

City of Dayton, Washington



Shoreline Master Program

DAYTON COMPREHENSIVE PLAN

SHORELINE ELEMENT

Final Adoption – ORD 1910 May 8, 2017

Exhibit 1



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1 GENERAL PROVISIONS AND SMP ELEMENTS

1.01 Adoption

The Shoreline Master Program (SMP) was adopted on May 8, 2017 by Ordinance 1910 in accordance with the Shoreline Management Act (SMA)(chapter 90.58 RCW) and the State Shoreline Guidelines (chapter 173-26 WAC). Hereafter, it is be commonly referred to as the SMP.

1.03 Purpose

The purpose of this SMP is to:

- Promote the public health, safety, and general welfare of the community;
- Manage shorelines in a positive, effective, and equitable manner;
- Achieve no net loss of the ecological functions of the City of Dayton's shorelines;
- Assume and carry out the responsibilities established by the Shoreline Management Act (SMA);
- Adopt and foster the policies contained in chapter 90.58 of the Revised Code of Washington (RCW), the State SMA, for shorelines of the State; and
- Provide assurance that proposed regulatory or administrative actions do not unconstitutionally infringe upon private property rights.

To implement Dayton's SMP, the City adopted the Shoreline Management Code (SMC) Title 15 of the Dayton Municipal Code, hereafter referred to as the Shoreline Code or SMC.

1.04 Shoreline Elements

RCW 90.58.100(2) states that SMPs shall, when appropriate, include the following elements:

- | | |
|------------------------|----------------------------|
| • Economic Development | • Land Use |
| • Public Access | • Conservation |
| • Recreation | • Historic/Cultural Values |
| • Circulation | • Flood Hazard Reduction |

Shoreline Element Goals with Related Objectives and Actions

Goals and objectives have been considered in the preparation of this SMP for the City of Dayton. The goals and objectives established for these elements reflect community ideals as presented in local visioning meetings and provide the basis for policies, actions and regulations included in this SMP and Shorelines Code.

ECONOMIC DEVELOPMENT

Goal SMP-1 Balance the amount of land available for shoreline economic development with land available for conservation purposes to ensure opportunities for economic growth while maintaining the current ecological characteristics and functions within the shoreline jurisdiction.

Objective SMP 1.1 Use the current state of ecological conditions, as found in the most recent Shoreline Inventory and Characterization Report, when determining buffer widths.

Objective SMP 1.2 Craft regulations to create a preference for water-dependent and water-oriented development within the shoreline zone.

PUBLIC ACCESS

Goal SMP-2 Maintain and improve current levels of access to the river while protecting private property.

Objective SMP-2.1 Provide notice when private property is crossed by levee paths.

Action SMP-2.1.1 Inform citizens that the levee paths and stretches of the river cross private property at different points.

Action SMP-2.1.2 Place signage along levee paths where public property stops and private property begins.

Objective-SMP-2.2 Limit vehicle traffic along levee paths to only authorized users.

Objective SMP-2.3 Identify opportunities for increased access.

Commentary - *Where shorelines policies and codes require that public access be provided, the requirement shall be construed to be limited to the extent of the lawful and constitutional authority of the City to require public access or to require the easement, fee ownership, or interest requested.*

FLOOD HAZARD REDUCTION

Goal SMP-5 Maintain current levels of flood control.

Objective SMP-5.1 Maintain levee integrity to prevent flood damage.

Action SMP-5.1.1 Follow recommended actions on levee maintenance, including dredging increased shoaling areas and controlling vegetation.

Objective SMP-5.2 Explore public/private partnerships for debris removal in Patit Creek beyond managed area.

Objective SMP-5.3 Do not lose U.S. Army Corps of Engineers (USACE) levee certification.

Action SMP-5.3.1 Work with USACE to increase amount of vegetation allowed on, or at base of, levee.

2 SMP DEFINITIONS

The adopted SMP definitions are contained in the Shorelines Code, DMC Title 15. The SMP and Shoreline Code must be implemented according to the definitions contained in DMC Title 15. Where definitions contained in Title 15 conflict or differ from definitions contained in the Shorelines Management Act (SMA), the definitions in chapter 90.58 RCW and WAC 173-26-020 will prevail.

