

City of Bainbridge Island
PLANNING & COMMUNITY DEVELOPMENT



MEMORANDUM

TO: City Council and Planning Commission

FROM: Libby Hudson, Long Range Planning Division Manager
Ryan Ericson, Associate Planner

DATE: July 27, 2011

RE: SMP Update – Review of Work Group Recommendations
Joint City Council and Planning Commission Meeting of August 4, 2011

Purpose of the Joint Meeting

The joint Planning Commission/City Council SMP Update meeting on August 4 will focus on shoreline designations. Staff will provide an overview of the following topics:

- Review of the SMP state guidelines and ICF recommendations regarding shoreline designations;
- Shoreline designations provided by the WAC;
- SMP workgroup recommendations for new and retained designations for the island's shorelines;
- Shoreline characteristics;
- Criteria for each designation;
- Draft management policies; and
- Draft shoreline designation map

Background Material

Staff recommends that the Planning Commission and City Council review the proposed changes in the following documents:

- Draft SMP – July 25, 2011 (*this document contains existing and proposed text in underline/strike-through format*). Relevant sections of this document are included in this packet.
- Draft Shoreline Environment Designation Map (included in packet)
- ICF Consistency Analysis (included in the binders previously distributed)
- In addition, please review the relevant topics sections in the Shoreline Master Program Task Force bulleted list of changes, which may also be found in the binders previously distributed.

The following table is organized by topic, and summarizes where an existing section may be found in the current SMP; where the corresponding section may be found in the draft

(underline/strikeout) SMP; and where to find the topic in the bulleted list of changes recommended by the work groups. The last column directs you to the relevant page of the consistency analysis prepared by ICF.

Proposed Changes for Review and Recommendation

Current SMP Section	Proposed SMP Section	Topic	Major Change Document Reference	Cross-Reference to ICF Document
Environment Designations				
Section IV (A-I)	3.0 Part III (3.1-3.3)	<i>(see attached)</i>	Task Force page 1	Page 3; #2 Page 4; #3 Page 11; #17 Page 12; #18 Page 21; #44- Page 23 – 30; #50- #68

Please let me know if you have any questions or concerns via email (rericson@bainbridgewa.gov) or phone (780-3719).

3.1.1.2 Designation Criteria

~~Areas to be designated Urban should meet one or more of the following criteria.~~^[R8]

~~Areas to be designated Urban should not have biophysical limitations to development such as wetlands and estuaries, floodplains, steep slopes, slide hazard areas, marshes, bogs, swamps, and/or other sensitive areas; and meet one or more of the following criteria:~~

- ~~1. Shorelines used or designated for high intensity density residential or high intensity commercial, industrial, or recreational use, or for multifamily residential development.~~
- ~~2. Shorelines of lower intensity use, Areas where surrounding adjacent land use is urban and urban services are available, or designated planned for higher intensity use is planned for under the comprehensive plan.~~
- ~~3. Shorelines used for water-oriented and port activities~~

~~Shorelines to be designated Urban should not have biophysical limitations to development such as floodplains, steep slopes, slide hazard areas, marshes, bogs, swamps, and/or other sensitive areas.~~^[R9]

3.1.1.3 Management Policies

- ~~1. Priority should~~^[LH10] ~~be given to water-dependent, water-related, and water-enjoyment uses over other uses. Uses which derive no minimal benefit from a water location should be discouraged or prohibited. Nonwater-oriented Others uses should be allowed only if the use is otherwise compatible with the purpose of the environment and the setting, does not displace water-dependent uses, and results in no net loss of ecological functions.~~
- ~~2.~~^[LH11] ~~Establish policies and regulations to assure new development will not result in a net loss of shoreline ecological functions as a result of new development and to~~^[RE12]
- ~~3. Establish environmental cleanup and restoration priorities for of the shoreline that complies~~^[R13] ~~with any~~^[R14] ~~relevant state and federal law.~~
- ~~4.1. Because urban use tends to preclude other shoreline uses, emphasis should be given to directing new development into already developed areas consistent with the Master Program.~~
- ~~5.2. Full utilization of existing urban areas should be achieved before additional areas are designated Urban.~~
- ~~3. Reasonable, long-range projections of regional economic need should guide the amount of shoreline designated Urban.~~^[R15]
- ~~4. Priority should be given to water dependent, water related, and water-enjoyment uses over other uses. Uses which derive no benefit from a water location should be discouraged or prohibited.~~
- ~~6.5. Visual and physical public access should be required and implemented where significant ecological impacts can be mitigated feasible.~~^[R16] ~~Where possible, Industrial and commercial facilities should be designed to permit pedestrian waterfront activities.~~

Planning for the acquisition of land for permanent public access to the water in the Urban environment should be encouraged and implemented, where feasible^[R17].

76. To protect^{[118][119]} shoreline character and promote compatible development within the Urban environment, ~~a~~ Aesthetic considerations should be actively promoted by means mechanisms such as sign control regulations, appropriate development siting, screening and architectural standards, flexible lot design process ~~planned unit developments,~~ and through the maintenance of natural shoreline vegetation conservation and management zones buffers.

87. In order to make maximum use of the available shoreline resource and to accommodate future water-dependent uses, the redevelopment and ~~renewal~~ restoration for a net ecosystem improvement of substandard or degraded urban shoreline areas should be encouraged.

98. Developments within the Urban environment should be compatible with uses and activities in adjacent, including aquatic, environments.

