

Summary of Draft 2012 Shoreline Master Program Update

September 14, 2012

The following is a summary of some key components of the Town's draft Shoreline Master Program (SMP) currently under Council review. There are many other provisions of this SMP, all of which are important. This version of the SMP reflects considerable input from the Town's Planning Commission and the public, particularly the Yarrow Point Waterfront Association. The Washington Department of Ecology, which must approve this SMP, has provided informal, but thorough, comments on the prior draft. Town staff made revisions to the SMP based on Ecology comments and discussion consistent with the Washington Administrative Code and the Town vision. No changes were incorporated that compromised the intent of the Planning Commission. After a Council public hearing and final round of revision, the Council will submit the SMP to Ecology for formal review and comment, and ultimately Ecology approval.

Chapter 6: Specific Shoreline Use and Modification Regulations (piers and bulkheads)

6.7 Private Moorage

- Replacement docks:
 - A pier project is considered to be a replacement when the entire existing structure is removed or when more than 50 percent of the pier-support piles are replaced. Pile replacement does not include piles that are repaired through sleeving or splicing.
 - no larger than existing square footage or what is allowed for a new dock, but dimensional standards other than area must be same as for new docks (4' feet for first 30 feet of walkway unless State disabled then 6'; 6' wide walkway beyond 30 feet ; 6' wide ells; 2' wide fingers)
- New docks: 480 ft² for single-use, 700 ft² for 2-party joint-use, and 1,000 ft² for 3- to 4-party joint use; provision allowing extra square footage if needed to reach moorage depth. Platform lifts and permanent recreation floats count towards overwater cover limit. Other dimensions same as described in above bullet.
- Process provided to allow larger replacement and new docks without a Variance if approved by state or federal agencies, within certain limits. If limits exceeded, applicant may still gain approval through Shoreline Variance process.
- Grated decking or other light-transmitting material required for new and replacement docks, as well as certain decking repairs.
- Mitigation: required for new docks and replacement docks that have adverse impacts; mandatory mitigation for all projects is removal of any "extra" overwater structures that may be in the nearshore 30 feet
- Joint-use docks required for subdivisions or new residential development of two adjacent lots

6.8 Residential Development

- Setback of 50 feet retained from original SMP and zoning code
- Total impervious areas within the setback area shall be limited to 15% percent, with no new impervious surfaces installed in the first 15 feet landward of the OHWM. Pathways providing access to the shoreline are permitted and shall utilize pervious materials.

- No vegetation required for residences that are constructed or redeveloped upland of 75 feet from the OHWM, unless there are specific adverse impacts to vegetation.
- Residences that are constructed or redeveloped between 75 and 50 feet of the OHWM must plant native vegetation at a ratio of 1 ft² for each 10 ft² of encroachment.
- Any residence that redevelops upland of 50 feet from OHWM does not require vegetation.

6.11 Shoreline Stabilization

- New or enlarged: requires geotechnical analysis prepared by geotechnical engineer to demonstrate need for stabilization (based on danger of damage to primary structure within 3 years) and determine the softest shoreline method feasible at the site
- Replacement: requirements triggered if repair work is greater than 75% of top course of bulkhead or greater than 50% of bottom course / footing of bulkhead. Demonstration of need for replacement required, but can be prepared by professional other than geotechnical engineer.
- New and enlarged stabilization requires mitigation of adverse impacts, including placement of gravel waterward of bulkhead and installation of native vegetation.

Chapter 5: General Regulations

5.3 Environmental Impacts

- Requires use of mitigation sequencing steps to first avoid and then minimize adverse environmental impacts, with required mitigation when necessary.
- A number of other basic provisions to minimize adverse effects of uses and developments on the natural environment, as well as on navigation, safety, health, and adjacent land and water uses.

5.4 Environmentally Sensitive Areas

- References a package of updated regulations in Appendix D of this SMP which apply only to critical areas (streams, wetlands, steep slopes) in shoreline jurisdiction. Most of these regulations are derived from the State's scientific and policy documents, which Ecology requires be used in shoreline jurisdiction.
- Regulations contain provisions allowing for low-impact, passive recreational developments such as trails.

5.5 Public Access

- required for any single development of more than four single-family parcels or for any development proposed by a public entity or on public lands.

5.6 Vegetation Management

- Incorporates existing Town tree code that applies to public property
- Requires mitigation (1:1 by area for shrubs and 2:1 by number of trees) for adverse impacts to vegetation – adverse impacts result from removal of trees, shrubs and groundcovers or from construction or operation of new developments that could impair the vegetation's health.
- Lawn and non-native landscaping areas disturbed by projects can be replaced with lawn and landscaping

- Contains provisions governing aquatic vegetation control – only allowed when native plant communities and associated habitats are threatened or where an existing water-dependent use (such as boating, swimming) is restricted by the presence of weeds. Must comply with State regulations.