



# Shoreline Master Program Update

City of Dayton

May 2017



## What is a Shoreline Master Program?

Shoreline Management Programs (SMPs) are the local mechanism for carrying out the voter approved Shoreline Management Act.<sup>1</sup> The Dayton SMP was developed to help regulate shoreline land use and development along the Touchet River. The primary goals of SMPs are to:

- Protect shoreline areas so there is “no net loss” in ecological functions,
- Provide for the enjoyment of and access to shorelands and waters, when appropriate, and
- Prioritize water-dependent uses.

SMPs include policies, goals, and regulations based on shoreline types and uses. They must meet state laws and rules—but are tailored to meet the needs of each city or county. The SMP for the City of Dayton applies to the Touchet River, upland areas within 200 feet of the river’s ordinary high water mark (OHWM), and associated wetlands (SMP 4.01). This area is known as the Shoreline Management Area (SMA) or area of shoreline jurisdiction.

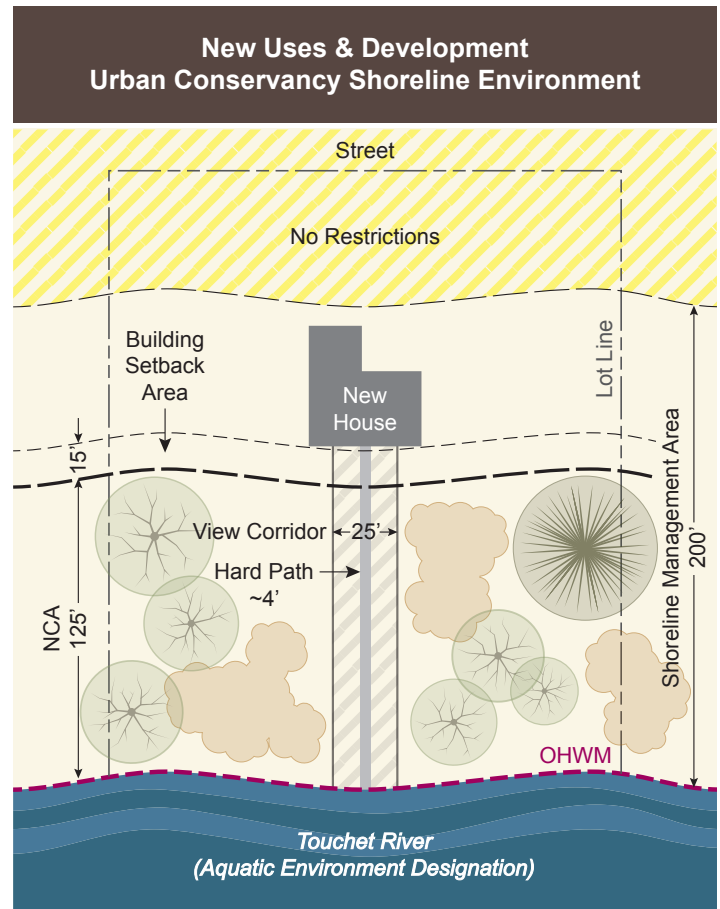
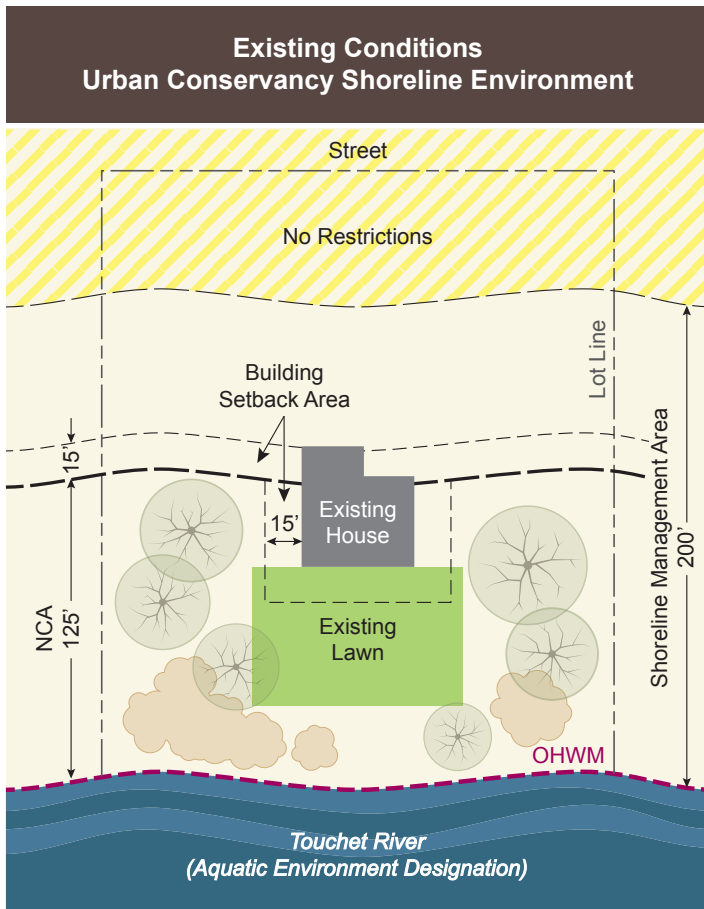
## Why the Need for a Comprehensive Update?