3.1.2 IV. C. Semi-rural Shoreline Residential Environment Designation

3.1.2.1 Purpose

The purpose of the Semi-rural “Shoreline Residential” environment is intended to serve as a transitional area between the more intensive “Urban” environment and the promote provide for^[R20] residential development and appurtenant structures that are consistent with the Shoreline Management Act lower-intensity uses, while protecting existing natural resources^[R21], ecological functions and restoring ecological functions in previously degraded areas of the Rural Conservancy environment. An additional purpose is to provide appropriate public access and recreational uses. This environment is also intended to protect natural resources, such as vegetation on steep banks, indigenous trees and natural beaches, banks, bluffs, and marshes, while still allowing for development^{[T22][T23]-[R24]}

3.1.2.2 Designation Criteria

Areas to be designated Shoreline Residential ~~Semi-rural~~ should ~~meet one or more of the include the following criteria:~~

1. Areas presently zoned, platted or developed or platted for residential uses; and should meet one or more of the following criteria:
2. ~~Areas zoned for residential use development.~~
3. ~~Areas which could support and serve the needs of low intensity multifamily planned unit residential developments (PUDs).~~^[R25] ~~4. Areas which could serve as transition zones between urban and rural residential shoreline areas.~~
- 2.5. Areas having the physical ability to support low to medium density residential uses and associated recreational and public service facilities; and/or
- 3.6. Areas which can provide, and have the capabilities to support, the necessary public services, utilities, and access to accommodate low to medium density development. Sewage disposal and water supply facilities may be provided on an individual or

community basis.

3.1.2.3 Management Policies

1.^[LH26] For development and new uses assure no net loss of shoreline ecological function by ~~Establishing: policies and regulations addressing~~

- a. ~~m~~Minimum frontage width, setbacks, and buffers;
- b. ~~H~~Lot coverage limitations;
- c. ~~s~~Shoreline stabilization standards; and
- d. Protective measures for vegetation conservation, critical areas^[R27] and water quality. ~~for new uses and development development and new uses^[R28] to assure no net loss of shoreline ecological functions^[R29];~~

~~1. Low to medium intensity residential and recreational uses should be preferred uses.~~

~~2. All uses within the Semi rural environment should be located, designed, constructed, and maintained to protect and enhance the shoreline environment.~~

2.3.^[LH30] dDevelopments should be permitted only in those shoreline areas that are capable of supporting the proposed use in a manner which protects ~~and~~ or enhances the shoreline environment, and reflects the character of the surrounding area by such as^[R31] providing open space and or maintaining shoreline vegetation buffers from the Puget Sound.^[R32]

~~34. Public access to shorelines should be required for multiple family residences, apartments, ~~planned unit developments~~, and large subdivisions. Common access ~~should be required~~ for small, single-family residential subdivisions should be encouraged and should be required where feasible.~~

~~45. Recreational developments should provide shoreline areas for community or public open space and public access.~~

~~56. Access, utilities and public services should be available and adequate to serve existing needs and planned future development.~~

~~67. Developments within the “Shoreline Residential” “Semi rural environment should be compatible with uses and activities in adjacent, including aquatic, environments.~~

7.^[LH33] High intensity development should be prohibited and commercial uses are intended to be accessory uses, consistent with zoning regulations^[R34], that are limited to water-oriented uses.

8. Encourage restoration of shoreline ecological functions through non regulatory programs.^[R35]

~~D.~~ Rural Environment^[R36]

~~Areas which can provide, and have the capabilities to support, the necessary public services, utilities, and access to accommodate low to medium density development.~~

~~Sewage disposal and water supply facilities may be provided on an individual or community basis.~~

Purpose

~~The Rural environment is intended to serve as the shoreline component in areas where the Comprehensive Plan seeks to protect agricultural uses and low density residential uses from urban expansion. Its purpose is to limit development along undeveloped shorelines, serve as a native vegetation zone between different environments, maintain open space and opportunities for passive recreational use, and provide opportunities for low density rural living.~~

Designation Criteria

~~Areas to be designated Semi-rural should meet one or more of the following criteria:~~

- ~~1. Areas presently developed or platted for residential uses.~~
- ~~2. Areas zoned for residential development.~~
- ~~3. Areas which could support and serve the needs of planned unit residential developments (PUDs).~~
- ~~4. Areas which could serve as transition zones between urban and rural shoreline areas.~~
- ~~5. Areas having the physical ability to support low to medium density residential uses and associated recreational and public service facilities.~~

Management Policies

- ~~1. New developments in the Rural environment should reflect the character of the surrounding area by limiting residential density, providing permanent open space, and maintaining a native vegetation buffer from Puget Sound.~~
- ~~2. Public and private passive recreational uses compatible with low density residential uses should be encouraged.~~
- ~~3. Intense development should be prohibited.~~
- ~~4. Medium and high density residential, industrial, and commercial uses, except agriculture and forestry, should be prohibited.~~
- ~~5. Developments within the Rural environment should be compatible with uses and activities in adjacent, including aquatic, environments.~~

3.1.3 D. ~~Island Conservancy~~ Shoreline Residential Conservancy

3.1.3.1 Purpose

The purpose of the Shoreline Residential Conservancy environment is to accommodate compatible residential uses while protecting, conserveing, and restoreing shoreline ecological functions of open space, floodplains, and other sensitive lands. It is the further purpose to conserve and manage valuable historic and cultural resources where they exist. Due to the more sensitive characteristics of these areas, a higher level of

~~development standards is warranted. -and to accommodate allow in urban and developed settings, while allowing compatible residential uses.~~[R38]

~~The intent of the Conservancy environment is to protect, conserve, and manage existing natural resources and valuable historic and cultural resources in order to achieve sustained resource utilization and provide public recreational opportunities. The Conservancy environment is also intended to protect environmentally sensitive areas which are not suitable for intensive use, such as steep slopes, flood-prone areas, eroding bluffs, wetlands, and areas which cannot provide adequate sewage disposal.~~

3.1.3.2 Designation Criteria

Areas to be designated Shoreline Residential Conservancy should ~~meet one or more of~~ include [RE39] the following criteria. [R40]

