

## LAND USE AND ZONING

### WHO REGULATES LAND USE IN WA STATE?

Local, state, federal, and tribal governments all have some authority to regulate land use. The Growth Management Act (GMA), [RCW 36.70A](#), created by the Legislature in 1990, gives primary responsibility for this process to state and local (city and county) governments. GMA lays out broad State goals for growth. These goals are implemented by local governments through Comprehensive Plans. These plans address issues such as the identification and protection of critical areas, zoning and land use, sprawl reduction, and the provision of public infrastructure.

Zoning and environmental conditions influence land use permitting by determining what can be built where. Federal, state, and local governments regulate environmentally sensitive areas such as streams, lakes, wetlands, wildlife habitat and aquifer recharge areas, and in certain critical areas, for example, steep slopes or areas vulnerable to erosion, floods, or landslides.

If your property contains environmentally sensitive areas, development permits will likely require you protect those areas by avoiding them. If avoiding the areas is not possible, you may be allowed to mitigate for any damages to the environment. If your property contains certain critical areas, local zoning regulations may prohibit or restrict development in them to protect the environment and public safety.

### LOCAL RESPONSIBILITY

Many City departments regulate development, but the Department of Community Development usually coordinates the process and is usually the best place to start when you are considering development. City oversight includes the following.

- [Chapter 18.80](#) of Sequim Municipal Code (SMC) regulates critical and environmentally sensitive areas. Critical and environmentally sensitive areas include: wetlands, streams and stream corridors, frequently flooded areas, geologically hazardous areas, fish and wildlife conservation areas, locally unique features, critical recharge areas, and buffers. The Code specifies how the areas are determined, what types of activities or impacts are allowed, and what types of buffers and mitigation are required for unavoidable impacts. You will likely need to do a specific inventory of any critical areas on your property.
- **The Shoreline Management Act (SMA)** regulates activities along shorelines. Sequim administers the SMA through

the Shoreline Master Program (SMP) found in [Chapter 19.05](#) of SMC. Under the SMP, shorelines of the City include all submerged lands from the mid-channel to the adjacent shoreline located within 200 feet of the ordinary high water mark (OHWM), the portion of Johnson Creek tidally influenced by Sequim Bay, and the wetland known as “Pitship Marsh”. The extent of shoreline jurisdiction on any individual lot, parcel or tract shall be determined by a field investigation and survey, and is the sole responsibility of the applicant.

- **State Environmental Policy Act (SEPA)** review is required for projects that involve state or local agency permitting, licensing, funding, or adoption of a policy, plan or program. Information provided during the SEPA process helps agencies, applicants and the public understand how a project will affect the environment. You begin the process by submitting an [environmental checklist](#) to the Department of Community Development.
- **Zoning** may cover lot sizes, allowed uses, site plan requirements (e.g., building placement and height, parking, landscaping, signage) or other requirements such as tree retention and building design. The purpose of zoning is to protect health, safety, and general welfare.

Other common permits issued by the Sequim Department of Community Development include land grading, mechanical, plumbing, and building construction. The State Department of Labor and Industries issues electrical permits for projects within Sequim city limits.

### LAND USE AND ZONING MAPS

The [Land Use Chapter](#) of the [Comprehensive Plan](#) contains a land use map that depicts a long-term vision of how and where the City will grow and change over time to accommodate expected population and job growth.

Decisions about land use designations directly guide subsequent decisions about zoning. The City’s [Official Zoning Map](#) tells us how land can be used and what can be built on any given property today. Zones are more specific than the land use designations and come with a set of rules (included in [SMC Title 18 - Zoning](#)) that clarify what uses are allowed (e.g., residences, businesses, manufacturing), how buildings may be developed or changed (e.g., maximum heights, setbacks), and site development (parking, landscaping).

The Land Use Map and the Official Zoning Map are like a leader and a follower. The land use map is the leading map and the zoning map is the following map. The zoning map can “catch up” to the plan map, but it can’t go past it.