

Shoreline Master Program – 2019 Periodic Review



Under the Shoreline Management Act (SMA), each city and county must adopt a Shoreline Master Program (SMP) that is based on State guidelines but tailored to the specific needs of the community. Local SMPs combine both policies and regulations to guide and control development within the shoreline (coastline) area. The plans are a comprehensive vision of how these areas will be used and developed over time.

After incorporation, the City relied on King County's 1996 Shoreline Master Program for compliance with the SMA. This changed in 2013 when the City's current Shoreline Master Program was adopted on August 5, 2013 via Ordinance No. 668.

After a master program has been approved, the State requires the City to periodically update its SMP, first no later than June 30, 2019, and then once every eight years thereafter. The present action represents a Periodic Review, which is a less prescriptive and intensive process than the 2013 Comprehensive Update.

The Planning Commission discussed the SMP Periodic Review on December 6, 2018. The staff report and meeting materials are available at the following link:

<http://www.shorelinewa.gov/home/showdocument?id=41429>

The Planning Commission discussed specific regulatory changes on January 17 and February 21, 2019. Staff reports and meeting materials are available at the following links.

January 17, 2019: <http://www.shorelinewa.gov/home/showdocument?id=41810>

February 21, 2019: <http://www.shorelinewa.gov/home/showdocument?id=42564>

The Planning Commission will hold a public hearing on the SMP proposed revisions on Thursday, April 4, 2019 from 7:00-9:00 pm in the Council Chambers at City Hall (17500 Midvale Avenue N). City staff will host an Open House beforehand in the Chambers from 6:00-7:00 pm to discuss changes with the public and answer any questions.

What is the Shoreline Management Act?

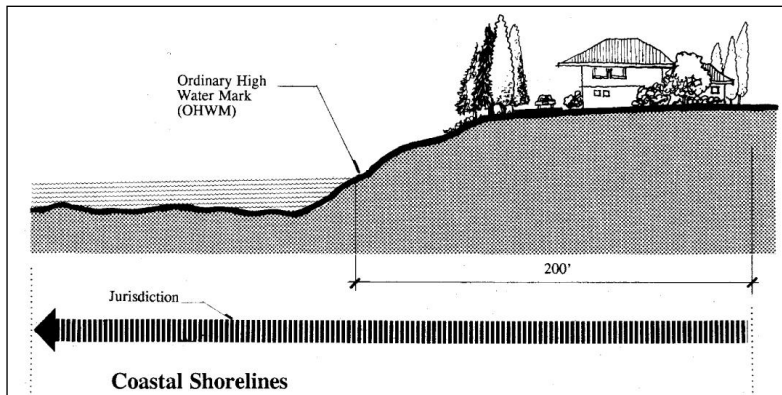
The Washington SMA was adopted by the public in a 1972 referendum "to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines." The SMA establishes a balance of authority between local and state government. Cities and counties are the primary regulators, but the State has authority to review local shoreline management programs and permit decisions.

The SMA has three broad policies:

1. **Encourage water-dependent and water-oriented uses:** “uses shall be preferred which are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the states' shorelines...”
2. **Promote public access:** “the public’s opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally.”
3. **Protect shoreline natural resources,** including “...the land and its vegetation and wildlife, and the water of the state and their aquatic life...”

Where does the Shoreline Management Act apply?

The SMA and the SMP apply to all “shorelines of the state”, which includes all “shorelines” and “shorelines of statewide significance” within Washington. Shorelines, as defined by the SMA, are all water areas together with the lands underlying them, which meet certain flow or acreage criteria. This is defined as marine coastal areas, all rivers and streams having a mean annual flow of 20 cubic feet per second or greater, and lakes over 20 acres in size. Shorelines of statewide significance are certain water areas that the Legislature has determined to have a unique character warranting special status and protection. Within the City of Shoreline there are only shorelines of statewide significance – specifically, the approximately 3.5 miles of Puget Sound coastline. No other water areas within Shoreline meet the criteria set forth in the SMA. In addition to the actual water areas, the SMA and the SMP apply to shorelands.