3 SHORELINE PROJECT REVIEW AND PERMITTING

3.01 This chapter defines general provisions for implementation of the SMC referenced in association with project review and permitting. The development regulations in the SMC are intended to make shoreline development responsive to specific design needs and opportunities along the City's shorelines, while protecting the public's interest in the shorelines' recreational and aesthetic values and the ecological function of the shoreline and riparian area.

PERMITS

A permit, or an exemption declared by the Director, is required for any development within the Shoreline Management Area. Per WAC 173-27-040(1)(b):

“an exemption from the substantial development permit process is not an exemption from compliance with the act or the local Master Program, nor from any other regulatory requirements. To be authorized, all uses and developments must be consistent with the policies and provisions of the applicable Master Program and the Shoreline Management Act. A development or use that is listed as a conditional use pursuant to the local Master

3.06 Unclassified Uses and Activities

All uses and activities proposed in the Shoreline Management Area that are not classified by provisions in the SMC shall require a conditional use permit.

3.07-.14 General Permit Processing

1. Permits required under the SMC must be processed consistent with the provisions and the criteria of the SMC.
2. No permit will be approved unless the proposed development is consistent with the provisions of the SMP, SMC, SMA, and the rules and regulations adopted by the Washington State Department of Ecology.
3. Notice procedures, per WAC 173-27-110 and DMC Title 10 must be followed when issuing notice via newspaper, mailing to nearby property owners and posting of the property.
4. An open record pre-decision hearing is required for conditional use permits and variances. The Director, per WAC 173-27-200, must file the city's decision with the Department of Ecology for their final approval, approval with conditions, or denial.
5. The Director must provide a Notice of Final Decision for all applications per chapter 10-01 DMC to all parties. Pursuant to RCW 90.58.140(6), the Director must also send the final decision, including findings and conclusions to the Washington State Department of Ecology and Washington State Attorney General.
6. Appeals of the final decision by the city with regard to shoreline permits are governed by the provisions of RCW 90.58.180. Pursuant to RCW 90.58.140 review by the Shorelines Hearings Board may be available by filing a petition for review within twenty-one (21) days of the date of filing of the decision with Ecology.

Commentary – See SMC Chapter 15.03; Administration of Development Regulations Title 10, chapter 90.58 RCW and WAC 173-27-110 for further details regarding permit processing, notices, and appeals.

4 SHORELINE MANAGEMENT AREAS

4.01 Shoreline Environmental Designations

The Shoreline Management Area for the City of Dayton includes:

1. The area between the OHWM and two hundred (200) feet landward;
2. Areas extended beyond 200 feet due to the critical areas on the land; and
3. The river between the banks' OHWMs.

Management Policies for HIE:

Policy SMP-7 In regulating uses in the “high-intensity” environment, first priority should be given to water-dependent uses. Second priority should be given to water-related and water-enjoyment uses. Nonwater-oriented uses should not be allowed except as part of mixed-use developments. Nonwater-oriented uses may also be allowed in limited situations where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline.

Policy SMP-8 Full utilization of existing urban areas should be achieved before further expansion of intensive development is allowed. Reasonable long-range projections of regional economic need should guide the amount of shoreline designated “high-intensity.” However, consideration should be given to the potential for displacement of nonwater-oriented uses with water-oriented uses when analyzing full utilization of urban waterfronts and before considering expansion of such areas.

Policy SMP-9 Policies and regulations shall assure no net loss of shoreline ecological functions as a result of new development. Where applicable, new development shall include environmental cleanup and restoration of the shoreline to comply with relevant state and federal law.

Policy SMP-10 Where feasible, visual and physical public access should be required.

Policy SMP-11 Aesthetic objectives should be implemented by means such as sign control regulations, appropriate development siting, screening and architectural standards, and maintenance of natural vegetation buffers.

4.01 C. NATURAL ENVIRONMENT (NE)

Purpose: The purpose of the “natural” environment (NE) is to protect those shoreline areas that are relatively free of human influence or that include intact or minimally degraded shoreline functions intolerant of human use. These systems require that only very low intensity uses be allowed in order to maintain the ecological functions and ecosystem-wide processes. Consistent with the policies of the designation, local government should include planning for restoration or degraded shorelines within this environment.

