



BENTON COUNTY PLANNING DEPARTMENT

INFORMATION HANDOUT FOR SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT, CONDITIONAL USE AND OR VARIANCE PERMITS

This packet is designed to assist you in preparing your application for Shoreline Management Substantial Development, Conditional Use and/or Variance Permits. Applications may be submitted to the Benton County Planning Department - P O Box 910 – 1002 Dudley Avenue, Prosser, WA 99350 or to the Benton County Building Department, 5600 W. Canal Drive, Kennewick, between the hours of 8 a.m. to 12 p.m. and 1 p.m. to 5 p.m. Monday thru Friday

1. The applicant must submit the appropriate applications to the Planning Department. If any of the information is not provided, we may not be able to process your application(s):
 - a. The Shoreline Management Substantial Development, Conditional Use and/or Variance Permit Application.
 - b. A site plan and vicinity map no larger than 11 x 17 inches with all the information required in the application. An electronic copy of the site plan and vicinity map shall also be provided to the Planning Department.
 - c. The completed Environmental Checklist form to determine if a declaration of non-significance or an environmental impact statement is needed.
 - d. Fees: Shoreline Substantial Dev. \$300.00
Conditional Use and/or Variance \$740.00 each
SEPA \$300.00

Make the check(s) payable to the Benton County Treasurer and submit with the application(s). These fees are non-refundable.

2. The Planning Department will do the following:
 - a. Prepare a list of names and addresses of all property owners within three-hundred (300) feet of the exterior boundaries of the subject property.
 - b. Publish a notice of application for the substantial development, conditional use, and/or variance permit applications. Said legal will also be mailed to surrounding property owners.
3. The Benton County Hearings Examiner will consider applications for shoreline conditional use and/or shoreline variances. The Hearings Examiner at an open record hearing will consider the shoreline conditional use and/or shoreline variance applications. The Hearings Examiner shall not conduct the open record hearing until at least thirty (30) days have elapsed since the publication of the Notice of Application. The applicant must be present at the open record hearing to answer any questions the Board members may have related to the application.

4. The Hearings Examiner after considering all testimony presented, will approve, approve with conditions, or deny a shoreline conditional use and/or shoreline variance application. A decision by the Hearings Examiner shall be effective on the date he/she provides a written notice of decision on the shoreline conditional use and/or shoreline variance.
5. The Shoreline Administrator shall make a determination to either approve, approve with conditions, or deny a Shoreline Substantial Development Permit Application. The Shoreline Administrator shall not make the decision until at least thirty (30) days have elapsed since the publication of the Notice of Application. A decision by the Benton County Shoreline Administrator shall be final on the date the Administrator provides a written notice of decision for the Substantial Development Permit Application.
6. After a final decision is issued by the Hearings Examiner for a Shoreline Conditional Use and/or Shoreline Variance application and/or a final decision is issued by the Benton County Shoreline Administrator for Substantial Development Permit Application, said applications and decisions shall be filed with the Washington State Department of Ecology.
7. The date of filing a final decision by the Benton County Shoreline Administrator for the approval, approval with conditions or denial of a substantial development permit application or the date of filing a final decision for the Hearings Examiner's denial of a shoreline conditional use and/or shoreline variance application, is the date of actual receipt of a complete submittal by the Washington State Department of Ecology.
8. The date of filing a final decision by the Hearings Examiner to approve or approve with conditions, a shoreline conditional use and/or shoreline variance application, and such permits which also involve concurrent submittal of the Benton County's final decision for a substantial development permit application, is the date of transmittal from the Washington State Department of Ecology's final decision on a shoreline conditional use and/or shoreline variance application to Benton County and the applicant.
9. Construction pursuant to a Shoreline Conditional Use, Shoreline Variance Or Substantial Development Permit issued by Benton County shall not begin and will not be authorized until twenty-one (21) days from the date of filing as defined in 7 & 8 above, or until all review proceedings initiated within twenty-one (21) days from the date of such filing have been terminated, except as provided in RCW 90.58.140(5)(a) and (b).

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

**BENTON COUNTY APPLICATION FOR
SUBSTANTIAL DEVELOPMENT, CONDITONAL USE OR VARIANCE PERMIT**

TO THE APPLICANT: This is an application for a substantial development, conditional use, or variance permit as authorized by the Benton County Shoreline Master Program. It is suggested that you check with the appropriate local, state or federal officials to determine whether or not your project falls within any other permitting system.