In 2003, the state issued a set of guidelines addressing requirements for local SMPs, which are contained in Chapter 173-26 of the Washington Administrative Code (WAC). Legislation required that the City of Dayton and other municipalities update their SMPs to be consistent with the new guidelines and changes to the Shoreline Management Act. The comprehensive update process was guided by public involvement to reflect the unique values of stakeholders in the City of Dayton.

In May 2017 the Department of Ecology issued final SMP approval, and Ordinance 1910 was adopted by the City to implement the SMP and Shoreline Management Code (SMC), Title 15.

More information about the SMP Comprehensive Update, SMP and SMC is available on the City of Dayton website, or contact the Dayton Planning Director (See back page of bulletin).

<sup>1</sup> More information on the Shoreline Management Act is available at RCW 90.58



## How Does the Shoreline Master Program (SMP) and Shorelines Management Code (SMC) Affect Me?

### Existing Land Uses & Development

Existing homes and uses legally established within the SMA are allowed to remain SMP 6.02 and 6.03; SMC 15-06. In most situations:

- Existing uses and development can continue to operate as usual.
- Existing uses and structures may continue in their existing location, even if within a Native Conservation Area (NCA), (explained on next page).
- Repair and maintenance of existing structures is allowed so long as the structure's footprint does not expand into the NCA.
- Damaged structures can be rebuilt in their original footprint.

Existing uses and developments that were legal under previous regulations but would not be allowed if proposed under the current SMP are generally considered non-conforming, SMC 15-03.150. Homeowners can continue mowing the lawn, tending the garden, using the deck and maintaining their property.

### New Land Uses & Development

New shoreline uses or development is primarily allowed within the shoreline management area (SMA) that is landward (outside) of the Native Conservation Area (NCA). Only in limited circumstances with permits and mitigation to offset impacts, would a new use and/or development be allowed inside the NCA. For a complete list of uses and development allowed, see SMC 15-06.

Expansion of an existing house located inside a NCA would be generally allowed, if it does not extend closer to the shoreline, than the existing house. Mitigation would be required to assure no net loss to shorelines ecological functions. It is best to discuss how expansion of an existing house would be allowed early in design.

Building Setback Area (BSA) is the 15' wide area set aside for ongoing maintenance of a structure.

### What are Shoreline Environmental Designations?

There are six environmental designations based on the character of the shoreline resource, sensitivity to development, and zoning. They are listed on the following page. The map of the designations is contained in the SMP, SMC, and online at [www.daytonwa.com](http://www.daytonwa.com).

## What are Native Conservation Areas?

Native Conservation Areas (NCAs) are shoreline buffers intended to protect the existing or potential native vegetation to ensure “no net loss of shoreline ecological functions,” which is an overarching goal of the SMP.

The shoreline environmental designations and NCA widths for each designation are as follows:

Shoreline 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 <sup>(1)</sup>
Shoreline Residential	100 ft. Shoreward from OHWM <sup>(1)</sup>
Urban Conservancy	125 ft. Shoreward from OHWM <sup>(1)</sup>

<sup>(1)</sup> Mitigation may be required for any development within the NCA

## Can I Develop in the Native Conservation Areas?

Land alteration and disruptive uses within the NCA are restricted in order to preserve shoreline and aquatic ecological functions. New development within the NCA will require review and approval by the City. The key is to first avoid, minimize and then mitigate all impacts. Most often new development will require mitigation to compensate for environmental impacts. When mitigation is required, a mitigation plan must be prepared by a qualified biologist that can assess how the existing shoreline habitat is used by wildlife, and how it can be enhanced to compensate for the effects of development. See SMC 15-05.020.

Note that areas on and immediately adjacent to the existing flood protection levee along the Touchet River cannot be planted with woody vegetation that poses a risk to the levee’s structural integrity.

## What Existing Uses Can Continue Without a Permit?

Existing uses and normal maintenance and repair of existing structures and development within the SMA is allowed. Existing yard areas may also continue to be maintained and used.

## General Measures to Protect the Shoreline Environment

**Adverse Impacts** of shoreline development and activity are to be avoided. If not avoided, then impacts are to be minimized. Remaining impacts are to be mitigated, SMP Policies 35 & 36.

### Outside the NCA

**New House** built for use by property owner – written exemption required.

**Trees and Shrubs**, minimize pruning and removal with written exemption required. Replace at 2:1 ratio (see native plant list, back page).