Designation Criteria: A “natural” environment designation should be assigned to shoreline areas if any of the following characteristics apply:

1. The shoreline is ecologically intact and therefore currently performing an important, irreplaceable function or ecosystem-wide process that would be damaged by human activity;
2. The shoreline is considered to represent ecosystems and geologic types that are of particular scientific and educational interest; or

Policy SMP-15 Commercial forestry may be allowed as a conditional use in the "natural" environment provided it meets the conditions of the State Forest Practices Act and its implementing rules and is conducted in a manner consistent with the purpose of this environment designation.

Policy SMP-16 Agricultural uses of a very low intensity nature may be consistent with the natural environment when such use is subject to appropriate limitations or conditions to assure that the use does not expand or alter practices in a manner inconsistent with the purpose of the designation.

Policy SMP-17 Scientific, historical, cultural, educational research uses, and low-intensity water-oriented recreational access uses may be allowed provided that no significant ecological impact on the area will result.

Policy SMP-18 New development or significant vegetation removal that would reduce the capability of vegetation to perform normal ecological functions should not be allowed. Do not allow the subdivision of property in a configuration that, to achieve its intended purpose, will require significant vegetation removal or shoreline modification that adversely impacts ecological functions. That is, each new parcel must be able to support its intended development without significant ecological impacts to the shoreline ecological functions.

Policy SMP-19 Uses that adversely impact the ecological functions of critical freshwater habitats should not be allowed except where necessary to achieve the objectives of RCW 90.58.020 and then only when their impacts are mitigated according to the sequence described in WAC 173-26-201.

Policy SMP-20 Shoreline uses and modifications should be designed and managed to prevent degradation of water quality and alteration of natural hydrological conditions.

Policy SMP-21 Local governments should reserve shoreline space for shoreline-preferred uses. Such planning should consider upland and in-water uses, water quality, and presence of aquatic vegetation, critical habitats, aesthetics, public access and views.

4.01 D. SHORELINE COMMERCIAL ENVIRONMENT (SCE)

Purpose: The "shoreline commercial" environment (SCE) is designed to accommodate existing and future commercial development and accessory structures. Commercial parcels west of Main Street, extending to Commercial Street on the north bank of the Touchet River and from Commercial Street to Willow Street on the south bank, are placed within the SCE environment.

Designation Criteria: Assign a SCE designation to shoreline areas if they are inside existing commercial areas and to land zoned for commercial growth. Include multi-lot and single lot commercial development.

Management Policies for SRE:

Policy SMP-27 Regulatory standards for density or minimum frontage width, setbacks, lot coverage limitations, buffers, shoreline stabilization, vegetation conservation, critical area protection, and water quality shall be set to assure no net loss of shoreline ecological functions, taking into account the environmental limitations and sensitivity of the shoreline area, the level of infrastructure and services available, and other comprehensive planning considerations.

Policy SMP-28 Multifamily and multi-lot residential and recreational developments are not preferred uses in the SRE.

Policy SMP-29 Standards should be established for detailing the range of shoreline modifications allowed within the SRE. These standards should ensure that development, or use patterns, do not result in a reduction of shoreline ecological functions or further degrade other shoreline values.

Policy SMP-30 The shoreline should be monitored for erosion, either from activities occurring on land or on the water. Action should be taken when such erosion occurs to reduce negative effects.

4.01 F. URBAN CONSERVANCY ENVIRONMENT (UCE)

Purpose: The “urban conservancy” environment (UCE) is designed to provide for public access, either physical or view, while maintaining or improving the ecological functions of the shoreline. The purpose of the UCE is to protect and restore ecological functions of open space, floodplain, and other sensitive lands where they exist in urban and developed settings, while allowing a variety of compatible uses.

Designation Criteria: Assign an UCE designation to shoreline areas appropriate and planned for development that are compatible with maintaining or restoring of the ecological functions of the area, that are not generally suitable for water-dependent uses, and that lie in incorporated municipalities, urban growth areas, or commercial or industrial "limited areas of more intensive rural development" if any of the following characteristics apply:

1. They are suitable for water-related or water-enjoyment uses;
2. They are open space, floodplain or other sensitive areas that should not be more intensively developed;
3. They have potential for ecological restoration;
4. They retain important ecological functions, even though partially developed; or
5. They have the potential for development that is compatible with ecological restoration.
6. Undesignated shoreline areas are automatically placed in the UCE until a determination is made for permanent assignment.