1. [LH41]: ~~Shoreline~~ Areas that are appropriate and planned for water related or water enjoyment uses development that are is compatible with maintaining or restoring ecological functions; ~~and or~~
2. ~~a~~ Areas that are not generally suitable for water-dependent uses or more intensive uses due to the potential impacts these uses may have on the existing shoreline characteristics; and one or more of the following criteria:
2. ~~Areas that have the potential for development that is compatible with ecological restoration.~~
3. ~~7.~~ Areas subject to severe biophysical limitations such as:
 - a. Steep slopes and landslide hazard areas.
 - b. Sediment sources for littoral cell. [RE42] ~~Areas subject to severe erosion and feeder bluffs.~~
 - e. ~~Unstable banks or bluffs.~~ [RE43]
 - c. ~~d.~~ Flood-prone areas.
 - d. e. Areas with soils that have poor drainage limiting design of onsite septic systems.
 - e. f. Geo-hydraulic shoreforms (e.g., accretion beaches, point bars, spits).
 - f. ~~g.~~ Wetlands and estuaries [R44].
 - g. h. Areas important to the maintenance of surface and groundwater flow and water quality. and flow. [R45]
 - h. ~~Biodiversity maintenance.~~ [R46]
3. [LH47] ~~Areas suitable for water related or water enjoyment uses~~ [RE48].
4. [LH49]: ~~Areas that have potential for ecological restoration.~~ [R50]
- 4.5. [LH51] Areas that retain important ecological functions, even through partially developed. [R52]
- 5.6.1. Areas containing natural resources which lend themselves to management on a sustained-yield basis, such as shellfish harvesting. ~~commercial forest land.~~

6. Areas with valuable historic or cultural features.

8.3. Areas which play an important part in maintaining the regional ecological balance such as:

- a. ~~Areas rich in quality and quantity of life forms.~~
- b. ~~Areas important to the maintenance of natural water quality and flow.~~
- c. ~~Areas important to maintaining the food chain process (i.e., estuaries, wetlands, riparian corridors).~~
- 4. ~~Areas free from extensive development retaining important ecological functions, or have a potential for ecological restoration.~~
- 5. ~~Areas where intensive development or use would interfere with natural processes and result in significant damage to other resources.~~

3.1.3.3 **Management Policies (See Table 4-1 for specific uses.)**

1. ~~Uses New residential and other development that preserves the natural character of the area, maintains shoreline vegetation buffers and/or promotes preservation of open space, floodplains or sensitive lands, either directly or over the long term, should be the primary allowed uses. Uses Development that enhances or results in restoration of ecological functions should be allowed encouraged if the use is otherwise compatible with the purpose of the environment, the setting, and with adjacent uses and activities, including aquatic environments.~~

~~New developments should be designed and located in a manner which protects or enhances the shoreline environment, and reflects the character of the surrounding area such as providing open space or maintaining shoreline vegetation buffers.~~

2. ~~Due to Standards should be established for protecting the sensitivity of shoreline characteristics in this designation additional higher level standards of for development regulation and new uses is necessary. to assure no net loss of shoreline ecological functions by Establishing: policies and regulations addressing and process, including measures that provide the following:~~

- a. ~~Minimum frontage width, setbacks, and shoreline buffers;~~
- b. ~~Lot coverage limitations;~~
- c. ~~Shoreline stabilization modification standards; and~~
- d. ~~Protective measures for vegetation conservation, critical area and water quality, for new uses and development development and new uses to assure no net loss of shoreline ecological functions.~~

~~Because of the sensitivity of this environment, a higher level of development regulation is necessary.~~

3. ~~A higher Standard should be established for shoreline stabilization measures, vegetation conservation, water quality, and shoreline modifications within the "Island Shoreline Residential Conservancy" environmental designation to ensure that new development does not result in a net loss of shoreline ecological functions or further degrade~~

~~other shoreline values~~^[RE68]. ~~New development should not require extensive alteration of the land water interface or structural shoreline stabilization or flood protection measures.~~^[RE69]

- 3.4.^[LH70] Water-oriented uses should be given priority over non-water oriented uses. For shoreline areas adjacent to commercially navigable waters, water-dependent uses should be given highest priority.
- 4.5.^[LH71] Public access and public recreation objectives should be implemented as required whenever feasible and significant ecological impacts can be mitigated.

3.1.4 E. Island Conservancy Environment Designation (including Residential and Recreational)

3.1.4.1 Purpose

~~The purpose of the "Island Conservancy" environment is to accommodate a variety of private or public recreational uses that might have a higher level of impact than would be allowed in the "Natural" environmental designation. Uses should incorporate elements compatible with protecting, conserving and restoring ecological functions of open space, floodplains and other sensitive lands and manage valuable historic and cultural resources where they exist, and to accommodate allow in urban and developed settings, while allowing a variety of compatible and private or public recreational shoreline priority uses that may have a higher level of impact than would be allowed in the "Natural" environment, including public recreation, single family residential and private recreational uses.~~

~~The intent of the Conservancy environment is to protect, conserve, and manage existing natural resources and valuable historic and cultural resources in order to achieve sustained resource utilization and provide public recreational opportunities. The Conservancy environment is also intended to protect environmentally sensitive areas which are not suitable for intensive use, such as steep slopes, flood-prone areas, eroding bluffs, wetlands, and areas which cannot provide adequate sewage disposal.~~

3.1.4.2 Designation Criteria

Areas to be designated Island Conservancy should ~~meet one or more of the~~ include the following criteria:

1. Areas that are in public ownership such as open space or parks; in private ownership which is voluntarily designated and one of the following:
 - a. ~~2.1. Shoreline~~ Areas that are appropriate and planned for development that is compatible with maintaining or restoring ecological functions; or
 - b. ~~3 and~~ Areas suitable for water-related or water-enjoyment uses.
 - c. ~~4.1.1. Areas of high scenic or recreational value that are publicly owned or voluntarily designated.~~
- 3.2. ~~Areas that have the potential for development that is compatible with ecological restoration.~~
- d4. ~~3. [LH79] Areas that are suitable for water oriented uses, but not generally suitable for water dependent uses or more intensive uses due to the potential impacts these uses may have on the existing shoreline characteristics.~~
4. ~~[LH80]: Areas that have potential for ecological restoration.~~
- e5. ~~[LH82] Areas free from extensive development that retain important ecological functions even through partially developed such as:~~
 - ia. Steep slopes and landslide hazard areas.

