



CRITICAL AREA PERMIT

PURPOSE: Mount Vernon Municipal Code (MVMC) Chapter 15.40 requires a permit prior to any alteration of a property containing, or adjacent, to a critical area and associated buffer as defined in MVMC Chapter 15.40.010(B). Please note that MVMC 15.40.020(D) contains a list of activities that are allowed without a permit.

Critical Area Permits can be combined and/or issued with other development permits or they can be issued as a standalone permit. Consulting with City staff is advisable to determine the best way to have your critical area permit processed.

EARLY CONSULTATION: Prior to submitting an application, the Applicant is encouraged to apply for a Pre-application meeting through the Community & Economic Development Department (CEDD) to discuss the proposed project. The CEDD will provide assistance and detailed information on the City's requirements and standards.

Pre-application meetings are held every Tuesday morning and include representatives from all reviewing City departments to provide comments and direction to the Applicant. Please contact the CEDD permit technicians for additional information on the Pre-application meeting. This meeting is available at no charge to the applicant.

COMPLETE APPLICATION REQUIRED: The City will not accept an application that does not have all of the required items listed below. To accept your application, each of the numbered items must be submitted at the *same time*. However, if you have received a prior written waiver of a submittal item(s), please provide the signed waiver form in lieu of any submittal item not provided.

OTHER: Please note that a pre-submittal meeting with a staff planner is necessary before the below listed items can be accepted by the CEDD. In addition, the items listed below are only for the Land Use review of a project. Most projects will need other permits that will require separate submittals. MVMC 14.05110(B)(6) allows the CEDD Director or his/her designee to waive submittal requirements in writing. If items have been waived staff has indicated such by initialing the column titled 'Item Waived' in the table below.

Many of the below listed submittal requirements can be combined into one submittal item. For example, the project narrative and the justification for proposal can be combined into one document. Please contact your staff planner with questions about combining submittal items.

**APPLICATION MATERIALS FOR A
CRITICAL AREA PERMIT**

Check when Received:	Submittal Item:	Number of Copies:	Item Waived:
<input type="checkbox"/>	<p>Fees Application fees must be paid when an application is submitted to the CEDD. The total fee amount will be determined at the pre-submittal meeting with a staff planner.</p> <ul style="list-style-type: none"> • \$500.00 (review that can be completed by CEDD Staff) • 100% of Consultant Cost (for peer review, monitoring, restoration, and associated work) 	NA	
<input type="checkbox"/>	<p>Master Land Use Form A form on which an applicant provides their name and contact information and the name and contact information of the property owner if it is not the applicant. Contractor's information shall be provided on this form (if known), along with general information including the site address, parcel number(s), existing/proposed land uses, existing/proposed Comprehensive Plan designations, existing/proposed zoning designations, site area, project valuation and whether or not the site is within 200 feet of an area designated as a critical area. The current owner(s) of the land must provide their notarized signatures on this form. This form is provided by the CEDD to applicants.</p>	1	
<input type="checkbox"/>	<p>Reports, Studies and Plans The type of report, study and/or plan that needs to be submitted will depend on the type of critical area being impacted. A list of required items to be submitted can be found in MVMC 15.40.120. In addition, MVMC 15.40.170(C) contains a list of items required to be included in different types of critical area permits.</p>	5	
<input type="checkbox"/>	<p>Site Plan A plan drawn by a State of Washington licensed architect, engineer, surveyor, or other specifically approved by the Director, at a scale also approved by the Director containing all information requested by City of Mount Vernon submittal forms, including but not limited to:</p> <ol style="list-style-type: none"> a. Scale and north arrow; b. Location, identification, and dimensions of all buildings, property lines, setbacks, streets, adjacent streets, and easements; c. Location and dimensions of existing and proposed structures, parking and loading areas, driveways, existing on-site trees, existing or proposed fencing or retaining walls, freestanding signs, easements, refuse and recycling areas, freestanding lighting fixtures, utility junction boxes, public utility transformers, storage areas, buffer areas, open spaces, curbs, gutters sidewalks, median islands, and street trees; d. Location of all proposed improvements; e. The location and dimensions of natural features and critical areas along with their buffers; such as streams, lakes, marshes and wetlands; f. Existing utilities and connection to existing and/or new utilities. 	5	
<input type="checkbox"/>	<p>Reduced Size Site Plans Eight and one-half inch by eleven inch (8-1/2" x 11") or eleven inches by seventeen inches (11" x 17") reductions of all required full size plan sheets including, but not limited to elevations, landscape plans, conceptual utility plans, site plan, and neighborhood detail/vicinity map that will yield legible photocopies.</p>		
<input type="checkbox"/>	<p>Construction Related Plans Plans that include the following list of information that will be dependent on the type of work that is being proposed within or near a regulated critical area and/or its associated buffer: For buildings proposed on/near critical areas and/or their associated buffers:</p> <ul style="list-style-type: none"> • Existing and proposed building layout with square footages, occupancy group, and type of construction. • Cross section details, showing typical foundation. • Grading Elevations that show the pre- and post-developed contours on a site. The scale and spacing of the elevation information shall clearly show the information that is needed to review such a plan. The horizontal and vertical control datum shall be clearly shown. • Engineered Grading Plans. • Utilities plan and profile means a plan drawn at scale or size approved by the CEDD clearly showing all existing (to remain) and proposed improvements, including but not limited to: all utilities (sanitary sewer, storm sewers, water, etc) curbs, gutters, sidewalks, median islands, street trees, fire hydrants, utility poles, refuse areas, freestanding lighting fixtures, utility junction boxes, public utility transformers, etc.. The finished floor elevations for each floor of proposed and existing (to remain) structures shall be shown. The horizontal and vertical control datum shall be clearly shown. 	5	