Based upon a review of these factors, the City has determined that different NCA widths are appropriate for each individual Shoreline Environmental Designation in order to preserve the ecological condition the Touchet River and its shorelines:

Native Conservation Area Minimum Widths

Environmental Designation	Native Conservation Area Width
Aquatic	N/A
High Intensity	50 ft. Shoreward from OHWM
Natural	200 ft. Shoreward from OHWM
Shoreline Commercial	75 ft. Shoreward from OHWM ⁽¹⁾
Shoreline Residential	100 ft. Shoreward from OHWM ⁽¹⁾
Urban Conservancy	125 ft. Shoreward from OHWM ⁽¹⁾

⁽¹⁾ Mitigation required for any development within the NCA

4.03 City of Dayton Environmental Designations Map

The Environmental Designation Map is adopted as part of the Shoreline Management Code (SMC), Title 15. It is also contained within Appendix A of the SMP.

5 GENERAL SHORELINE POLICIES

5.01 Background

The General Policies and Regulations apply to all uses and activities that may occur within the City's Shoreline Management Area regardless of the SMP Environmental Designation. These policies and regulations provide the overall framework for the management of the shoreline. Use these general regulations in conjunction with chapter 15-06 DMC, Specific Use and Modification Policies and Regulations.

Chapter 90.58 RCW raises the status of shorelines of statewide significance in two ways. First, the Act sets specific preferences for uses of Shorelines of Statewide Significance. RCW 90.58.020 states:

should be avoided and, if necessary, minimized and mitigated during all phases of development (e.g., design, construction, operation, and management).

Policy SMP-36 After impacts have been avoided and, if necessary, minimized to the greatest extent possible, remaining adverse impacts should be mitigated with an amount of restoration or other mitigation action sufficient to replace the adversely impacted resources.

Policy SMP-37 In cases where on-site mitigation would be unable to compensate for expected impacts, on-site or off-site compensatory actions should be required.

Policy SMP-38 Shoreline developments that protect and/or contribute to the long-term restoration of habitat for proposed, threatened, and endangered species are consistent with the fundamental goals of this SMP. Shoreline developments that propose to enhance critical areas, other natural characteristics, resources of the shoreline, and/or provide public access and recreational opportunities to the shoreline are consistent with the fundamental goals of this SMP and should be encouraged.

5.02 B. Water

Policy SMP-39 Shoreline development and activities should result in no net loss of ecological functions.

Policy SMP-40 Development and regulated activities should avoid and minimize impacts to hydro geologic processes, wetlands, surface water drainage, and groundwater recharge.

Policy SMP-41 Measures should be incorporated into the development, use, or activity to protect water bodies and wetlands from all sources of pollution, including, but not limited to, sediment and silt, petrochemicals, and wastes and dredge spoils.

Policy SMP-42 Adequate provisions to prevent water runoff from contaminating surface and groundwater should be included in development design. The Director may specify the method of surface water control and maintenance programs. Surface water control must comply with the adopted stormwater manual.

Policy SMP-43 All measures for the treatment of surface water runoff for the purpose of maintaining and/or enhancing water quality should be conducted on-site. Off-site treatment facilities may be considered if on-site treatment is not feasible.

Policy SMP-44 Point and non-point source pollution should be managed on a basin-wide basis to protect water quality and support the goals of the water quality implementation plan to maintain shoreline ecological functions.

5.02 G. Aesthetic

Policy SMP-52 Where practical, development should be designed to minimize the negative aesthetic impact structures have on the shoreline by avoiding placement of service areas, parking lots, and/or view-blocking structures adjacent to the shoreline. Consideration should be given to views both from and towards the water.

5.02 H. Historical/Cultural Policies

Provisions for historic, cultural, and archaeological site preservation, restoration, and education should be incorporated in site development plans whenever compatible and possible.

Cooperation among involved private and public parties is encouraged to achieve this Program's Archaeological, Historical, and Cultural Element goals and objectives.

Any proposed site development or associated site demolition work should be planned and carried out to avoid impacts to the protected resource. Impacts to neighboring properties and other shoreline uses should be limited.

Owners of property containing previously identified historic, cultural, or archaeological sites are encouraged to make development plans known well in advance of application, so that appropriate agencies, such as the affected Tribe(s), Washington State Department of Archaeology and Historic Preservation (DAHP), and others may have ample time to assess the site and make arrangements to preserve historical, cultural, and archaeological findings.

Policy SMP-53 If development or demolition is proposed adjacent to an identified historical, cultural, or archaeological site, then the proposed development should be designed and operated to be compatible with continued protection of the site.