- ~~ii.b.~~ Sediment source for littoral cell.
- ~~iii.e.~~ Flood-prone areas.
- ~~iv.d.~~ Areas with soils that have poor drainage.
- ~~ve.~~ Geo-hydraulic shoreforms (e.g., accretion beaches, point bars, spits).
- ~~vif.~~ Areas important to the maintenance of surface and groundwater flow and water quality. ~~and flow.~~ [R84]
- ~~vii.g.~~ Maintaining biodiversity. [R85] ~~Areas rich in quality and quantity of life forms.~~
- ~~viii.h.~~ Wetlands and estuaries [R86]. ~~Areas important to maintaining the food chain process (i.e., estuaries, wetlands, riparian corridors).~~

~~6.1.~~ Areas containing natural resources which lend themselves to management on a sustained-yield basis, such as shellfish harvesting. ~~commercial forest land.~~

~~7.12.~~ Areas with extensive or unique historic or cultural resources.

~~8.13.~~ Areas where intensive development or use would interfere with natural processes and result in significant damage to other resources. [R87]

~~7.2.~~ Areas subject to severe biophysical limitations such as [RE88]:

- ~~a.~~ Steep slopes and landslide hazard areas.
- ~~b.~~ Areas subject to severe erosion and feeder bluffs.
- ~~c.~~ Unstable banks or bluffs.
- ~~d.~~ Flood-prone areas.
- ~~e.~~ Areas with soils that have poor drainage.
- ~~f.~~ Geo-hydraulic shoreforms (e.g., accretion beaches, point bars, spits).
- ~~g.~~ Wetlands and estuaries [R89].
- ~~h.~~ Areas important to the maintenance of natural water quality and flow. [R90]
- ~~i.~~ Areas rich in quality and quantity of life forms.
- ~~j.~~ Areas important to the maintenance of natural water quality and flow.
- ~~k.~~ Areas important to maintaining the food chain process (i.e., estuaries, wetlands, riparian corridors).

~~7.8.3.~~ Areas which play an important part in maintaining the regional ecological balance such [RE91] as:

- ~~a.~~ Areas rich in quality and quantity of life forms.
- ~~b.~~ Areas important to the maintenance of natural water quality and flow.
- ~~c.~~ Areas important to maintaining the food chain process (i.e., estuaries, wetlands, riparian corridors).

~~9.4.~~ [R92] Areas free from extensive development retaining important ecological functions. [RE92]

~~[LH93] or have a potential for ecological restoration [LH94].~~

~~10.5. Areas where intensive development or use would interfere with natural processes and result in significant damage to other resources. [RE95]~~

3.1.4.3 Management Policies (See Table XX for specific uses.) [R96]

~~Island Conservancy – Recreation~~ [R97][R98] ~~al Conservancy~~ [RE99]

~~1. [LH100] New recreational Uses that preserve the natural character of the area or promote preservation of open space, floodplain or sensitive lands either directly or over the long term should be the primary allowed uses. Uses that enhance or result in restoration of ecological functions should be allowed strongly encouraged if the use is otherwise compatible with the purpose of the environment, the setting, and with adjacent uses and activities, including aquatic environments.~~

~~2.3. When required by this program or other land use covenants Public access and public recreation objectives should be implemented as required whenever feasible and when significant ecological impacts can be mitigated.~~

~~3.2. Uses in the "Island Conservancy – Recreational" environment should be limited to those which sustain the shoreline area's physical and biological resources and uses of a nonpermanent nature, except those preferred uses in (4), that do not substantially degrade ecological functions or the rural or natural character of the shoreline area.~~

~~4.5. Water-dependent and water-enjoyment recreation facilities that do not deplete the resource over time, such as boating facilities, angling, wildlife viewing trails, and swimming beaches, are preferred uses, provided shoreline resources are conserved over time [R101] and significant adverse impacts, including cumulative impacts, to the shoreline are mitigated.~~

~~5.4. Except as noted, Commercial and industrial uses are not permitted be allowed except as noted [ICR102]. Low intensity, water-oriented commercial uses may be permitted in the limited instances where those uses have located in the past at unique where sites possess shoreline conditions and services to support the development.~~

~~6.7. Construction of new structural shoreline stabilization and flood control works should only be allowed where there is a documented need to protect an existing structure (Shoreline Stabilization Section) or ecological functions and mitigation is applied, consistent with WAC 173-26-231. New development should be designed and located to preclude the need for such work.~~

~~7.8. When allowed, new shoreline stabilization, flood control measures, vegetation removal, and other shoreline modifications should be designed and managed consistent with these guidelines to ensure that the natural shoreline functions are protected. Such shoreline modification should not be inconsistent with planning provisions for restoration of shoreline ecological functions.~~

~~6. Development and uses that would substantially degrade or permanently deplete the biological resources of the area should not be allowed [RE103].~~

~~1. Shoreline uses and activities which would substantially degrade or permanently deplete the physical, cultural or biological resources of the area should be prohibited.~~

~~2. New development should be compatible with the natural environment and should not require extensive alteration of the land-water interface.~~

3. ~~Shoreline uses and activities in the Conservancy environment should be designed to protect the shore process corridor and its operating systems.~~
4. ~~Shoreline uses and activities which would strip the shoreline of vegetative cover, cause substantial erosion or sedimentation, or adversely affect wildlife or aquatic life should be prohibited.~~
5. ~~Residential development should be severely restricted.~~
6. ~~Commercial and industrial uses other than low intensity agricultural practices and limited forestry should be prohibited.~~
7. ~~The use of structural shoreline stabilization and flood protection measures should be severely limited. New developments should be designed to preclude the need for such measures.~~
8. ~~Resource preservation should have priority over public access and recreation development objectives whenever a conflict exists.~~
9. ~~Developments within the Conservancy environment should be compatible with uses and activities in adjacent, including aquatic, environments.~~

3.1.5 F. Natural Environment Designation

3.1.5.1 Purpose^[R104]

The purpose of the "Natural" environment is to protect those shoreline areas where the majority of natural ecological shoreline functions and/or processes are retained, often evidenced by the shoreline configuration and the presence of native vegetation. Generally, but not necessarily, they include ecologically intact shorelines that are free of structural shoreline modifications, structures, and intensive human ^{uses}^[RE105].