“Shorelands” is defined as the land extending landward 200 feet in all directions from the ordinary high-water mark (measured on a horizontal plane) and all associated wetlands. The SMA jurisdiction can be expanded to include the entire contiguous floodplain associated with “shorelines of the state.”

What does the SMP regulate?

All land use activities within the shoreline jurisdiction must meet the goals, policies, and regulations in the SMP regardless of the type of shoreline permit required. This includes over-water structures, new buildings and structures, and land development activities such as clearing, grading, or filling.

What changes are proposed as part of this Periodic Review:

Proposed changes to the SMP fall primarily into two categories: those required by the Department of Ecology to incorporate changes in State guidance since the City’s 2013 SMP, and those recommended by the City, primarily to integrate changes that were adopted through the Critical Areas Ordinance (CAO) in 2015 into the SMP, as well as general housekeeping resulting in various minor amendments. The City’s Comprehensive Plan will also be updated to reflect changes to the SMP. Specific chapters and proposed revisions are described below.

- Chapter 20.200 Shoreline Master Plan

Proposed revisions include removal of references to the 2006 CAO, as well as minor amendments for housekeeping and clarification.

- Chapter 20.210 Definitions and Chapter 20.220 Administrative Procedures

Proposed revisions include minor amendments for housekeeping and clarification.

- Chapter 20.230 General Policies and Regulations

Proposed revisions include removal of the section addressing environmentally sensitive areas within the shoreline, as the 2015 CAO standards are to be located in a separate chapter, 20.240. Proposed revisions clarify that existing bulkheads are not considered a geologic hazard and include minor amendments for housekeeping and clarification.

- Chapter 20.240 SMP Critical Areas Regulations

This is a new proposed chapter that integrates the 2015 CAO, along with subsequent amendments, into the SMP consistent with the SMA's requirements. For the most part, SMC Chapter 20.80, Critical Areas, has been copied into the new proposed Chapter 20.240. However, note that some of the provisions from 20.80 were excluded from the SMP Critical Areas Regulations due to conflicts with the Shoreline Management Act (SMA). These provisions include reasonable use exceptions, administrative exemptions, and waivers.

- Chapter 13.12 Floodplain Management

Proposed revisions include designating the Planning and Community Development Director as the floodplain administrator so that all authority is in one department, rather than dividing the authority with Public Works.

- Chapter 20.80 Critical Areas

Proposed revisions include a minor update to the reference to the SMP Critical Areas Regulations to refer to the new proposed Chapter 20.240.

What do changes mean for people who want to remodel their homes or replace their bulkheads within the shoreline jurisdiction?

This periodic review includes a proposed revision that will clarify that existing, previously permitted stabilization measures, such as bulkheads, are considered engineered and abated hazards and shall not be classified as geologic hazard areas.

Adoption of this revision will remove some of the constraints on waterfront properties with bulkheads. Bulkheads will not be classified as geologic hazard areas, meaning that these lots will not be encumbered by a geologic hazard area buffer and development will no longer require a geologic hazard critical area report.

Any other proposed changes to the SMP do not affect the process or requirements for remodeling an existing home, building a new home, or replacing a bulkhead.

