Shoreline Master Program (SMP) Update

I. Introduction

II. Shoreline Management Act (RCW 90.58)

III. Key Components of a Shoreline Master Program

IV. Next Steps
Continuing Work

- Setting up meetings with local lake management groups to hear their input on updated Shoreline Master Program.
- Reviewing current information.
- Will produce draft chapters for review following meetings w/ lake management groups.
- Follow up with additional public meetings/briefings.
State and Local Partnership Roles

- Developed Shoreline Guidelines (WAC 173-26)
- Review and approve SMPs
- Local Jurisdictions Develop Shoreline Master Programs (SMPs) tailored to local conditions
Three fundamental policy objectives of the Shoreline Management Act:

1. Encourage water-dependent uses
2. Protect shoreline natural resources
3. Promote public access
Regulation of ‘Shorelines of the State’ is done by Department of Ecology in conjunction with local governments who are responsible for administering the regulatory program.

Shorelines of the State are defined as:

- Marine waters
- Lakes and reservoirs 20 acres or greater
- Rivers and creeks - mean annual flow $\geq 20$ cubic feet per second
- Floodways & Contiguous floodplains within 200 feet of floodways
- Associated wetlands
- Shorelines of statewide significance

SMA: RCW 90.58.030(2)(g)
“Critical areas” = 5 types designated under GMA

- WETLANDS
- Frequently flooded areas
- Geologic hazards
- Fish and wildlife habitat conservation areas
- Critical aquifer recharge areas

GMA: RCW 36.70A.030(5) WAC 173-26-221(2)(a)
Shoreline Master Programs (SMPs)

- Used by local government to administer the Shoreline Act
- Contains both policies and regulations
- Tailored to the needs of the community
- Consistent with the Act and its implementing rules
A local SMP is essentially a shoreline-specific combined comprehensive plan, zoning ordinance, and development permit system all in one.
Components of a Shoreline Master Program

- Inventory and Characterization
- Shoreline Jurisdiction and Environmental Designation
- Goals and Policies
- General Regulations
- Permit Review Provisions
- Allowed Shoreline Uses and Modification Standards
Shoreline Inventory & Characterization

- Foundation for the Shoreline Master Program.
- Serves as a snapshot of current conditions and a baseline for tracking “no net loss of ecological functions.”
- Leads to understanding of relationship between shoreline processes and functions and built environment
- Based on review by Department of Ecology revised draft completed in 2013
Shoreline Environment Designation

- Effective shoreline management requires that the SMP prescribe different sets of environmental protection measures, allowable use provisions, and development standards.

- Manage shoreline conditions by assigning a shoreline environment designation.

- Updated Shoreline Environment Designation completed in 2013 classifying individual reaches into preliminary Shoreline Environment Designations.
### Proposed Shoreline Environment Designations

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<tr>
<th>Shoreline Environment Designation</th>
<th>Stream Reach Breaks</th>
<th>Lake Reach Breaks</th>
<th>Marine Reach Breaks</th>
<th>Cities</th>
<th>Urban Growth Areas</th>
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*Aquatic SED applies to all shorelines of the state below the ordinary high water mark. Please see Map 1, Thurston County Shorelines of the State to identify areas where the Aquatic SED will apply.
Goals and Policies

- Protect Shorelines of Statewide Significance
- Protect Critical Areas and Ecological Protection
- Protect Native Vegetation
- Protect Water Quality and Quantity
- Provide Economic Development
- Protect Historic/Cultural Resources
- Provide Public Access/Recreation Opportunities
- Restore and Enhance Shoreline Functions
- Plan Transportation Systems to have least possible adverse impact

(WAC 173-26-191)
Example for Economic Development:

Goal: Provide for the location and design of industries, transportation, port and tourist facilities, commerce and other developments that are particularly dependent upon a shoreline location and/or use, when the shoreline can accommodate such development.

A. Policy SH-22 Accommodate and promote, in priority order, water-dependent, water-related and water-enjoyment economic development. Such development should occur in those areas already partially developed with similar uses consistent with this Program, areas already zoned for such uses consistent with the Thurston County Comprehensive Plan, or areas appropriate for water-oriented recreation.