1. **Applicant:**
Name _____
Address _____
Phone No. Home _____ Work _____

2. **Legal Owner:**
Name _____
Address _____
Phone No. Home _____ Work _____

If you wish to be contacted via email please provide your email address:

3. **Relationship of the applicant to the property:** Please Circle One:
Owner – Purchaser – Lessee – Other

4. General location of the proposed project:

5. Parcel Number/Legal Description of the property:

6. Name of water area and/or wetlands within which the development is proposed:

7. Describe the current use of the property with existing improvements:

8. Please be specific in describing the proposed use of the property:
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9. Please outline the anticipated start/completion dates and phasing of the project if applicable.
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10. Please state why this project needs to be located in the shorelines as opposed to a non-shoreline location.
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11. If requesting a variance, please state reasoning.
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12. If requesting a conditional use, please be specific as to the reasoning – include notations of any special features of the proposed project that supports your request:
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13. **TO BE COMPLETED BY THE PLANNING DEPARTMENT:** Nature of the existing shoreline. Describe the type of shoreline, such as marine, lake stream, lagoon, marsh, gob, swamp, flood plain, floodway, delta; type of beach, such as accretion, erosion, high bank, low bank or dike; material such as sand, gravel, mud, clay, rock riprap; and extend and type of bulk heading, if any.
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14. **TO BE COMPLETED BY THE PLANNING DEPARTMENT:** In the event that any of the proposed buildings or structures will exceed a height of thirty-five feet above the average grade level, indicated the approximate location of and number of residential units, existing and potential, that will have an obstructed view.
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15. **TO BE COMPLETED BY THE PLANNING DEPARTMENT:** If the application involves a conditional use or variance, set forth in full that portion of the master program which

provides that the proposed use may be a conditional use; or, in the case of a variance, from which the variance is being sought.

PROJECT DIAGRAMS: Draw all site plans and maps to scale, clearly indicating scale on lower right-hand corner and attach them to the application. If specific comments in reference to any item below need to be made, attach such comments separately.

SITE PLAN TO INCLUDE THE FOLLOWING:

1. Site boundary
2. Property dimensions in vicinity of the project.
3. Ordinary high-water mark
4. Typical cross section of sections showing
 - a. Existing ground elevations
 - b. Proposed ground elevation
 - c. Height of existing structures
 - d. Height of proposed structures
5. Where appropriate indicate proposed land contours using five-foot intervals in water area and ten-foot intervals in areas landward of the ordinary high water mark and if the development would involve grading, cutting, filling or other alteration of the land contours.
6. Show the dimensions and locations of the existing structures, which will be maintained.
7. Show the dimensions and locations of proposed structures
8. Identify the source, composition and volume of ill material.
9. Identify the composition and volume of any extracted materials, and identify proposed disposal areas.
10. Location of the proposed utilities, such as sewer, septic tanks and drain fields, water, gas, electricity.
11. If the development proposes septic tanks, does the proposed development comply with local health and state regulations?
12. Shoreline designation according the Master Program.
13. Show which areas are shorelines and which are shorelines of statewide significance.

VICINITY MAP:

1. Indicate the site location using natural points of reference, such as roads, state highways, prominent land marks, etc.
2. If the development involves the removal of any soils by dredging or otherwise, please identify the proposed disposal site on the map. If the disposal site is beyond the

confines of the vicinity map, provide another vicinity map showing the precise location of the disposal site and its distance to the nearest city or town.

3. Give a brief narrative description of the general nature of the improvements and land use within one thousand feet in all directions from the development site, such as residential to the north, commercial to the south, etc.

I hereby state that I/we am/are the applicants of this application and that all owners of the property hereby approve this application. I/we also certify that the information given in this application is true and complete to the best of my/our knowledge.

Signature Block for individuals only.

Applicant's Signature

Print Applicant's Name

Date

Signature of Person with additional
ownership interest.

Print Applicant's Name

Date

Signature of Person with additional
ownership interest.

Print Applicant's Name

Date

Signature of Person with additional
ownership interest.

Print Applicant's Name

Date

ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.

If the applicant or legal owner is a corporation/partnership/LLC etc. please use the following signature block. Please copy this page if more than one corporation/partnership/LLC signature is required.

Applicant or Legal Owner: _____

By: _____
(print name) (Title)

Signature: _____
(Signature) (Title)

The above signed officer of _____ (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit _____ to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

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FEES	
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