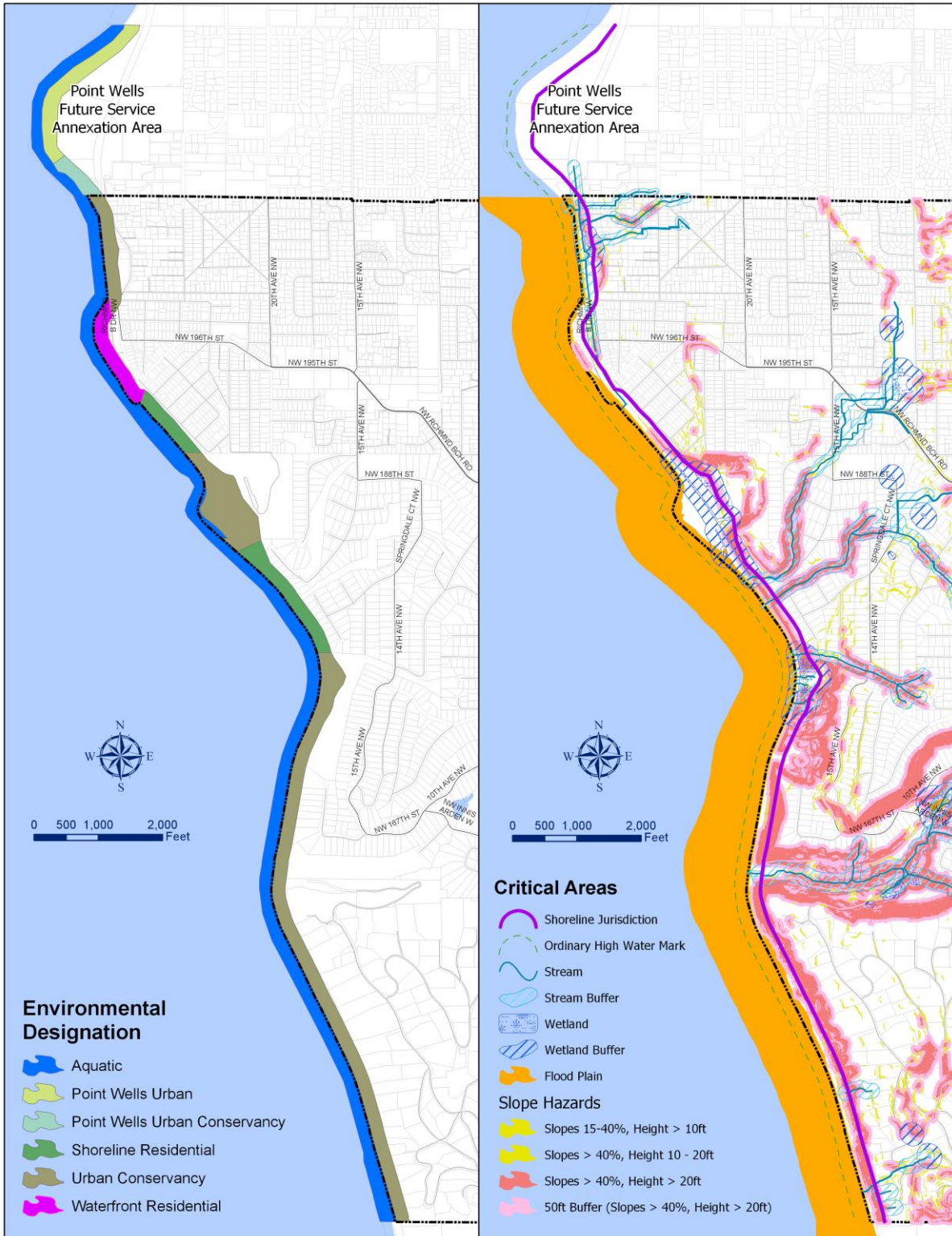
How do I get more information?

- Contact Miranda Redinger, AICP, Senior Planner and SMP Project Manager, at (206) 801-2513 or mredinger@shorelinewa.gov
- Visit the City's project web page at www.shorelinewa.gov/SMPupdate

The maps below show both the Shoreline Environment Designations that were established during the 2013 Comprehensive Update to the SMP and the Critical Areas. The area between the purple and green dashed lines in the map on the right represent the area of focus for this effort. The intent of this Periodic Review is to clarify standards that apply to critical areas within the shoreline jurisdiction.

Shoreline Environment Designations

Critical Areas



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Data Source: City of Shoreline GIS
 Projection: NAD_1983_HARN_StatePlane_ Washington_North_FIPS_4601