

**Executive Recommended**

**2009 King County Comprehensive Plan**

**Shoreline Master Program Update**

**February 27, 2009**

## King County Shoreline Master Program Update Overview of Major Changes in Executive Recommended Draft

Topic	Current Shoreline Master Program	Executive Proposed Shoreline Master Program
<b>Shoreline Environment Designations</b>	<ul style="list-style-type: none"> <li>• Urban</li> <li>• Rural</li> <li>• Conservancy</li> <li>• Natural</li> </ul>	<ul style="list-style-type: none"> <li>• High Intensity (Commercial, Industrial zones)</li> <li>• Residential (Urban Residential Zones)</li> <li>• Rural (Rural Area Zones)</li> <li>• Conservancy</li> <li>• Resource (Agriculture and Mining)</li> <li>• Forestry</li> <li>• Natural</li> <li>• Aquatic</li> </ul>
<b>Shoreline Setbacks</b>	<p>Shoreline Regulations (Title 25)</p> <ul style="list-style-type: none"> <li>• Urban Environment               <ul style="list-style-type: none"> <li>○ Single family – 20 feet</li> <li>○ Multi-family – 50 feet</li> <li>○ Commercial – water dependent – none; non-water-dependent – 50 feet</li> </ul> </li> <li>• Rural Environment               <ul style="list-style-type: none"> <li>○ Single family – 20 feet</li> <li>○ Multi-family – 75 feet</li> <li>○ Commercial – water-dependent – 50 feet; non-water-dependent – 75 feet</li> </ul> </li> <li>• Conservancy               <ul style="list-style-type: none"> <li>○ Single family – 50 feet</li> <li>○ Multi-family – generally not allowed</li> <li>○ Commercial – not allowed</li> </ul> </li> <li>• Natural               <ul style="list-style-type: none"> <li>○ Single-family – 100 feet</li> <li>○ Multi-family and commercial – not allowed</li> </ul> </li> </ul> <p>Critical Area Regulations (Ch. 21A.24)</p> <ul style="list-style-type: none"> <li>• Urban Growth Area: 115 ft.</li> <li>• Rural Area: 165 ft.</li> </ul> <p>(Most protective regulations apply)</p>	<ul style="list-style-type: none"> <li>• Inside Urban Growth Area – 115 feet</li> <li>• Outside Urban Growth Area – 165 feet</li> </ul>

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<b>Docks, piers and floats – when allowed</b>	<p>Shoreline Regulations</p> <ul style="list-style-type: none"> <li>• Urban and Rural Environments               <ul style="list-style-type: none"> <li>○ Single family residential – not an outright permitted use, must investigate other alternatives first, no more than one dock per residence</li> <li>○ Multi-family residential, subdivisions – no more than one moorage space per two residences, maximum of 20 total</li> <li>○ Commercial – only for water-dependent or water-related uses</li> </ul> </li> <li>• Conservancy Environment – same as urban, except a dock may not be closer than 250 feet to another dock</li> <li>• Natural Environment – not permitted</li> </ul> <p>Critical Area Regulations</p> <ul style="list-style-type: none"> <li>• Lakes               <ul style="list-style-type: none"> <li>○ Seasonal floating docks and piers only allowed when density is greater than 3 du/acre and there is no significant shoreline vegetation</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• High Intensity, Shoreline Residential, Conservancy, and Rural Shoreline Environments               <ul style="list-style-type: none"> <li>○ Multi-family residential – 1 per development site</li> <li>○ Single Family Residential – max 1 per lot; must demonstrate other options not available first</li> <li>○ Commercial &amp; industrial uses – max 1 per development site</li> </ul> </li> <li>• Conservancy Shoreline Environment – private docks located at least 250 feet from another dock</li> <li>• Conservancy, Resource, Forestry, and Natural Shoreline Environments – requires a shoreline conditional use permit</li> <li>• Natural Shoreline Environment – not allowed</li> </ul>
<b>Marinas</b>	<ul style="list-style-type: none"> <li>• Urban, rural, and conservancy environments – allowed               <ul style="list-style-type: none"> <li>○ Local streets must be capable of handling traffic</li> <li>○ Not on Class 1 beaches or where will starve Class 1 beaches</li> <li>○ In the conservancy environment, cannot require regarding more than 25% of the site</li> </ul> </li> <li>• Natural environment – not allowed.</li> </ul>	<ul style="list-style-type: none"> <li>• High intensity, shoreline residential, rural, and aquatic environments – allowed as a shoreline conditional use               <ul style="list-style-type: none"> <li>○ Local streets must be capable of handling traffic</li> <li>○ Parking must be provided</li> <li>○ Avoid interfering with littoral currents or locating at end of drift cells</li> </ul> </li> <li>• Conservancy, resource, forestry, and natural environments – not allowed</li> </ul>