~~The purpose of the "Natural" environment 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 should include planning for restoration of degraded shorelines within this environment.~~^[R106] ~~Degraded areas should be prioritized for restoration.~~^[R107]

~~The purpose of the "Natural" environment is intended to preserve and restore unique natural resources areas, areas valued for their scenic, recreational or scientific importance, areas existing in a natural state, relatively free of human influence, and those areas possessing natural resources sensitive to human activity, or areas containing unique historical, cultural, or educational features. To protect and maintain the important features or ecological functions and ecosystem wide processes of these shoreline areas, (The Natural environment requires that only very low intensity uses be allowed in order severe restrictions on the intensity and type of permitted uses to maintain the integrity of the shoreline environment, ecological functions and ecosystem wide processes. Consistent with the policies of the designation, restoration of degraded shorelines within this environment should be included in Island wide shoreline restoration planning.~~^[LH108]^[R109]

3.1.5.2 Designation Criteria

Areas to be designated Natural ~~should~~ shall meet ~~and one or more of~~ the following criteria.

1. [LH110] Areas that performing important [RE111]; irreplaceable shoreline ecological functions or ecosystem-wide process that would be damaged by human activity, including areas that contain largely undisturbed shoreline features or unique natural features, such as wetlands, estuaries, unstable bluffs, coastal dunes, spits, and ecologically intact shoreline habitats, and one or more of the following: [R112]

21. Wildlife Habitats

- a. A shoreline area that provides food, water, or cover and protection for any rare, endangered, or diminishing species, or for significant populations of flora or fauna during critical stages of their life cycle.
- b. A seasonal haven for concentrations of native animals, fish, or fowl such as a migration route, breeding site, larval rearing ground, or spawning site.

32. Areas of Scientific and Educational Value

- a. Areas considered to best represent basic ecosystems and geologic types that are of particular scientific and educational interest.
- b. Shoreline areas which best represent undisturbed natural areas.
- c. Shoreline areas with established histories of scientific research.

43. Areas of Scenic and Recreational Value

- a. Those shoreline areas having an outstanding or unique scenic feature in their natural state.
- b. Shoreline areas having a high value for wilderness experience.
- c. Areas which in their natural state have a high value for low intensity recreational use.

54. Other Criteria Areas with Restoration Potential [R113]

- ~~a. Areas where human influence and development are minimal.~~
- a. Areas which have been degraded, but which ~~are capable of easily~~ have a high potential of being successfully restored to a natural or near natural condition, or are capable of natural regeneration if left undisturbed.
- ~~c. Other unique natural features relatively intolerant of human use or development such as saltwater marshes, Class I beaches (see RCW 79.90.030 or its successor), Class I tidelands, spits, and virgin timber stands. [LH114]~~

3.1.5.3 Management Policies

1. [LH115] Any use that would substantially degrade the ecological functions or natural character of the shoreline area should not be allowed. The following new uses should not be allowed in the "Natural" environment:

- a. Residential uses

- b. Agriculture uses
 - c. Commercial uses.
 - d. Industrial uses.
 - e. Nonwater-oriented recreation.
 - f. Roads, utility corridors, and parking areas that can be located outside of "Natural"-designated shorelines.
1. ~~Uses and activities which would potentially degrade or significantly alter the natural character of the shoreline should be severely restricted or prohibited.~~
 2. Limited access should be permitted for scientific, historical, educational, and low-intensity recreational purposes, provided that no significant, adverse impact on the area will result.
 3. ~~Uses which are consumptive of physical, visual, and biological resources should be prohibited.~~
 34. [LH116] Physical alterations, including new development or extensive vegetation removal, should only be considered when they serve to protect a significant, unique, or highly valued feature which might otherwise be degraded or destroyed and when alterations would does not result in a net loss of shoreline ecological functions, would not further degrade other shoreline values or the vegetation removal would not reduce the capability of vegetation to perform normal ecological functions.
 4. [LH117][LH118] ~~Subdivision of property should be prohibited. only be allowed in a configuration that, to achieve its intended purpose, will not require extensive vegetation removal or shoreline modifications that adversely impact ecological functions; and each new parcel must be able to support its intended development without significant ecological impacts to the shoreline ecological functions.~~
 5. [LH119] ~~Uses and activities adjacent to shorelines designated Natural should be compatible with, and should not compromise the integrity of, the Natural environment.~~
 56. [LH120] Uses and activities within the Natural environment should be compatible with uses and activities in adjacent, including aquatic, environments.

3.2 Aquatic Environments

3.2.1 Aquatic Environment Designation

3.2.1.1 Purpose

The purpose of the “Aquatic” environment designation is to protect, restore and manage the sensitive and unique characteristics and resources of the waters of the Puget Sound, tidelands, and submerged intertidal areas located waterward of the ordinary high-water mark ~~the aquatic environment by managing uses and activities and by assuring compatibility between upland and aquatic uses.~~ The Aquatic environment may allow either multiple water-dependent uses or specific dominant water-dependent uses. It is intended to promote ~~the wise~~ sustainable^[RE121] use of the natural features and resources of Aquatic areas which are substantially different in character from those of the adjoining uplands and backshores.

