



Thurston County Government

Shoreline Master Program

Update on Previously Discussed Items

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Overview

- Stormwater Management Outside SMP Jurisdiction
- Hazard Trees
- Permitting Language for Existing Development





Stormwater Management

- SMP requires new development to provide stormwater management consistent with current standards
 - SMP defers to the County's Drainage Design and Erosion Control Manual and other applicable regulations
- Planning Commission asked staff to review authority to require stormwater management outside SMP jurisdiction
- SMP Handbook discusses policy options to support an SMP achieving the No Net Loss standard



SMP Handbook Excerpt – Chapter X



“The following SMP update practices will help to meet the no net loss requirement:”

...

“Recommend actions outside shoreline jurisdiction. The master program or an SMP supporting document can recommend actions for properties that are outside shoreline jurisdiction but have impacts on shorelands. **For example, the SMP could call for improved stormwater treatment of runoff from roads,** or replacement of septic systems with sewers. Recommending these actions could help create awareness of problems and provide support for them, although outside the authority of the SMP. Such recommendations could be included in the shoreline management strategy or in a brief chapter within the SMP. This would also satisfy the SMA adjacent lands policy (RCW 90-58.340) that local governments are obligated to meet.”





Hazard Trees

- PC had questions about how these rules are implemented.
 - How often are downed trees required to be left in the buffer?
 - How often does the County collaborate with WDFW to make habitat assessments?
 - How often does the County require an arborists' report?





Hazard Trees – SMP Draft

- Updated draft seeks to address PC questions
- Clarifies when downed trees would be left in buffer
- Clarifies how review process works

4. Standards for Hazard Tree Removal.

Where a threat to human life or property is demonstrated, the Department may allow removal or trimming of hazard trees within shoreline jurisdiction. Requests for tree removal shall be reviewed by the Department in accordance with the following criteria:

- a. Tree removal shall be the minimum necessary to balance protection of the critical area or shoreline buffer with protection of life and property.
- b. The critical area or shoreline buffer shall be replanted as determined by the Department. Except where determined otherwise, a replanting ratio of at least 1:1 (planted: removed) shall be a standard requirement;
- c. ~~The Department shall coordinate with the property owner and WDFW as determined necessary to assure habitat protection.~~ Habitat needs may require leaving the fallen tree within the buffer area or leaving a high stump for wildlife habitat in areas with more intact ecological function. The Department may coordinate with the property owner and WDFW as determined necessary to assure habitat protection;
- d. The Department may require a site visit to review the proposal, subject to applicable fee requirements in the Thurston County Fee Schedule. Alternatively, the Department may request photographs from the applicant to assess the situation.
- ▲ e. If a site visit is not adequate to evaluate the proposed removal, the Department ~~shall~~ may require the applicant to consult with a professional forester or a certified arborist prior to tree removal.





Existing Development – Permitting Requirements

- PC had questions about CUP requirement for changes to existing uses
- After review, staff have generalized this language
- PC recommendation draft will also use “conforming” language vs. “nonconforming”

A. Existing Uses

1. Lawfully established uses occurring as of the effective date of this Program, which do not meet the standards of this Program, shall be considered nonconforming to this Program.
2. All lawfully established uses, both conforming and nonconforming, may continue and may be maintained, expanded, or modified consistent with the Act and this Program.
3. Any change in use or newly proposed development shall conform to the standards of this Program and may require shoreline permits or approvals in accordance with Chapter 19.500 of this program. ~~a Conditional Use Permit (CUP) in accordance with the findings in Section 19.500.100(D). A CUP may be granted only if no reasonable alternative use meeting the standards is practical, and the proposed use will be at least as consistent with the policies and provisions of this Program, the Act, and the uses in the area as the pre-existing use. Conditions may be imposed that are necessary to assure compliance with the above findings and with the requirements of this Program and the Act, to assure that the use will not become a nuisance or a hazard, and to assure that the use will not result in a net loss of the ecological function of the shoreline.~~





Next Steps (May/June 2022)

- Review and refine Planning Commission's draft recommendation
- Planning Commission issues recommendation to BOCC