<input type="checkbox"/>	Environmental Checklist: Please see the accompanying SEPA handout that provides a list of information needed if SEPA is triggered by the project proposal.	9	
<input type="checkbox"/>	JARPA Form If a Joint Aquatic Resources Permit Application (JARPA) has been completed for other Federal/State agencies please provide a copy to the City.	1	
<input type="checkbox"/>	Wetland Bank Application If a project plans on purchasing credits from a wetland bank a copy of the materials provided by the bank verifying the ability to purchase said credits is necessary	1	
<input type="checkbox"/>	Materials to Prepare Financial Securities Financial securities (bonds or deposit in lieu of a bond) are required for most critical area permits depending on the type and extent of work proposed. The following list of materials assists CEDD staff in determining the amounts of these financial securities: <ul style="list-style-type: none"> • Yearly monitoring cost estimate • Overall cost of the critical area project including: plants, soil amendments, tree protectors, and the like 	1	



THE SEPA PROCESS

WHAT IS SEPA?

The term SEPA stands for State Environmental Policy Act, Chapter 197-11 Washington Administrative Code (WAC) adopted by our State Legislature in 1971. SEPA was designed to ensure: 1) that environmental values were considered during decision making by state and local agencies, 2) that adequate and timely environmental information is gathered and provided to decision makers, and 3) that public involvement is included in the decision making process. SEPA requires the identification and evaluation of probable impacts to all elements of our built and natural environment.

WHEN DOES SEPA APPLY TO MY PROJECT?

Not all projects require SEPA review. Part 9 of the SEPA rules describes types of projects that have been exempted from SEPA requirements because they are unlikely to have a significant adverse environmental impact or were designated exempt by the legislature. The following are examples of projects exempt from SEPA review. For a complete list of categorical exemptions see WAC 197-11-800 attached and Section 15.06.095 Mount Vernon Municipal Code (MVMC). The SEPA thresholds that have been adopted by the City are as follows:

- Residential dwellings up to 10 units, cumulative.
- Agricultural buildings up to 30,000 square feet, cumulative.
- Office, school, commercial, recreational, service or storage buildings up to 12,000 square feet.
- Parking lots up to 40 spaces, cumulative.
- Subdivision of land into 9 lots or less.
- Fills or excavations up to 500 cumulative cubic yards.

WHAT IS AN ENVIRONMENTAL CHECKLIST?

If your project triggers SEPA review the "SEPA Checklist" will need to be completed. This checklist contains extensive questions about the natural environment (earth, air, water, etc.) and the built environment (traffic, schools, noise, etc.) of your site. Each question shall be answered accurately and to the best of your knowledge. If a question does not apply, please write "does not apply". The questions apply to the entire project. Any future plans should be included when answering these questions. The SEPA review process requires an evaluation of cumulative impacts. For this reason it is critical to state all current and future development intentions clearly. In most cases this will prevent you from having to go back through the SEPA review process.

PERMIT REQUIRED: SEPA is a process, not a permit. As such, a City permit is required. Commonly a Fill & Grade or Building Permit, along with site plans and technical reports, are submitted to the City to allow the processing of a SEPA determination.

SUBMITTAL REQUIREMENTS: The applicant may ask for a waiver of any of the following submittal application materials at their required pre-application meeting; and the Community & Economic Development Department will review the applicant’s request, and either approve or disallow the waiver, in writing.