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<p><b>Shoreline Stabilization, including bulkheads</b></p>	<ul style="list-style-type: none"> <li>• Shoreline protection is not an outright permitted use.</li> <li>• Applicant must demonstrate that protection is necessary to preserve an existing legally established structure or public improvements or to protect agricultural land.</li> <li>• Shoreline protection is not permitted in the natural environment.</li> <li>• Replacement shoreline protection must be on same alignment of the protection it is replacing</li> <li>• New bulkheads may be allowed under some circumstances if they connect with existing bulkheads on adjoining property</li> <li>• Bulkheads are exempt from shoreline substantial permit requirements only if specific criteria are satisfied, including:               <ul style="list-style-type: none"> <li>○ Erosion from waves or currents is imminently threatening a legally established residence or one or more substantial accessory structures;</li> <li>○ The proposed bulkhead is more consistent with the King County shoreline master program in protecting the site and adjoining shorelines than feasible, non-structural alternatives and those non-structural alternatives are not feasible or will not adequately protect a legally established residence or substantial accessory structure;</li> <li>○ The proposed bulkhead is located landward of the ordinary high water mark or it connects adjacent, legally established bulkheads; and</li> <li>○ The maximum height of the proposed bulkhead is no more than one foot above the elevation of extreme high water on tidal waters or four feet in height on lakes</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Generally allowed when:               <ul style="list-style-type: none"> <li>○ Erosion from waves or currents is imminently threatening a legally established residence, an existing or new water-dependent development, or for restoration or a hazardous waste remediation site</li> <li>○ The proposed structure is more consistent with the King County shoreline master program in protecting the site and adjoining shorelines than feasible, non-structural alternatives and those non-structural alternatives are not feasible or will not adequately protect a legally established residence, an existing or new water-dependent development, or for restoration or a hazardous waste remediation site</li> <li>○ The proposed structure is located landward of the ordinary high water mark or it connects to adjacent, legally established bulkheads</li> <li>○ The maximum height of the proposed bulkhead is no more than one foot above the elevation of extreme high water on tidal waters or four feet in height on lakes</li> <li>○ Comply with Washington State Integrated Stream Protection Guidelines</li> </ul> </li> <li>• Conservancy, Forestry and Natural Shorelines – requires a shoreline conditional use permit</li> <li>• Avoid feeder bluffs, salmonid and forage fish habitat, and eelgrass beds</li> </ul>

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<b>Aquaculture</b>	<p>Shoreline Regulations</p> <ul style="list-style-type: none"> <li>• Urban, rural and conservancy shorelines               <ul style="list-style-type: none"> <li>○ Structures must avoid being a hazard to navigation and divers or cause significant damage to neighboring properties</li> <li>○ Protect water quality</li> <li>○ Not permitted on Class 1 beaches</li> <li>○ Minimum disturbance of banks or channels</li> <li>○ Mechanical harvesting allowed only in urban and rural environments</li> </ul> </li> <li>• Natural shorelines               <ul style="list-style-type: none"> <li>○ Allowed only at Icy Creek on the Green river and limited to natural hatcheries</li> </ul> </li> </ul> <p>Critical Area Regulations</p> <ul style="list-style-type: none"> <li>• Instream structures allowed if part of a project to restore habitat and sponsored by a natural resource agency or a tribe</li> </ul>	<ul style="list-style-type: none"> <li>• Aquaculture a permitted use in all shoreline environments               <ul style="list-style-type: none"> <li>○ In the shoreline residential and rural environments, net pens may not be located closer than 1,500 feet of the OHWM</li> <li>○ In the natural environment, structures, facilities, or mechanized harvesting not allowed</li> </ul> </li> <li>• Commercial salmon net-pens not permitted</li> <li>• New net-pens and rafts may not be located closer than one mile to another net-pen or raft</li> </ul>
<b>Subdivisions</b>	<ul style="list-style-type: none"> <li>• Urban environment               <ul style="list-style-type: none"> <li>○ Lots that do not comply with zoning code lot size requirements – if adjoining lots are under separate ownership, considered separate building site; if under common ownership, lots must be combined</li> </ul> </li> <li>• Rural Environment               <ul style="list-style-type: none"> <li>○ Minimum area of five acres may be reduced to 20,000 sq. ft. if specific conditions are met, including minimum lot width of 100 feet and 12,500 sq. ft. for minimum lot width of 80 feet</li> </ul> </li> <li>• Conservancy Environment               <ul style="list-style-type: none"> <li>○ Minimum area of five acres may be reduced to 40,000 sq. ft. if specific conditions are met, including minimum lot width of 150 feet</li> </ul> </li> <li>• Natural environment               <ul style="list-style-type: none"> <li>○ Minimum area of five acres and minimum lot width of 300 feet</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Shoreline Residential – minimum lot width of 50 feet</li> <li>• Shoreline Residential – minimum lot width of 100 feet</li> <li>• Rural, Conservancy, and Resource Shorelines – 150 feet</li> <li>• Natural – minimum lot width of 330 feet</li> <li>• Lots that do not comply with zoning code lot size requirements – if adjoining lots are under separate ownership, considered separate building site; if under common ownership, lots must be combined</li> <li>• Design lots to locate structures outside of shoreline jurisdiction if feasible</li> <li>• Creation of five or more lots requires improved and maintained pedestrian access for residents to the shoreline</li> </ul>
<b>Shoreline Exemptions</b>	<ul style="list-style-type: none"> <li>• Required for development proposals within the shoreline that do not require a shoreline substantial development permit</li> </ul>	<ul style="list-style-type: none"> <li>• Letter of shoreline exemption required for activity below the ordinary high water mark</li> <li>• Letter of shoreline exemption not required for upland activity</li> <li>• Authority to issue programmatic letter of exemption</li> </ul>