Policy SMP-54 Sites should be protected in collaboration with appropriate tribal, state, federal, and local governments. Cooperation among public and private parties is to be encouraged in the identification, protection, and management of cultural resources.

Policy SMP-55 When or where appropriate, access to such sites should be made available to parties of interest. Access to such sites must be designed and managed in a manner that gives maximum protection to the resource.

- Chapter 17-03, Aquifer Protection Areas
- Chapter 17-04, Geologically Hazardous Areas
- Chapter 17-05, Wetland Protection Areas
- Chapter 17-06, Fish and Wildlife Habitat Conservation Areas

5.04 Public Access

Public access to the shoreline is the physical ability of the general public to reach and touch the water's edge and/or the ability to have a view of the water and the shoreline from upland locations. There are a variety of types of and components to public access, such as picnic areas, pathways and trails, promenades, street ends, ingress, and egress.

The Act requires, in RCW 90.58.100(2)(b), that shoreline master programs shall include, when appropriate, the following: *"A public access element making provisions for public access to publicly owned areas."* The City encourages private landowners to provide public access opportunities when appropriate.

Policy SMP-59 Development uses and activities on or near the shoreline should not impair or detract from the public's visual or physical access to the water.

Policy SMP-60 Public access to the shoreline should be sensitive to the unique characteristics of the shoreline, should preserve the natural character and quality of the environment, and should assure no net loss of ecological functions.

Policy SMP-61 Where appropriate, water-oriented public access should be provided as close as possible to the water's edge without adversely affecting a sensitive environment.

Policy SMP-62 Except for access to the water, the preferred location for placement of public access trails is outside the NCA. If that is not possible, the trails should be as close to the furthest landward edge of the NCA as practical, and mitigation is required to replace any vegetation. Public access facilities should provide auxiliary facilities, such as parking and sanitation facilities, when appropriate, and shall be designed for accessibility by people with disabilities. Publicly owned shorelines should be limited to water-dependent or public recreation uses, otherwise such shorelines should remain protected open space.

Policy SMP-63 Public access afforded by public right-of-way street and alley ends adjacent to the shoreline should be preserved, maintained, and enhanced.

Policy SMP-64 Public access on private property, when provided, should be designed to provide for public safety and to minimize potential impacts to private property and individual privacy, which may include consideration by the City of legal and reasonable mitigating circumstances or variances from otherwise applicable land use or development standards, such as providing a physical separation to reinforce the distinction between public and private space, providing adequate space, through screening with landscape planting or fences, or other means.

6.02 Existing Structures

New SMC regulations are not retroactive, so legally established residential and industrial structures can remain in place. Local zoning regulations and the SMC will regulate whether an addition to an existing and legally established residential or industrial structure located in the Shoreline Management Area may be built, where it can be built, and what mitigation measures may be required. Mitigation measures will be required for any development within the Shoreline Management Area in order to offset impacts of new development and achieve the no net loss standard.

6.03 Existing Uses

Uses that are not allowed under the new SMC but exist in relation to legally established residential or industrial structures become nonconforming uses at the time of enactment of the SMP and SMC.

6.05 Standards for Permitting within Shoreline Environmental Designations

The specific types of permitting and processing for uses and development are contained in SMC 15-06.050. The permit processes for are as follows and :

SD: Shorelines Substantial Development permit required.

CU: Shorelines Conditional Use permit required.

X: Prohibited and not eligible for Shorelines Variance or Shorelines Conditional Use permit.

E: Written Statement of Shorelines Exemption required.

Need for Shorelines Variances are determined by type and extent of non-compliance with SMC

6.06 Shoreline Stabilization (Armoring)

6.06 A. Shoreline Modification – General

Shoreline modification involves developments that provide bank stabilization or flood control. The purpose of the modification is to reduce adverse impacts caused by natural processes, such as current, flood, tides, wind, or wave action. Shoreline stabilization includes all structural and nonstructural means to reduce flooding and/or erosion of banks.

Nonstructural methods include setbacks of permanent and temporary structures; relocation of the structure to be protected; groundwater management; planning; bioengineering, or “soft” engineered solutions; and regulatory measures to avoid the need for structural stabilization.