### Inside the NCA

**New House** – substantial development permit with avoided, minimized and mitigated impacts.

**View Corridor** – required mitigation; removal of trees limited to < 6” in diameter at chest height; no tree topping or pruning > 30% of tree limbs – written exemption or permit approval required.

**Tree Removal** – no removal of trees > 6” diameter at breast height, except hazard trees with written exemption.

**New Vegetation** – limited to native species.

**Noxious or Invasive Weeds** – removal with hand tools allowed without written exemption.

## When is a Permit Required?

New or expanded uses and development within the SMA will either require a shoreline substantial permit, conditional use permit, variance, or written exemption from the City of Dayton. Development includes: construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; adding pilings; and placing of obstructions (SMC 15-02.020). The type of authorization required is dependent on the nature of the use and development as determined by the City of Dayton Planning Director based on the SMP & SMC. Permitting standards for various development activities are provided in SMC 15-06.050.<sup>2</sup>

<sup>2</sup> More information on the City of Dayton’s Shoreline Master Program is available at <http://www.daytonwa.com/inside-city-hall/departments/planning-department/long-range-planning/shoreline-master-plan>

## Recommended Native Plants for the Shoreline Management Area

	Common Name	Scientific Name	Exposure	Moisture
Large Trees	Aspen, Quacking	<i>Populus tremuloides</i>	Sun/Part shade	Moist/wet
	Birch, Paper	<i>Betula papyrifera</i>	Sun/part shade	Moist/wet
	Cottonwood, Black	<i>Populus balsamifera</i>	Sun	Moist/wet
	Douglas-fir	<i>Pseudotsuga menziesii</i>	Sun/part shade	Dry/moist
	Pine, Ponderosa	<i>Pinus ponderosa</i>	Sun	Dry
	Spruce, Engelmann	<i>Picea engelmannii</i>	Part shade/shade	Wet
Small Trees/Large Shrubs	Alder, Sitka	<i>Alnus viridis ssp. sinuata</i>	Sun/part shade	Moist/wet
	Chokecherry	<i>Prunus virginiana</i>	Sun/part shade	Moist
	Dogwood, red-osier	<i>Cornus alba/ C. sericea</i>	Sun/part shade	Moist/wet
	Elderberry, Blue	<i>Sambucus nigra ssp. cerulea</i>	Sun/Part shade	Dry/moist
	Elderberry, Red	<i>Sambucus racemosa</i>	Part shade	Moist
	Hawthorn, Black	<i>Crataegus douglasii</i>	Sun/part shade	Dry/moist
	Juniper, Western	<i>Juniperus occidentalis</i>	Sun	Dry
	Maple, Douglas	<i>Acer glabrum</i>	Sun/part shade	Dry/moist
	Mock-orange	<i>Philadelphus lewisii</i>	Sun/part shade	Dry/moist
	Mountain Ash	<i>Sorbus scopulina</i>	Sun/part shade	Dry/moist
	Ocean-spray	<i>Holodiscus discolor</i>	Sun/part shade	Dry/moist
	Serviceberry	<i>Amelanchier alnifolia</i>	Sun/Shade	Dry/moist
	Willow (Pacific, Scouler, & others)	<i>Salix species</i>	Sun/part shade	Moist/wet
Shrubs/Groundcovers	Currant/Gooseberry (various)	<i>Ribes species</i>	Sun/part shade	Dry/moist
	Kinnikinnick, bearberry	<i>Arctostaphylos uva-ursi</i>	Sun/part shade	Dry/moist
	Mountain lover	<i>Paxistima myrsinites</i>	Sun/part shade	Dry/moist
	Ninebark, Mallow	<i>Physocarpus malvaceus</i>	Sun/part shade	Dry/moist
	Oregon Grape, Creeping	<i>Mahonia repens</i>	Part shade/shade	Dry/moist
	Rose (Baldhip, Nootka, Woods)	<i>Rosa (gymnocarpa, nutkana, woodsii)</i>	Sun/part shade	Moist
	Snowberry (Common, Creeping)	<i>Symphoricarpos (albus, mollis/hesperius)</i>	Sun/part shade	Dry/moist
Thimbleberry	<i>Rubus parviflorus</i>	Sun/shade	Dry/moist	

Adapted from *Landscaping with Native Plants in the Inland Northwest* by Tonie Fitzgerald (WSU/Spokane County Cooperative Extension, 2010).  
With reference to *Vascular Plant List of Columbia County* by Don Knoke (Washington Native Plant Society, 2004).

**Note:** In order to maintain the integrity of the existing levee, and to retain U.S. Army Corps of Engineers levee certification for flood control, the City controls woody vegetation on the levee and within 15 feet of the base of the levee (Goal SMP-5). Trees and shrubs are not currently permitted in the levee maintenance zone.

For more information, please contact

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<http://www.daytonwa.com/inside-city-hall/departments/planning-department/long-range-planning/shoreline-master-plan>