3.2.1.2 Designation Criteria

Aquatic areas include:

1. All marine areas seaward of the ordinary high water mark (OHWM) which have not been designated Aquatic Conservancy.
2. All ~~swamps, marshes, and bogs~~ wetlands associated to adjoining the above ~~which are not designated Natural.~~

3.2.1.3 Management Policies

- ~~1. Uses that adversely impact the ecological functions of critical saltwater and freshwater habitats should not be allowed except where necessary to achieve the restoration objectives, and then only when their impacts are mitigated to assure no net loss of ecological functions^[T122]. Compatibility between upland and aquatic uses should be confirmed.^[LH123] ~~Assure Ensure compatibility between upland and aquatic uses.~~~~
- ~~2. New over-water structures are allowed only for water-dependent uses, public access or ecological restoration and such structures must be limited to the minimum size necessary to support the structure’s intended use while protecting and conserving aquatic resources.~~^[R124]
- ~~3. Diverse public access opportunities should be encouraged and developed and should be compatible with the existing shoreline and aquatic uses.~~
- ~~4. Aquaculture practices that do not degrade the ecological functions and ecosystem-wide processes should be encouraged in those tidelands, waters, and beds most suitable for such use.~~^[RE125]
- ~~43. Aquaculture practices, should be limited to those activities that can demonstrate that significant impacts to ecological functions, and ecosystem-wide processes, and adjacent land uses will not occur. Aquaculture should be encouraged in those tidelands, waters and beds most suitable for such use. Prohibit ~~inexcludng~~ intensive shellfish aquaculture, which is prohibited~~

- ~~54. Multiple use of over-water facilities or several industries using the same tidelands is preferred should be given preference over single-industry use. [LH126] In appropriate areas, fishing and water recreation should be protected from competing uses.~~
- ~~65. All [LH127] developments and uses on navigable waters or their beds should be located to avoid [R128] and designed to minimize interference with surface navigation, to consider impacts to public views, and to allow for the safe, unobstructed passage of fish and wildlife, particularly those species dependent on migration.~~
- ~~7. Development and uses on navigable waters or their beds should be located to avoid and [R129] designed and located to minimize impacts to public views.~~
- ~~8. Development and uses on navigable waters or their beds should be designed and located to allow for the safe, unobstructed passage of fish and wildlife, including species whose life cycles are dependent on migration that would be impacted by in-water development.~~
- ~~9. 10. Deep [LH130] draft uses and filling operations, if allowed, should not occur in areas requiring extensive initial or maintenance dredging or if significant adverse environmental impacts cannot be mitigated.~~
- ~~10. 11. Development of underwater pipelines and cables on tidelands should be discouraged except where adverse environmental impacts can be shown to be less than the impact of upland alternatives. When permitted, such facilities should include adequate provisions to ensure against substantial or irrevocable damage to the environment and no net loss of ecological functions.~~
- ~~11. 12. Abandoned and/or neglected structures which cause adverse visual impacts or are a hazard to public health, safety, and welfare should be removed or restored to a usable condition consistent with the provisions of this program.~~
- ~~12. 13. Restoration or enhancement of aquatic resources and adjacent uplands is encouraged. [R131]~~
- ~~2.1. Only To protect and conserve aquatic resources, new [LH132] over-water structures are allowed only that which are for not water dependent uses, public access, or ecological restoration are allowed within the Aquatic environment and must should be limited to the minimum size necessary to support the structure's intended use, and uses which will substantially degrade the existing character of the area should be prohibited.~~
- ~~6. All uses and activities in navigable waters or their beds should be located and designed to minimize interference with surface navigation, and allow for the safe, unhindered passage of fish and animals, particularly those whose life cycles are dependent on such migration.~~
- ~~8. Filling operations should minimize possible adverse environmental impacts.~~
- ~~10. Uses that adversely impact the ecological functions of critical saltwater and freshwater habitats should not be allowed except where necessary to achieve the restoration objectives, and then only when their impacts are mitigated to assure no net loss of ecological functions. [T133], [LH134]~~
- ~~10. Motorized vehicle travel should be discouraged on all tidelands, except for boat launching areas and other permitted water dependent uses.~~

3.2.2 H. Aquatic Conservancy Environment Designation

3.2.2.1 Purpose

The purpose of the “Aquatic Conservancy” environment is intended to protect, preserve, restore and manage aquatic areas of sensitive and unique ecological value that include those portions of the marine waters of the City that whose existing in a relatively natural state, is relatively free of human influence, or which contain whose resources, biological diversity, or other features that are particularly sensitive to human activity, or which contain whose unique, historical, archeological, cultural, or educational features that merit special protection.

3.2.2.2 Designation Criteria

A number of separate criteria are required to define the diverse character of Aquatic Conservancy regime type [R135]S. Tidal lagoons and sensitive portions of tidal inlets will require protection in terms of water salinity and quality, sediment quality and quantity, vegetative native vegetation zones on adjacent shorelines, and remaining areas of native salt-tolerant vegetation. Other regime types, such as aquatic vegetation, have similar requirements. The Aquatic Conservancy environment requires severe additional restrictions than the Aquatic designation [R136] on the intensity and type of permitted uses to maintain the integrity of the shoreline environment.

3.2.2.3 RegimeType 1: Tidal lagoons

Bodies of saline water (salinity greater than [$>$] 0.5 parts per thousand) with a constricted or subsurface outlet that is subject to periodic, but not necessarily daily, exchange of water with Puget Sound or a tidal inlet. The connection between the sea and the lagoon may be subsurface through permeable gravel or sand berms. The upland boundary of the lagoon shall be the ordinary high water mark (OHWM). There are four tidal lagoons currently identified on the Island, “Fletcher Bay Lagoon”, “Point Monroe Lagoon [R137]”, “Wing Point Lagoon”, “Tolo Lagoon” located in Sections 17 and 18, Township 25 N, Range 2 E, and “Battle Point Lagoon” located in Section 18, Township 25 N, Range 2 E.

3.2.2.4 RegimeType 2: Salt marshes and mud flats in tidal inlets

Saltwater bays and related intertidal areas subject to the daily influence of tides where they support salt-tolerant vegetation and/or exposed mudflats. Tidal inlet areas should be designated Aquatic Conservancy if they meet either Criterion I or II below. Only those areas of Aquatic Conservancy-designated shorelines which meet one of those criteria for the environment will be subject to its policies and regulations; the map is a guide but the designation criteria prevail.

