but will still need a letter of exemption from the City.



DEVELOPMENTS EXEMPT FROM SUBSTANTIAL DEVELOPMENT PERMIT REQUIREMENT

A full list of exemptions is included in Washington Administrative Code (WAC) 173-27-040. Some common requests for exemption include:

- **Project Value:** Any development of which the total cost or fair market value, whichever is higher, does not exceed \$6,416.00 (Value threshold is increased incrementally every five years. The latest adjustment occurred in 2012.).
 - "Fair market value" of a development is the open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead and profit. The fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials

- **Maintenance or Repair:** 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;

- **Emergency Work:** 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. If the development required to address the emergency would have otherwise required Shoreline Permitting, permits are required to be obtained after the emergency has been abated.



Note: This Tip Sheet does not substitute for codes and regulations.

The applicant is responsible for compliance with all codes and regulations, whether or not described in this document.

More information: City of Tacoma, Planning and Development Services | www.tacomapermits.org (253) 591-5030

To request this information in an alternative format or a reasonable accommodation, please call 253-591-5030 (voice).

TTY or STS users please dial 711 to connect to Washington Relay Services.

Shoreline Permitting & Exemptions

SUBMITTAL CHECKLIST FOR EXEMPTIONS AND DEVELOPMENT PERMITS (SEE WAC 173-27-180)

All application materials must be submitted in electronic PDF format on compact disc (CD) or online at TacomaPermits.org. See [Electronic File Standards Tip Sheet](#).

- Application for Land Use Permit, completed and signed
- Completed JARPA (<http://www.epermitting.wa.gov/>)
- Site Plan to scale (Show Ordinary High Water Mark, Base Flood Elevation & Critical Area buffer.)
- Building Elevations showing Ordinary High Water Mark (if applicable)
- Floor Plan(s) to scale (if applicable)
- Application Fee

Items below will likely only apply to Development Permits (not Exemptions)

- Written Response to Applicable Criteria
- Copy of Biological Evaluation (if applicable)
- (And/or any additional information required by Washington Department of Fish and Wildlife)
- Reports and/or written response for any potential impacts to critical areas or buffers
- Environmental Checklist for State Environmental Policy Act (SEPA) (See [Tip Sheet](#))
- Any additional Information requested at Scoping or Pre-application Meeting.

REVIEW CRITERIA FOR ALL DEVELOPMENT:

1. No authorization to undertake use or development on shorelines of the state shall be granted by the local government unless upon review the use or development is determined to be consistent with the policy and provisions of the Shoreline Management Act and the master program.
2. No permit shall be issued for any new or expanded building or structure of more than thirty-five feet above average grade level on shorelines of the state that will obstruct the view of a substantial number of residences on areas adjoining such shorelines except where a master program does not prohibit the same and then only when overriding considerations of the public interest will be served.

REVIEW CRITERIA FOR SUBSTANTIAL DEVELOPMENT PERMITS:

1. A substantial development permit shall be granted only when the development proposed is consistent with:
 - a. The policies and procedures of the act;
 - b. The provisions of this regulation (WAC 173-27); and
 - c. The applicable master program adopted or approved for the area. Provided, that where no master program has been approved for an area, the development shall be reviewed for consistency with the provisions of chapter 173-26 WAC, and to the extent feasible, any draft or approved master program which can be reasonably ascertained as representing the policy of the local government.
2. Local government may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and the local master program.

Refer to WAC 173-27-160 and/or WAC 173-27-170 for review criteria associated with Shoreline Conditional Use Permits and/or Shoreline Variances.

PROCESS

1. An intake meeting is required for submittal of a Shoreline Development Permit, Conditional Use Permit, and/or a Variance Permit. Shoreline requests for a Letter of Exemption can be submitted in person or online.
2. The public is given 30 days to comment on the project for development permits.
3. Shoreline Permits have 2-week City appeal periods. After the City appeal period ends, there is an additional 21-day Department of Ecology (ECY) appeal period.
4. The applicant must begin work within 2 years of the date that the development permit becomes effective, and the permit expires 5 years after that date, unless an extension is filed per WAC 173-27-090.

APPLICABLE REGULATIONS

Tacoma Municipal Code (TMC) Sections: [13.05 - Land Use Permit Procedures](#), [13.06 - Zoning](#), and [19 - Shoreline Master Program](#)



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