SUBMITTAL REQUIREMENTS THE SEPA PROCESS:

Check when Received:	Submittal Item:	Number of Copies:	Item Waived:
<input type="checkbox"/>	<p>Permit to Accompany SEPA Checklist A separate submittal checklist needs to be reviewed to determine what permit, and its associated submittal items need to be submitted with your SEPA checklist.</p>	NA	NA
<input type="checkbox"/>	<p>Affidavit for Submitted Labels A form on which an applicant certifies that they obtained the names and addresses of those property owners they were directed to and that this information was obtained from the Skagit County Assessor’s office within the previous 30 days. This affidavit is provided by the CEDD to applicants.</p>	1	
<input type="checkbox"/>	<p>Fees Application fees must be paid when an application is submitted to the CEDD. The total fee amount will be determined at the pre-submittal meeting with a staff planner.</p>		
<input type="checkbox"/>	<p>Master Land Use Form A form on which an applicant provides their name and contact information and the name and contact information of the property owner if it is not the applicant. Contractor’s information shall be provided on this form (if known), along with general information including the site address, parcel number(s), existing/proposed land uses, existing/proposed Comprehensive Plan designations, existing/proposed zoning designations, site area, project valuation and whether or not the site is within 200 feet of an area designated as a critical area. The current owner(s) of the land must provide their notarized signatures on this form. This form is provided by the CEDD to applicants.</p>	1	
<input type="checkbox"/>	<p>Assessor’s Map Showing Site and Surrounding Area A map obtained from the Skagit County Assessor’s office identifying the subject site illustrating all property within 300 feet of the subject site.</p>	5	
<input type="checkbox"/>	<p>Environmental Checklist Not all projects require SEPA review. Part 9 of the SEPA rules describes types of projects that have been exempted from SEPA requirements because they are unlikely to have a significant adverse environmental impact or were designated exempt by the legislature. The following are examples of projects exempt from SEPA review. For a complete list of categorical exemptions see WAC 197-11-800 attached and Section 15.06.095 Mount Vernon Municipal Code (MVMC).</p> <ul style="list-style-type: none"> • Residential dwellings up to 10 units, cumulative. • Agricultural buildings up to 30,000 square feet, cumulative. • Office, school, commercial, recreational, service or storage buildings up to 12,000 square feet. • Parking lots up to 40 spaces, cumulative. • Subdivision of land into 9 lots or less. • Fills or excavations up to 500 cumulative cubic yards. • Installation of utility lines greater than 8-inches in diameter. • Work that will be done on or near a critical area. 	9	

	<p>If your project triggers SEPA review the “SEPA Checklist” will need to be completed. This checklist contains extensive questions about the natural environment (earth, air, water, etc.) and the built environment (traffic, schools, noise, etc.) of your site. Each question shall be answered accurately and to the best of your knowledge. If a question does not apply, please write “does not apply”. The questions apply to the entire project. Any future plans should be included when answering these questions. The SEPA review process requires an evaluation of cumulative impacts. For this reason it is critical to state all current and future development intentions clearly.</p> <p>In most cases this will prevent you from having to go back through the SEPA review process. CEDD staff can provide you with a copy of a SEPA checklist, if you need one.</p>		
<input type="checkbox"/>	<p>Existing covenants (recorded copy) The recorded limitation on property, or assignment of responsibility, which may be set forth in the property deed and/or identified in a title report.</p>	2	
<input type="checkbox"/>	<p>Existing Easements (recorded copy) A recorded document by the property owner granting one or more privileges to use the owner’s land to and/or for the use by the public, a corporation or another person or entity. Easements may be referenced by property deed and are identified in the property title report.</p>	2	
<input type="checkbox"/>	<p>Flood Hazard Data and/or Flood Zone Location Data, including plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing; elevation in relation to mean sea level of the lowest floor (including basement) of all structures; elevation in relation to mean sea level to which any structure has been floodproofed; certification by a registered professional engineer or architect that the floodproofing methods satisfy the City’s floodproofing criteria; and a description of the extent to which a watercourse would be altered or relocated as a result of proposed development. The horizontal and vertical control datum shall be clearly shown.</p>	1	
<input type="checkbox"/>	<p>Justification for Proposal A written description and associated mapping setting forth the reasons in favor of the application and addressing permit specific evaluation criteria found in Mount Vernon Municipal Code.</p>	9	
<input type="checkbox"/>	<p>Legal Description A description of a piece of land which allows an independent surveyor to locate and identify it. Usually it uses one of the following methods: government survey, metes and bounds or recorded plat (lot and block number).</p>	3	
<input type="checkbox"/>	<p>List of Site and Surrounding Property Owners and Mailing Labels for Same A listing of all current property owners and their mailing addresses and Skagit County Assessor’s account numbers within the area specified by MVMC 14.05.150(A)(3) of the boundaries of the subject site as obtained from the Skagit County Assessor’s office. The list shall include a notarized statement from the applicant attesting that the ownership information provided is current and accurate. Current shall mean obtained within the past thirty (30) days unless otherwise approved by the CEDD.</p>	2	
<input type="checkbox"/>	<p>Map of Existing Site Conditions A plan drawn at the same scale as, or combined with, the grading plan or topography map showing existing topography at two foot contours or less, and including structural and natural features. The plan shall include major trees, shrubs, large rocks, creeks and watersheds, floodplains, buildings, roadways and trails.</p>	9	
<input type="checkbox"/>	<p>Neighborhood Detail Map A map, drawn at a scale of one inch equals one hundred feet (1” = 100’) or other scale approved by the CEDD. The map shows the location of the subject site relative to the property boundaries of the surrounding parcels within approximately one thousand feet identifies the subject site with a darker perimeter line than that of surrounding properties. The map also shows the property’s lot lines, existing land uses, building outlines, City boundaries (if applicable), north arrow, graphic scale, and City of Mount Vernon street names for all streets shown.</p>	9	