~~The~~ This type of Aquatic Conservancy environment shall extend from the OHWM to six (6) feet below mean lower low water (MLLW). If the inlet is less than six hundred (600) feet wide, or less than six (6) feet deep at mean lower low water (MLLW), the resource should be considered to be a single system encompassing both sides and the channel. In these cases, boundaries should be drawn from the OHWM to a line perpendicular to the average direction of the tidal flow where the criteria are no longer met. Parts of tidal inlets that do not fit either criterion, and do not fit other regime types of Aquatic

Conservancy environment, shall be designated Aquatic.

Criterion I: The area between the OHWM and MLLW that provides a habitat for at least one quarter (1/4) acre of salt-tolerant vegetation. Vegetated patches may be smaller than one quarter (1/4) acre, but the total vegetated area must be at least one quarter (1/4) acre.

Criterion II: At least one quarter (1/4) acre of exposed flats is exhibited between ordinary high water (OHWM) and mean lower low water (MLLW) whose sediments are at least thirty (30) percent muds[RE138]. Insert Diagram

3.2.2.5 **RegimeType 3: Marine vegetation**

Areas seaward of the mean lower low water (MLLW) that support a significant a sustainable[R139] community (~~at least four thousand square feet [4,000 square feet]~~) of kelp, or eelgrass and/or other submerged aquatic vegetation in sufficient quantities to provide special value as habitat for marine life.

Consideration for aquatic conservancy designation under this Type 3 may be initiated by any interested person, group, or the City. The City may initiate the process, while a A citizen petition for nomination is required for an shall be submitted by an[R140] interested person or group. ~~to initiate the process~~ The City shall require the following information shall be used by the City to determine when an area meets the criteria for Aquatic Conservancy:

- a. Delineation of proposed area, including aerial extent and bathymetric contours
- b. Inventory of submerged aquatic vegetation. Use percent coverage for macro algae and turion (shoot) density for eelgrass
- c. Further information, as determined by the Administrator, may be required in addition to the above including but not limited to[RE141]:
 - i. Relationship of proposed area to nearby ecosystems
 - ii. List of species utilizing the proposed area
 - iii. Abundance and diversity of species in the proposed area

The City shall keep a record and review data annually to determine whether sites are appropriate[R142] for nomination. If areas are determined to be appropriate for designation, an amendment to this program is required to designate Aquatic Conservancy and shall be processed as specified in XXX.

3.2.2.6 **RegimeType 4: Other areas**

Areas, as designated through the Shoreline MasterMProgram amendment process [Section VII(M)], whose existing natural state is relatively free of human influence, or whose resources, biological diversity, or other features are particularly sensitive to human activity, or whose unique ecology, historical, archeological, cultural, or educational features merit special protection. Designation under this regimetype shall be based on a report documenting the presence, function, and distribution of the resources in the area to be designated.

The City shall map the limits of the designations with assistance from the Washington State Departments of Ecology, Natural Resources, Fish and Wildlife, and other cooperating agencies. Any aquatic area in which actions have been taken under an approved permit to that create, restore, or enhance characteristics of the aquatic area that meet any of these regime types criteria shall automatically be designated Aquatic Conservancy through an amendment to this program as specified in XXX. Where there is a conflict between the map and criteria, the criteria will prevail provided a report is prepared by a qualified professional verifying that the map is in error. The report will be the responsibility of the party requesting the map change. If areas are determined to be appropriate for designation, an amendment to this program is required to designate Aquatic Conservancy and shall be processed as specified in XXX.

3.2.2.7 Management Policies

1. The City should develop a Shoreline Natural Resource Management plan. The plan should include a process to review citizen petitions for aquatic conservancy environmental designation.^[RE144]
2. Uses and activities which would potentially degrade or significantly alter the natural or visual character or ecological functions of the shoreline should be severely restricted or prohibited and only allowed if adverse impacts can be mitigated to ensure no net loss of ecological functions.
3. Limited Public use and access should be permitted for scientific, historical, educational, and low-intensity recreational purposes, where it is compatible with the purposes of this environment and where provided that no significant, adverse impact to the biological and visual resources of the areas will result.
4. In conjunction with the part of an Island-wide shoreline restoration plan physical alterations should only be considered when they serve to protect or enhance significant, unique, or highly valued features which might otherwise be degraded or destroyed and in conjunction with the part of an Island-wide shoreline restoration plan.
5. Uses and activities adjacent to shorelines designated Aquatic Conservancy should be compatible with and not compromise the integrity of the Aquatic Conservancy environment.
6. Protection and enhancement of shoreline Native-vegetation zones should be established in all adjacent upland environments to protect the ecological functions and characteristics of the Aquatic Conservancy environment areas. (See Section III, General Policies and Regulations, subsection D, Environmentally Sensitive Areas.)
7. A management study of each area should be conducted with participation by appropriate state agencies and residents of each area to determine possible refinements to the adopted regime types, changes in the boundaries of the areas included in the Aquatic Conservancy environment, and inclusion of additional management strategies.
8. Restoration or enhancement of aquatic resources and adjacent uplands is encouraged.^[R149]

3. ~~Uses which are consumptive of physical, visual, and biological resources should be prohibited.~~

[R150]