“Hard” structural stabilization measures refer to those with solid, hard surfaces, such as concrete bulkheads, while “soft” structural measures rely on natural materials such as biotechnical vegetation or shore enhancement. Generally, the harder the construction measure,

Policy SMP-71 All new development should be located and designed to prevent or minimize the need for shoreline stabilization measures and flood protection works. New development requiring shoreline stabilization shall be discouraged in areas where no preexisting shoreline stabilization is present.

Policy SMP-72 Shoreline modifications are only allowed for mitigation or enhancement purposes, or when and where there is a demonstrated necessity to support or protect an existing primary structure or legally existing shoreline use that is otherwise in danger of loss or substantial damage.

Policy SMP-73 Proposals for shoreline modifications should be designed to protect life and property without impacting shoreline resources.

Policy SMP-74 Shoreline modifications that are natural in appearance, compatible with ongoing shoreline processes, and that provide flexibility for long-term management, such as protective berms or vegetative stabilization, should be encouraged over structural means such as concrete bulkheads or extensive revetments, where feasible.

Policy SMP-75 Structural solutions to reduce shoreline damage should be allowed only after it is demonstrated that nonstructural solutions would not be able to withstand the erosive forces of the current and waves.

Policy SMP-76 The design of bank stabilization or protection works should provide for the long-term use of shoreline resources and public access to public shorelines.

Policy SMP-77 In the design of publicly financed or subsidized works, consideration should be given to providing pedestrian access to shorelines for low-impact outdoor recreation.

Policy SMP-78 New flood protection measures should be placed landward of the natural flood boundary and landward of any wetlands, which are directly interrelated and inter-dependent with water bodies.

Policy SMP-79 If through construction and/or maintenance of shoreline modification developments, the loss of vegetation and wildlife habitat will occur, mitigation should be required.

6.06 B. Bulkheads

Bulkheads are walls usually constructed parallel to the shore, whose primary purpose is to contain and prevent the loss of soil by erosion, wave, or current action. Bulkheads are typically constructed of poured-in-place concrete, steel or aluminum sheet piling, wood, or wood and structural steel combinations.

Policy SMP-88 Erosion should be prevented and sediment should not enter waters of the state.

6.07 Fill

Landfilling is the placement of soil, rock, existing sediment or other material (excluding solid waste) in order to raise the elevation of upland areas or to create new land area along the shoreline below the OHWM. This section includes policies and regulations that apply to all areas within the shoreline jurisdiction.

Policy SMP-89 The perimeter of landfilling should be designed to avoid or eliminate erosion and sedimentation impacts, during both initial landfilling activities and over time.

Policy SMP-90 Where permitted, landfilling should be the minimum necessary to provide for the proposed use and should be permitted only when conducted in conjunction with a specific development proposal that is permitted by the Shoreline Master Program. Speculative landfilling activity should be prohibited.

6.08 Dredging and Dredge Material Disposal

Policy SMP-91 Dredging waterward of the OHWM for the primary purpose of obtaining fill material is prohibited.

Policy SMP-92 Dredging waterward of the OHWM for the primary purpose of shoreline enhancement requires a substantial development permit.

Policy SMP-93 Dredging waterward of the OHWM for the primary purpose of removal of flood hazard debris requires a substantial development permit.

Policy SMP-94 Dredging operations should be planned and conducted to minimize interference with navigation, avoid creating adverse impacts on other shoreline uses, properties, and ecological shoreline functions and values, and avoid adverse impacts to habitat areas and fish species.

Policy SMP-95 Dredge spoil disposal in water bodies shall be prohibited except for shoreline enhancement or habitat improvement projects.

Policy SMP-96 Dredge spoil disposal on land should occur outside the Shoreline Management Area.

Policy SMP-104 Existing occasional use trails that are used for the launching of portable, non-motorized watercraft may be maintained as is as long as such trails are not expanded without a Shorelines Substantial Development Permit.

6.11 Forest Practices

Forest practice refers to the business of growing and logging trees for sale.

Forest practices are prohibited in all shoreline environments, SMC 15-06.130.

6.12 Industrial Development

Policy SMP-105 Priority of any industrial development should be given to water-dependent uses.

Policy SMP-106 Over-the-water industrial development should be prohibited.

Policy SMP-107 Industrial development in the Shoreline Management Area should include landscaping to enhance the shoreline area.

Policy SMP-108 Preference shall be given first to water-dependent industrial uses over nonwater-dependent industrial uses and second to water-related industrial uses over nonwater-oriented industrial uses.