☐	<p>Plan Reductions Eight and one-half inch by eleven inch (8-1/2" x 11") or eleven inches by seventeen inches (11" x 17") reductions of all required full size plan sheets including, but not limited to elevations, landscape plans, conceptual utility plans, site plan, and neighborhood detail/vicinity map that will yield legible photocopies.</p>	3	
☐	<p>Pre-Application Meeting Summary A copy of the memorandum provided to an applicant by planning staff at the pre-application meeting. Please note that pre-applications meeting approvals expire six (6) months following a meeting that is held.</p>	1	
☐	<p>Project Narrative A clear and concise description and summary of a proposed project, including:</p> <ul style="list-style-type: none"> a. Project name, size and location of site; a. Zoning and Comprehensive Plan designations of the site and adjacent properties; b. Current use of the site and any existing improvements; c. Special site features (i.e., wetlands, water bodies, steep slopes, or other critical areas); and a description of the buffers that will be required for each feature; d. Statement addressing soil type and drainage conditions; e. Proposed use of the property and scope of the proposed development (i.e., height, square footage, lot coverage, parking, access, etc.); f. Proposed off-site improvements (i.e., installation of sidewalks, fire hydrants, sewer main, etc.); g. Total estimated construction cost and estimated fair market value of the proposed project; h. Estimated quantities and type of materials involved if any fill or excavation is proposed; i. Number, type and size of trees to be removed; j. Explanation of any land to be dedicated to the City; and, k. For shoreline applications: <ul style="list-style-type: none"> i. Name of adjacent water area or wetlands, ii. Nature of existing shoreline – describe, iii. Type of shoreline (i.e., lake, stream, lagoon, march, bog, floodplain, floodway), iv. Type of beach (i.e., accretion, erosion, high bank-low bank), v. Type of material (i.e., sand, gravel, mud, clay, rock, riprap), vi. The extent and type of any bulkheading, and vii. The number and location of structures and/or residential units (existing and potential) which might have views obstructed as a result of the proposed project. l. For subdivision applications: the proposed number, size, and density of the new lots. 	9	
☐	<p>Site Plan A plan drawn by a State of Washington licensed architect, engineer, or other specifically approved by the Director, at a scale also approved by the Director containing all information requested by City of Mount Vernon submittal forms, including but not limited to:</p> <ul style="list-style-type: none"> a. Scale, north arrow, and legal description; b. Location, identification, and dimensions of all buildings, property lines, setbacks, streets, adjacent streets, and easements; c. Location and dimensions of existing and proposed structures, parking and loading areas, driveways, existing on-site trees, existing or proposed fencing or retaining walls, freestanding signs, easements, refuse and recycling areas, freestanding lighting fixtures, utility junction boxes, public utility transformers, storage areas, buffer areas, open spaces, curbs, gutters sidewalks, median islands, and street trees; d. Landscaped areas and irrigation meters; e. The location and dimensions of natural features and critical areas along with their buffers; such as streams, lakes, marshes and wetlands; f. Off-street parking layout and driveways; g. Grading plan showing proposed and existing contours and site elevations; h. Lighting and sign structures (new and existing); 	9	