3.3 Designation Strategy

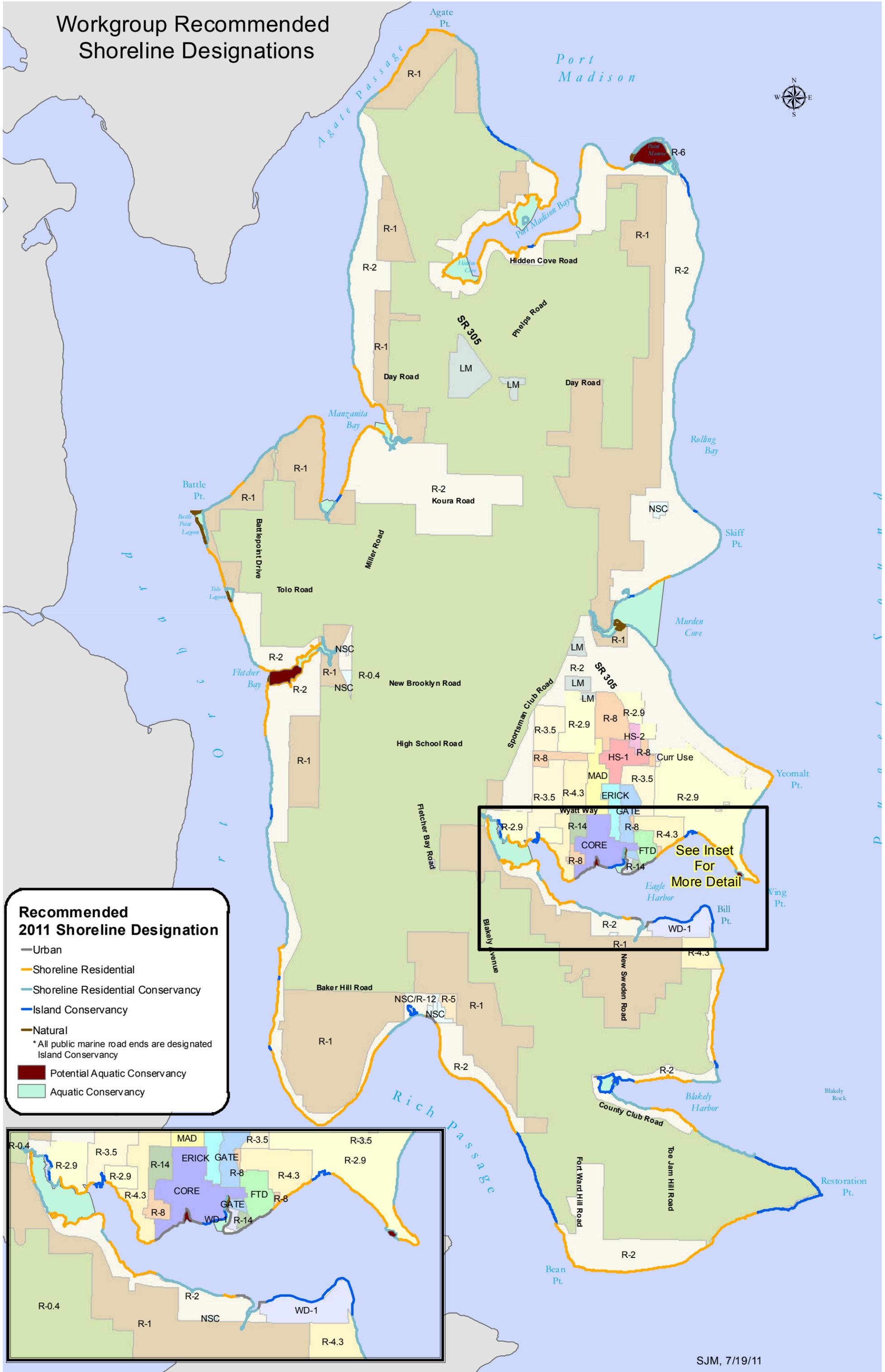
In general, shoreline designations for single family residential are based on the existing characteristics of the shoreline environment and modified by the expected land use. Criteria were established for each of the shoreline environments and a framework for assigning designations was developed to meet natural resource management strategies recommended by the Environmental Technical Advisor Committee. The committee recommended using a broad stroke approach to manage natural resources in an attempt to avoid a piecemeal development pattern. This approach is consistent to WAC xxx. The following rules apply:

- a. For properties zoned single family residential, the default shoreline designation is Shoreline Residential.
- b. Property depth and existing conditions shall be considered when applying environmental designations to limit non-conformity.
- c. If less than ten consecutive properties [R151][R152] or less than 1,000 linear feet exist [R153] between Shoreline Residential Conservancy environmental designations, then the properties between the two environmental designations will also be Shoreline Residential Conservancy to avoid fragmented management of ecological functions and ecosystem wide processes.
- d. When contiguous mapped estuarine or freshwater associated wetlands exist on consecutive properties [R154] at the end of a Shoreline Residential Conservancy designation or are located adjacent to Island Conservancy designated property, then the Shoreline Residential Conservancy designation shall be applied ~~extend~~ to those properties to extend management measures for water quality and riparian vegetation, unless properties are within the Winslow Master Plan.
- e. When existing properties are located adjacent to a reach with at least 30% [R155] overhanging vegetation along the reach, and these properties are located at the end of a Shoreline Residential Conservancy designation or adjacent to Island Conservancy designation, then the Shoreline Residential Conservancy designation shall be applied ~~extend~~ to these properties to extend management measures to protect existing riparian conditions.
- f. If consecutive properties are adjacent to an Aquatic Conservancy [R156] designation and all lots are adjacent to a reach with at least 30% overhanging vegetation along the reach, and these properties are located at the end of a Shoreline Residential Conservancy designation, then ~~all of the consecutive~~ the Shoreline Residential Conservancy shall extend no more than 500 linear [R157] feet to include these properties to extend management measures to protect existing riparian conditions. ~~exhibiting the same characteristics extending 500 linear feet shall be designated Shoreline Residential Conservancy~~

- g. If a property has a conservation easement and is adjacent to either a Shoreline Residential Conservancy or Island Conservancy designation, then the property is designated Shoreline Residential Conservancy.
- h. All publicly owned open space or park properties shall be designated Island Conservancy.
- i. All publicly owned saltwater road ends shall be designated Island Conservancy.

7

Workgroup Recommended Shoreline Designations



Recommended 2011 Shoreline Designation

- Urban
- Shoreline Residential
- Shoreline Residential Conservancy
- Island Conservancy
- Natural
- * All public marine road ends are designated Island Conservancy
- Potential Aquatic Conservancy
- Aquatic Conservancy