6.13 Institutional Development

See 6.21 - Non-Residential Development

6.14 Mining

Mining is prohibited in all shoreline environments.

6.15 Recreational Development

Recreational development provides for low-impact activities, such as hiking, photography, viewing, and fishing; or more intensive uses such as parks. This section applies to both publicly and privately owned shoreline facilities.

Policy SMP-109 The coordination of local, state, and federal recreation planning should be encouraged so as to mutually satisfy recreational needs. Shoreline recreational developments should be consistent with all adopted parks, recreation, and open space plans.

Policy SMP-110 Parks, recreation areas, and public access points, such as hiking paths, bicycle paths, and scenic drives should be linked.

6.16 B. Residential Development Policies

Policy SMP-113 In accordance with the Public Access requirements in DMC 15-05.040, residential developments of more than four (4) dwelling units should provide dedicated and improved public access to the shoreline.

Policy SMP-114 Residential development and accessory uses should be prohibited over the water.

Policy SMP-115 New subdivisions should be encouraged to cluster dwelling units in order to preserve natural features, minimize physical impacts, and provide for public access to the shoreline.

Policy SMP-116 In all new subdivisions and detached single-family development, multi-family development, and recreational development with five (5) or more dwelling units, public access to joint-use shoreline facilities should be required.

Policy SMP-117 Accessory uses and structures should be designed and located to blend into the site as much as possible. Accessory uses and structures should be located landward of the principal residence when feasible.

6.17 Signs

A sign is defined as a device of any material or medium, including structural component parts, which is used or intended to be used to attract attention to the subject matter for advertising, identification, or informative purposes. The following provisions apply to any commercial or advertising sign directing attention to a business, professional service, community, site, facility, or entertainment, conducted or sold either on or off premises.

Policy SMP-118 Signs should be designed and placed so that they are compatible with the natural quality of the shoreline environment and adjacent land and water uses.

Policy SMP-119 Signs should not block or otherwise interfere with visual access to the water or shorelands.

6.18 Parking

Policy SMP-120 Parking within the Shoreline Management Area should be minimized.

Policy SMP-121 Parking within the Shoreline Management Area should directly serve an adjacent permitted use on the same or adjacent property.

Policy SMP-122 Parking in the Shoreline Management Area should be located and designed to minimize adverse impacts including those related to stormwater runoff, water quality, visual qualities, public access, private property, vegetation and habitat maintenance.

along the shoreline, and office buildings and retail sales buildings that have a waterfront theme with public access to the shore or water views.

Policy SMP-132 Over-the-water nonresidential development should be prohibited.

Policy SMP-133 Nonresidential development should be required to provide on-site physical or visual access to the shoreline, or offer other opportunities for the public to enjoy Shorelines of Statewide Significance. If on-site access cannot be provided, off-site access should be required. Off-site access could be procured through the purchase of land or an easement at a location appropriate to provide the access deemed necessary. Nonresidential developments should include multiple use concepts such as open space and recreation.

Policy SMP-134 Nonresidential development in the Shoreline Management Area should include landscaping to enhance the shoreline area.

6.22 Utilities

Primary utilities include substations, pump stations, treatment plants, sanitary sewer outfalls and lift stations, electrical transmission lines greater than fifty-five thousand (55,000) volts, water, sewer or storm drainage mains greater than eight (8) inches in diameter, gas and petroleum transmission lines, and submarine telecommunications cables.

Accessory utilities include local public water, electric, natural gas distribution, public sewer collection, cable and telephone service, and appurtenances.

Policy SMP-135 Utilities should utilize existing transportation and utility sites, rights-of-way, and corridors whenever possible. Joint use of rights-of-way and corridors should be encouraged.

Policy SMP-136 Unless no other feasible alternative exists, utilities should be prohibited in the Shoreline Management Area, wetlands, and other critical areas.

Policy SMP-137 New utility facilities should be located so as not to require extensive shoreline modifications.

Policy SMP-138 Whenever possible, utilities should be placed underground or alongside or under bridges. Above ground placement of electrical transmission lines with a capacity of fifty-five thousand (55,000) volts or more is allowed if no other feasible alternative exists.

Policy SMP-139 Solid waste disposal activities and facilities should be prohibited in the Shoreline Management Area.

APPENDIX A