	<p>i. Location and proposed screening of garbage containers and recycling storage;</p> <p>j. Fire hydrant locations (new and existing) within three hundred feet (300') of building;</p> <p>k. Existing utilities and connection to existing and/or new utilities;</p> <p>l. The horizontal and vertical control datum shall be clearly shown;</p> <p>m. All wells and septic systems located on or near the project site shall be identified;</p> <p>n. General notes addressing the following:</p> <p>i. Name of the project,</p> <p>ii. Name, address, and telephone number of owner and agent(s),</p> <p>iii. Zoning and Comprehensive Plan designations of the site,</p> <p>iv. Area, in square feet and acreage, of the project site,</p> <p>v. Reference to the current Building Code,</p> <p>vi. Proposed use, occupancy group, construction type, and number of units in each building,</p> <p>vii. Square footage and height of each individual building,</p> <p>viii. Percentage of lot coverage and square footage of all landscaping,</p> <p>ix. Proposed building setbacks,</p> <p>x. Parking analysis, including number of stalls required and provided, sizes of stalls and angles, location and number of handicap stalls, compact, employee and/or guest parking stalls, location and size of curb cuts, traffic flow within the parking, loading, and maneuvering areas and ingress and egress, location of wheel stops, loading space, stacking space, and square footage of interior parking lot landscaping,</p> <p>xi. Landscaping calculations complying with MVMC Chapter 17.93, and</p> <p>xii. Density for residential developments.</p> <p>o. For shoreline permits:</p> <p>i. Ordinary high water mark, existing and proposed, and</p> <p>ii. Name of water body.</p> <p>p. For sign permits:</p> <p>i. Note if any proposed signage will be illuminated or be animated,</p> <p>ii. Type (e.g., freestanding, wall, etc.), size and number of all existing signs,</p> <p>iii. Type, size and number of all proposed signs, and</p> <p>iv. Wind design loads.</p>		
<input type="checkbox"/>	<p>Other Plans:</p> <p>Other plans may be required, depending on the project proposal and where the project is located. These plans include, but are not limited to:</p> <ul style="list-style-type: none"> • Design Standard Plans; • Architectural Plans; • Flood Plans; • Grading Plans; • Civil Plans; • Landscape Plans; • Preliminary Plat, Short Plat or BSP; • Survey; and, • Tree Cutting/Land Clearing Plan. 	<p>Depends</p>	<p>NA</p>
<input type="checkbox"/>	<p>Technical Reports</p> <p>Other reports may be required, depending on the project proposal and where the project is located. These reports include, but are not limited to:</p> <ul style="list-style-type: none"> • Drainage Plan and Report; • Geotechnical Report; • Habitat/Wildlife Assessment; • Hydrogeologic Study; • Stream Study; and, • Wetland Study. 	<p>3</p>	<p>NA</p>

<input type="checkbox"/>	<p>Title Report or Plat Certificate</p> <p>A document prepared by a title insurance company documenting the ownership and title of all interested parties in the plat, subdivision, dedication, development or action that lists all encumbrances. The certificate or report shall be dated within 30 days prior to the submittal of a permit to the City. An updated certificate or report dated within 30 days before final plat approval is also necessary. Copies of all the encumbrances listed within the certificate or report shall be provided.</p>	2	
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THE SEPA PROCESS: The City shall only accept Environmental Checklist for development projects for which they have received a completed application. The submittal requirements for SEPA are codified within Mount Vernon Municipal Code Chapter 14.05.

A SEPA review takes a minimum of 45 days and in most cases longer due to need for additional information, new information provided by public comments letters or appeals. Within twenty-eight (28) calendar days of receiving a permit application, the city shall mail or personally provided a determination of technical completeness and threshold determination. This determination shall state either that the application is complete or that the application is incomplete and list what is necessary to make the application complete. A determination of technical completeness shall be made when an application is sufficient for continued processing even though additional information may be required or project modifications may be made subsequently. The city’s determination of technical completeness shall not preclude the city from requesting additional information or studies either at the time of the notice of completeness or at some later time, if new information is required or where there are substantial changes in the proposed action.

Once the application is deemed technically complete, the City shall transmit a proposed SEPA determination, a copy of the application, and appropriate parts, to each affected agency and city department for review. The affected agencies and city departments shall have fourteen (14) calendar days to comment. If comments are not received, it is presumed the referral agency or city department have no comments. Following the comment period an appeal period is also required once the final SEPA determination is issued by the City.