B. Policy SH-23 Water-oriented economic development, such as those aquaculture activities encouraged under the Washington Shellfish Initiative, should be encouraged and shall be carried out in such a way as to minimize adverse effects and mitigate unavoidable adverse impacts to achieve no net loss of shoreline ecological functions.
General Regulations

- Required per WAC 173-26-191

- Discusses different topics, including:
  - Critical Areas
  - Mitigation
  - Buffers/Allowed Uses in Buffers
  - Constrained Lot Provisions
  - Bulk and Dimension Standards
## Shoreline Uses and Modifications

The following permits apply to the specific uses, modifications and development. Individual uses, modifications and development shall comply with the provisions of this Program, particularly Section 19.400.110 (Mitigation), and the Thurston County Comprehensive Plan as of the effective date of this Program.

### Legend:
- **P** = Substantial Development Permit (SDP)
- **E** = Exempt if exemption criteria in Section 19.500.100(C) are met
- **C** = Conditional Use Permit (CUP)
- **Ad** = Administrative CUP
- **X** = Prohibited

### Natural Rural Conservancy Urban Conservancy Shoreline Residential Mining Aquatic

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Note: An SDP shall not be required for aquaculture development that meets the exemption criteria at Section 19.500.100(C). Supplemental seeding activities are also exempt.

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Shoreline Uses and Modifications

- Includes section on permit requirements
- Development Standards
- Exemptions
- Application requirements
Permit Provisions and Review

- Permit Types are defined:
  - Substantial Development Permits
  - Conditional Use Permits
  - Variance Permits
Substantial Development permits

- **Substantial development permits** ("SDPs") are required for all developments (unless specifically exempt) that meet the legal definition of "substantial development."

- Under **WAC 173-27-150**, substantial development permits cannot be approved unless they are consistent with policies and procedures of the Shoreline Management Act, Ecology rules, and the local master program.
Conditional Use permits

- The purpose of a conditional use permit (CUPs) is to provide a system within the master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW 90.58.020.
Conditional Use permit Criteria

- That the proposed use is consistent with the policies of the SMA *(RCW 90.58.020)* and the master program;
- That the proposed use will not interfere with the normal public use of public shorelines;
- That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program;
- That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
- That the public interest suffers no substantial detrimental effect.

Conditional uses must also meet criteria in *WAC 173-27-140* which apply to all development.
Variance permits are used to allow a project to deviate from an SMP’s dimensional standards (e.g., setback, height, or lot coverage requirements). A variance proposal must meet variance criteria found in state rule and be consistent with other environment and use requirements.
Example Permit Requirements—per Shoreline Designation

Where residential development is proposed in the following designations, the identified permit requirements shall apply.

1. Natural:
   a. CUP for primary single-family residences and subdivisions.
   b. Prohibited for multi-family units and accessory dwelling units.

2. Rural Conservancy and Urban Conservancy:
   a. Primary single-family residences are exempt pursuant to criteria in Section 19.500.100(C);
   b. SDP if exemption criteria not met.
   c. CUP for multi-family units, accessory dwelling units and subdivisions.

3. Shoreline Residential:
   a. Primary single-family residences are exempt pursuant to criteria in Section 19.500.100(C);
   b. SDP if exemption criteria not met.
   c. SDP for multi-family units, accessory dwelling units, and subdivisions.

4. Aquatic and Mining: Prohibited
Find Shoreline Designation on map

- Natural
- Rural Conservancy
- Shoreline Residential
- Urban Conservancy
- Aquatic

Identify what use/modification you are proposing

- Residential, Industrial, Commercial
- Dock, pier, bulkhead

Check the Shoreline Use/Modification table to see which permit is needed

- Substantial Development
- Conditional Use
- Variance

Review General Regulations and Development Standards for proposed project

- Buffers/Mitigation
- Critical Areas
- Stormwater
- Allowances/Prohibitions
- Use Specific Development Requirements
Next Steps

- Have meetings with lake management groups
- Continue follow-up briefings
- Start to discuss specific topics within SMP
- Discuss update process and possible timeline
Questions?

- **Project Contacts:**
  - Thurston County
    - Brad Murphy, murphyb@co.thurston.wa.us
  - Ecology
    - Sarah Cassal, salu461@ecy.wa.gov

Websites:
http://www.co.thurston.wa.us/planning/shoreline/shoreline_home.htm